



**Wednesday,
29 July 2020
10.00 am**

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

Contact Officer:
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Cheshire Fire Authority

Notes for Members of the Public

Attendance at Meetings

The Cheshire Fire Authority welcomes and encourages members of the public to be at its meetings and Committees.

This meeting of the Fire Authority will be held by remote means, i.e. the meeting will not be taking place in person at Sadler Road, but will be hosted over the Internet, using Skype for Business, with participants located in a variety of places.

The Government introduced legislation, due to the Coronavirus pandemic, that enables remote meetings to take place and the Fire Authority has adopted rules that allow and govern the way that remote meetings will work. The rules can be accessed [here](#).

The meeting must be open to the public and press. However, as the public and press cannot attend in person the Fire Authority is arranging for the meeting to be broadcast. Final details about how to access the broadcast will be published on the website prior to the meeting.

Questions by Electors

Given the current situation, questions for the Chair of the Fire Authority can be submitted by email to DemocraticServices@Cheshirefire.gov.uk. Questions must be received at least five clear working days before the meeting takes place.

Access to Information

Copies of the Agenda are available on the Service's website (www.cheshirefire.gov.uk). A copy can also be obtained from Democratic Services via DemocraticServices@cheshirefire.gov.uk.

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 remote meeting, because the business to be discussed will be of a confidential nature, for example, dealing with individual people and contracts.

This agenda is available in large print, Braille, audio CD or in community languages upon request by contacting; Telephone: 01606868414 or email: equalities@cheshirefire.gov.uk

Recording of Meetings

The Authority audio records its meetings. Please contact Democratic Services for a copy of the recording via DemocraticServices@cheshirefire.gov.uk.



MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE WEDNESDAY, 29 JULY 2020

Time : 10.00 am

Remote Meeting - Via Skype

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 Membership of Committee

Members are asked to note the membership of the Governance and Constitution Committee for 2020-21, as agreed by the Fire Authority on 1st July 2020.

Members:

Steve Wright (Chair)
Rob Polhill (Deputy Chair)
Rachel Bailey
Mike Biggin
David Brown
Martyn Delaney
Nick Mannion

Substitutes:

Michael Beanland
David Edwardes
Peter Wheeler

Independent (non-elected)
Members:

Derek Barnett
Lesley Thomson

1D 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.

1E Minutes of the Governance and Constitution Committee

(Pages 1 - 4)

To confirm as a correct record the Minutes of the meeting of the Governance and Constitution Committee held on Wednesday 29th January 2020.

ITEMS REQUIRING DISCUSSION / DECISION

2	Dispensations	(Pages 5 - 10)
3	Whistleblowing Annual Report 2019-20	(Pages 11 - 12)
4	Compliments and Complaints Annual Report 2019-20	(Pages 13 - 24)
5	Summary of Member Attendance 2019-20	(Pages 25 - 30)
6	Draft Statement of Assurance 2019-20	(Pages 31 - 54)
7	Allocation of Seats on Cheshire Fire Authority	(Pages 55 - 58)
8	Local Government Association Consultation on Model Member Code of Conduct	(Pages 59 - 86)



MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 29 January 2020 at Lecture Theatre - Sadler Road, Cheshire at 10.15 am

PRESENT: Councillors Steve Wright (Chair), Michael Beanland (substitute for Rachel Bailey), Mike Biggin, David Brown, Martyn Delaney 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

Apologies for absence were received from Councillors Rachel Bailey and Nick Mannion. Councillor Beanland attended the meeting as a substitute for Councillor Rachel Bailey.

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 13th November 2019 be confirmed as a correct record.

2 DISPENSATIONS

The Director of Governance and Commissioning introduced the report which enabled Members to consider the granting of dispensations to allow Members with Disclosable Pecuniary Interests to participate in debates and votes in relation to the setting of the Council Tax precept and approving of the Members' Allowance Scheme.

He informed Members that dispensations could be granted for four years as this was the maximum period allowed. As the existing dispensations were due to expire, it was appropriate to grant new dispensations. A list of those Members seeking dispensations was distributed at the meeting:

Requires Dispensations For Members' Allowances Scheme And Council Tax Precept:

Councillors Michael Beanland, Mike Biggin, David Brown, Razia Daniels, Martyn Delaney, David Edwardes, Gina Lewis, Nick Mannion, Karen Mundry, Stef Nelson, James Nicholas, Les Morgan, Stuart Parker, Jonathan Parry, Rob Polhill, Bob Rudd, Morgan Tarr, Peter Wheeler, Norman Wright and Steve Wright

Requires Dispensations For Members' Allowances Scheme:
Councillor Phil Harris

Members granted dispensations to those who had requested them and it was noted that the dispensations could be extended at the next Fire Authority meeting to those Members that had not requested them in time for the Committee.

RESOLVED: That

[1] dispensations be granted to the Members of Cheshire Fire Authority listed in this minute to allow them to take part in debates and votes concerning the setting of the Council Tax precept and approval of the Members' Allowances Scheme (and any changes/additions to it).

3 INDEPENDENT (NON-ELECTED) MEMBERS - FURTHER TERM OF OFFICE

NOTE: Independent (non-elected) member, Lesley Thomson left the meeting for the discussion of this item.

Members agreed to recommend a further the term of office for Lesley Thomson.

RECOMMENDED: That

[1] Lesley Thomson serve a further term of office as an independent (non-elected) member.

4 REVIEW OF MEMBERS' ALLOWANCES SCHEME

The Director of Governance and Commissioning introduced the report which enabled Members to consider the process and indicative timeline proposed for the upcoming review of the Fire Authority's Members' Allowances Scheme (the Scheme).

He explained that the Members' Allowances Scheme was previously agreed on 14th February 2017 to cover a four year period. It was proposed that the same process should be used in the upcoming review as used previously.

During the last review, one member of from the Cheshire East's Independent Remuneration Panel assisted with the review.

The Director of Governance and Commissioning stated that he wanted to understand the expectations from Members and encourage them to engage in the review. So far he had only picked up one issue, i.e. whether it was possible to pay a Member more than one special responsibility allowance.

It was agreed that Members would discuss any concerns with the Director of Governance and Commissioning whilst the review was ongoing.

RESOLVED: That

[1] the process and indicative timeline contained in the report be approved.

5 ANNUAL GOVERNANCE STATEMENT ACTION PLAN 2018-19

The Director of Governance and Commissioning introduced the report which provided Members with an update on the progress made in relation to the areas for action contained in the Annual Governance Statement 2018-19.

He referred Members to the Annual Governance Statement 2018-19 Action Plan attached as Appendix 1 to the report and provided them with a summary of progress against each area for action which included: Financial Sustainability; People; and Collaborations.

Members asked for clarification about priority based budgeting which was mentioned under Financial Sustainability. The Director of Governance and Commissioning explained how Priority Based Budgeting had been used and had assisted in analysing the Service's budgets.

Members noted that since the last visit from Her Majesty's Inspectorate, staff engagement had significantly improved. Efforts made from the Principle Officers to visit each watch on fire station were commended.

Members queried whether there had been savings in procurement as a result of Blue Light Collaboration.

The Director of Governance and Commissioning confirmed that the Service benefitted from better than traditionally available rates due to the co-ordination of activities with the police.

He went on to explain that the Collaboration Strategy would include a programme for evaluation/review of each collaboration. The Collaboration Strategy was due to be approved at the next Fire Authority meeting. Activity on evaluation and review was expected to be reported to the Performance and Overview Committee.

RESOLVED: That

[1] the report be noted.

6 APPOINTMENT OF THE INDEPENDENT PERSON

The Director of Governance and Commissioning introduced the report which enabled Members to decide whether to recommend the appointment of an Independent Person.

He confirmed that the Fire Authority had received one application from Mr Donald

Clark who was currently an Independent Person for Warrington Borough Council. Mr Clark was the subject of two excellent references, one of which was in relation to his current work as an Independent Person.

Prior to the meeting, three members of the Governance and Constitution Committee along with one independent (non-elected) member, interviewed Mr Clark for the position of the Fire Authority's Independent Person.

After considering the report and listening to the views of the interview panel, Members agreed to recommend the appointment of Mr Clark as an Independent Person for Cheshire Fire Authority.

RECOMMENDED: That

[1] Mr Donald Clark be appointed as an Independent Person.

CHESHIRE FIRE AUTHORITY

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

SUBJECT: DISPENSATIONS

Purpose of the Report

1. To ask Members to extend the benefit of the existing dispensations to a new Member of the Fire Authority to allow them to take part in debates and votes upon 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] the dispensations granted to Fire Authority Members on 29th January 2020 be extended to benefit Cllr Jill Houlbrook thereby allowing her to take part in the debates and votes on the setting of the Council Tax precept, and approval of the Members' Allowance scheme (and any changes and/or additions to it).

Background

2. Dispensations were granted by the Governance and Constitution Committee on 29th January 2020 to all Members of the Fire Authority. The dispensations relate to the setting of the Council Tax precept and the approval of the Members' Allowance Scheme and are effective until January 2024.

Information

3. In considering whether to grant dispensations Members are required to consider the provisions in Section 33 of the Localism Act 2011 (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). Cllr Jill Houlbrook has confirmed that she wishes to take advantage of the dispensations.
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 is applicable. Members previously accepted that they were satisfied that at least one of the reasons listed applies to the setting of the Council Tax precept and the

Members' Allowance Scheme when granting the dispensations. An extract from an earlier report is attached as Appendix 2 to this report to enable Members to understand the relevant matters.

Financial Implications

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

Legal Implications

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

Equality and Diversity and Environmental Implications

8. There are no equality and diversity or environmental implications arising from this report.

BACKGROUND PAPERS: NONE

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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EXTRACT FROM REPORT TO GOVERNANCE AND CONSTITUTION COMMITTEE

Council Tax Precept

1. 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.
2. 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).
3. Accordingly, it would appear to be appropriate to grant a dispensation to the Members that have requested it.

Members' Allowance Scheme

4. 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.
5. 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)

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CHESHIRE FIRE AUTHORITY

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

SUBJECT: WHISTLEBLOWING ANNUAL REPORT 2019-20

Purpose of Report

1. To provide Members with information about whistleblowing for 2019-20.

Recommended That:

- [1] the contents of the Report be noted.

Background

2. “Whistleblowing” is the term used to describe the raising of a concern by a worker who considers that there has been wrongdoing or malpractice by his employer or fellow workers and where it is in the public interest to do so.
3. The legislation, initially introduced in 1998, is designed to reduce malpractice in organisations and to ensure individuals can report malpractice without fear of reprisals. Provided they satisfy certain conditions in the way they report the wrongdoing the law protects workers from dismissal or detriment.

Information

The Authority’s Policy and Procedure on Whistleblowing

4. The Authority has a Whistleblowing Policy and Procedure which was reviewed in July 2016 when changes were made to reflect the recommendations made in the Government’s Guidance for Employers and Code of Practice for Whistleblowing. This can currently be found in the Code of Conduct for Employees which is available on the intranet.
5. The Whistleblowing Policy and Procedure was last reviewed in August 2019. Only minor changes were made, updating the contact details of people that whistleblowers were encouraged to approach in order to raise a concern.

Whistleblowing Complaints

6. The Authority has not been contacted by Safecall in 2019-20.

Financial Implications

7. There are no additional resource implications arising from this report.

Legal Implications

8. The policy and procedure seeks to ensure compliance with the legislation and mitigate risks to the Authority's reputation.

Equality & Diversity Implications

9. The policy and procedure minimise the risk of reprisals against those raising concerns and allow possible concerns about discriminatory practices to be raised internally and dealt with appropriately without recourse to litigation.

Environmental Implications

10. There are no environmental implications.

**CONTACT: DONNA LINTON, FIRE SERVICE HQ, WINSFORD
TEL [01606] 868804**

BACKGROUND PAPERS: NONE

CHESHIRE FIRE AUTHORITY

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

SUBJECT: COMPLIMENTS AND COMPLAINTS ANNUAL
REPORT 2019-20

Purpose of Report

1. To provide Members with information about compliments and complaints about the Service made during the period 1st April 2019 to 31st March 2020.

Recommended That:

- [1] the information regarding compliments and complaints made during the period 1st April 2019 to 31st March 2020 be considered and noted.

Background

2. Since 2010 the Service has recorded three categories: informal complaints, formal complaints (those that cannot be resolved informally at the first attempt) and compliments.
3. The Compliments and Complaints Procedure (the Procedure) has been reviewed on a regular basis to identify improvements. Officers reviewed the Procedure in November 2017 and some small updates were made e.g. to accommodate compliments and complaints received through social media. The Procedure can be found on the Service's website via the following link: [Compliments and Complaints Procedure](#).

Information

4. The Procedure has a two-tier approach to complaints. The Service aims to resolve all complaints received at initial contact, classifying them as informal. If the initial response does not bring about a satisfactory resolution, the complainant is asked if he/she wishes to escalate the matter when it becomes a formal complaint.

Statistics for 1st April 2019 to 31st March 2020

5. The statistics for 2019-20 are:

- i. Formal Complaints - 3
- ii. Informal Complaints - 31
- iii. Compliments - 42

Performance Comparison

6. Comparison of the overall numbers is a crude indicator because of the relatively low numbers. The comparison figures for the past five reporting periods are presented below:

	2019-20	2018-19	2017-18	2016-17	2015-16
Formal complaints	3	3	3	1	0
Informal complaints	31	20	14	34	28
Compliments	42	48	41	78	82

7. As can be seen from the table, there has been an increase for informal complaints during 2019-20.

8. Appendix 1 to this report provides brief details of the informal complaints received and whether they have been dealt with within the timescales set out in the Procedures. Appendix 2 provides a summary of the formal complaints and Appendix 3 summarises the compliments received. The following observations may be helpful:-

- (a) The complaints cover a range of issues with the vast majority being resolved quickly and on occasion resulting from a misunderstanding. The nature of complaints received can be categorised into key areas as follows: Communication (3); Construction (2); Equality and Diversity (2); Protection (3); Prevention (2); Service Delivery (16); Staff Welfare (2); and Supplier Relations (1).
- (b) One of the three formal complaints received was concerned with the handling of a recruitment process. Another related to the actions of firefighters in gaining entry to a property. The final formal complaint was concerned with the arrangements for the Chester IRMP Roadshow.
- (c) The compliments received all related to the Service's departments that have direct interaction with members of the public. They related to: community engagement (11), Safe and Well visits (5),

the Safety Central facility (5) and the Service's response to incidents (21).

Financial Implications

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

Legal Implications

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

Equality & Diversity Implications

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

Environmental Implications

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

BACKGROUND PAPERS: NONE

Appendix 1 – Informal Complaints recorded

Appendix 2 – Formal Complaints recorded

Appendix 3 – Compliments recorded

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Unique Ref	Date of Complaint	How was the complaint received	Relevant Department	Comment	Response within target timescale (Y/N)	Action taken and outcome	Date Closed
CMT 01.19	14/04/19	Email	N/A	The complainant enquired the process to make a complaint against a motorcyclist who appeared to be wearing uniform.	Yes	The Governance Officer contacted the complainant for further information. No further response received from the complainant.	13/05/19
CMT 02.19	01/05/19	Visit to Fire Station	N/A	Complaint received regarding an employee of CFRS who allegedly felled a listed tree without council consent.	Yes	The Station Manager made arrangements to visit the complainant at his property to discuss the issues surrounding his complaint.	30/05/19
CMT 03.19	13/05/19	Email	Service Delivery	Complaint received regarding access made to a vehicle which was severely damaged by firefighters.	Yes	The Station Manager contacted the complainant and crew to gain a further understanding of the incident. After liaising with the legal department, the SM sent a response via letter.	30/11/19
CMT 04.19	14/05/19	Email	Service Delivery	Complaint received against the use of sirens within a green belt area.	Yes	The Station Manager responded to the complaint to explain the policy for siren usage. No further response was received.	18/06/19
CMT 05.19	24/05/19	Email	Service Delivery	Complaint against the response of fire appliances in the south of Cheshire to incidents in north of Shropshire.	Yes	A Station Manager initially responded to the complainant to gain further information from the incident. The Station Manager liaised with NWFC and re-contacted the complainant. The complainant was satisfied with the response received.	24/06/19
CMT 06.19	08/05/19	Email	HR	Complaint concerning the working time policy and welfare for a retained firefighter within the Service.	Yes	A HR business partner responded to the complaint and discussed the firefighter's working time with the watch manager.	21/05/19
CMT 07.19	16/04/19	Letter	N/A	Complaint from a local supplier over communication with a member of staff.	Yes	A Station Manager met with the complainant to discuss the complaint further. A letter from the supplier had been sent to the Chief Fire Officer and Assistant Chief Fire Officer stating they were satisfied with the outcomes.	13/06/19
CMT 08.19	08/07/19	Feedback	Prevention / Communications	Complaint regarding the font of the Safe and Well information booklets.	Yes	A Group Manager responded to the complainant to confirm that his comments had been passed onto the Communications team and they were looking to produce booklets with larger fonts.	19/08/19
CMT 09.19	17/07/19	Email	Service Delivery	Complaint regarding a crew visiting a salon for a fire safety visit.	Yes	A Station Manager responded to the complainant to apologise and they were satisfied with the response.	22/08/19
CMT 10.19	02/08/19	Email	Training Centre	Complaint made against the noise levels of the construction work at Sadler Road and the alleged burning of cars and tyres on site.	Yes	A Station Manager rang the complainant to explain that the construction noise would reduce and that the Service does not burn cars or tyres.	04/09/19
CMT 11.19	05/08/19	Feedback	Equality and Diversity	Complaint regarding flying the rainbow flag outside Congleton Fire Station.	Yes	The Equality and Inclusion Officer emailed a response to the complainant to explain why the organisation flew the rainbow flag.	12/09/19
CMT 12.19	22/08/19	Telephone	Training Centre	Complaint regarding contractors parking along the High Street.	Yes	A Station Manager had visited the complainant in his shop to discuss the details of the complaint and emailed a response to inform the complainant action taken.	27/09/19
CMT 13.19	09/09/19	Email	Service Delivery	Complaint concerning alleged threatening behaviour from a crew whilst attending a gaining entry incident.	Yes	A Station Manager responded via email after discussing the complaint with the crews on duty that day. The complainant was not satisfied with the response received.	Escalated to formal complaint
CMT 14.19	03/10/19	Telephone	Service Delivery	Complainant had witnessed a firefighter encourage fighting between two members of the public and considered posting it on social media.	No	A Group Manager had investigated the matter and appropriately reprimanded the firefighter in question. The crew had been given guidance and support following the incident.	16/10/19
CMT 15.19	05/11/19	Email	Service Delivery/ Prevention	Complaint against the conduct of a Safe and Well visit at the complainant's property.	Yes	A Group Manager called the complainant as requested and had been in regular contact. The complainant appeared to be satisfied with the response.	09/01/20
CMT 16.19	11/11/19	Email	Protection	Complaint regarding the response to the burning of materials on a nearby farm and the lack of enforcement.	No	A Watch Manager responded to the complainant to inform them that the Service had been working with the Environmental Agency on the matter but it was ultimately the Environmental Agency who took the lead.	10/12/19
CMT 17.19	08/11/19	Telephone	Protection	Complaint regarding the number of fire inspection visits the complainant's business had received.	Yes	A Watch Manager contacted the complainant to explain the reason for the number of visits. A Fire Safety Inspector visited the complainant and no further issues were communicated.	03/12/19
CMT 18.19	16/11/19	Email	Protection	Complaint regarding the number of fire inspection visits the complainant's business had received.	Yes	A Protection Manager rang the complainant and sent a letter to summarise. The complainant was satisfied with the outcome.	28/11/19
CMT 19.19	20/11/19	Telephone	Service Delivery/ Prevention	Complaint received regarding a Safe and Well visit at the complainant's property.	No	A Group Manager called the complainant but received no reply. A letter was sent to the complainant with the Group Manager contact details.	15/01/20
CMT 20.19	06/12/19	Email	Service Delivery	Complaint received regarding the conduct of an officer whilst an inspection took place at the complainant's premises.	Yes	A Station Manager spoke to the crew on duty for their account of the events. The Station Manager called the complainant and emailed an apology.	31/12/19

CMT 21.19	14/12/19	Letter	Service Delivery	Complaint received regarding a damaged gate whilst firefighters attended an incident at the complainant's property.	Yes	Firefighters apologised to the complainant. The Station Manager kept in contact to ensure repair were complete. The complainant was satisfied with the response received.	05/02/20
CMT 22.19	25/12/19	Email	Service Delivery	Complaint received regarding damage to the complainant's vehicle.	Yes	A Station Manager investigated the matter and found there was no evidence that the appliance had damaged the complainant's vehicle.	29/01/20
CMT 23.19	17/01/20	Email	Service Delivery	Complaint received regarding concerns for the method of entry used to gain access into the complainant's father's property.	Yes	A Station Manager investigated the matter and found the complainant was not entitled to compensation. The complainant was disappointed but accept the response.	10/02/20
CMT 24.19	05/02/20	Email	Service Delivery	Complaint against an officer using a mobile phone whilst driving a Service vehicle.	Yes	A Station Manager investigated the matter and responded to the complainant. The complainant was satisfied with the response.	13/02/20
CMT 25.19	07/02/20	Email	Service Delivery	Complaint against a crew who allegedly misinformed horse owners whilst attending an incident.	Yes	A Station Manager responded to the complainant however, no further response was received from the complainant.	12/03/20
CMT 26.19	10/02/20	Email	Equality and Diversity	Complaint against the flying of a rainbow flag outside Runcorn Fire Station.	Yes	The Equality and Inclusion Officer emailed a response to the complainant to explain why the organisation flew the rainbow flag.	13/03/20
CMT 27.19	25/02/20	Email	Service Delivery	Complaint received regarding concerns of firefighter attendance at a neighbouring property.	Yes	A Station Manager responded to the complainant. The complainant was satisfied with the response.	13/03/20
CMT 28.19	16/03/20	Telephone	Admin Hub	Complaint received against a member of staff.	Yes	The Admin Hub contacted an external agency and was able to resolve the matter and the complaint was satisfied with the response received.	17/03/20
CMT 29.19	24/03/20	Email	Service Delivery	Complaint received regarding firefighter training at Nantwich Fire Station following the implementation of Government social distancing guidelines.	Yes	A Station Manager responded to the complainant to clarify the Service's position on drill nights during lockdown.	02/05/20
CMT 30.19	30/03/20	Email	Communications	Complaint received regarding a local newspaper incorrectly reporting the origin of a fire.	Yes	A Station Manager investigated and found the Watch Manager had incorrectly processed the fire report. The Station Manager apologised to the complainant.	28/04/20
CMT 31.19	30/03/20	Email	Communications	Complaint received regarding a local newspaper incorrectly reporting the origin of a fire.	Yes	A Station Manager investigated and found the Watch Manager had incorrectly processed the fire report. The Station Manager apologised to the complainant.	28/04/20

Unique Ref	Date of Complaint	How was the complaint received	Details of Complaint	Response to Complaint	Date initial response sent	Within Target response time	Date Closed
Comp 01.19	03/04/19	Email	The complainant requested information as to why an employment offer was withdrawn. The complainant was not satisfied with the service provided and raised a formal complaint.	The HR Business Partner responded to the complainant whilst complying with data protection requirements/subject access provisions. No further response was received from the complainant.	08/04/19	Yes	23/05/19
Comp 02.19	18/09/19	Email	Initial informal complaint (CMT 13.19) concerning the conduct of firefighters during a forced entry at the complainant's property.	The Station Manager and Group Manager had agreed to meet with the complainant to discuss the complaint further. The complainant did not confirm their availability after multiple attempts to engage with him.	18/09/19	Yes	15/11/19
Comp 03.19	05/03/20	Telephone	The complainant raised concerns about the IRMP Roadshow that was held in Chester which had finished early and was also critical of the number of roadshows in Chester in comparison to the number held in Ellesmere Port.	The Transformation Officer emailed the complainant for further information regarding the complaint. An apology was issued to the complainant and they were provided with an online survey. The complainant was satisfied with the response received.	05/03/20	Yes	10/03/20

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Unique Ref	Date of Compliment	How was the compliment received	Area	Compliment	Relevant Department	Department Notified of Compliment
Compliment 01.19	10/04/19	Email	Warrington	Compliments were given to the Think Drive Survive session held for the Warrington Prince's Trust team.	Prevention - Road Safety	Yes
Compliment 02.19	01/07/19	Email	Ellesmere Port	Compliments were given to crews from Ellesmere Port for taking part in the Little Sutton community festival.	Service Delivery	Yes
Compliment 03.19	08/07/19	Email	N/A	Compliments were given to the crew who attended a Safe and Well visit.	Prevention	Yes
Compliment 04.19	17/07/19	Facebook	Chester	Compliments were given to crews who rescued a child after his foot was trapped between the pedal and frame of his bike.	Service Delivery	Yes
Compliment 05.19	25/07/19	Facebook	Warrington	Compliments were given to the crews who rescued a horse from a ditch.	Service Delivery	Yes
Compliment 06.19	25/07/19	Feedback	Warrington	Compliments were given to the crews who rescued a horse from a ditch.	Service Delivery	Yes
Compliment 07.19	25/07/19	Email	Winsford	Compliments were given to the crews who attended the lightening fire in Winsford.	Service Delivery	Yes
Compliment 08.19	29/07/19	Email	Audlem	Compliments were given to the crew that attended a call out to a care home alarm.	Service Delivery	Yes
Compliment 09.19	01/08/19	Email	Poynton	Compliments were given to the crews who attended the floods in Poynton.	Service Delivery	Yes
Compliment 10.19	04/08/19	Letter	Widnes	Compliments were given to the crews who delivered water safety messages across Widnes.	Prevention	Yes
Compliment 11.19	07/08/19	Email	Ellesmere Port	Compliments were given to the crews who attended a drowning incident along the Manchester Ship Canal from the Underwater Search and Marine Unit.	Service Delivery	Yes
Compliment 12.19	09/08/19	Email	Chester	Compliments were given to an off duty officer who assisted an elderly lady across a flooded road.	Service Delivery	No
Compliment 13.19	17/08/19	Email	Crewe	Compliments given to all those who attended the Beechmere Care Home incident.	Service Delivery	Yes
Compliment 14.19	20/09/19	Email	Alderley Edge	Compliments were given to staff who carried out a Safe and Well visit.	Prevention	Yes

Compliment 15.19	26/09/19	Email	Congleton	Compliments were given to the crews who attended the fire at a timber yard in Congleton.	Service Delivery	Yes
Compliments 16.19	24/10/19	Email	Alsager	Compliments given to the people who attended a safe and well visit.	Prevention	Yes
Compliments 17.19	29/10/19	Email	Wilmslow	Compliments were given to the crews who were involved in removing floodwater from Merryman's Lane, Great Warford.	Service Delivery	Yes
Compliments 18.19	30/10/19	Email	Congleton	Compliments were given to the crew who attended Ruby's fundraising event at Astbury Community Hall	Service Delivery	Yes
Compliment 19.19	30/10/19	Email	Northwich	Compliments were given to the crews who attended the flooding at Northwich Quay Marina.	Service Delivery	Yes
Compliment 20.19	05/11/19	Email	Macclesfield	Compliments were given to crews who attended a gaining entry incident in Rainow.	Service Delivery	Yes
Compliment 21.19	08/11/19	Email	Congleton	Compliments were given to the Safety Advocates who gave a presentation for the children at Oracle school.	Prevention	Yes
Compliment 22.19	20/11/19	Email	Chester	Compliments were given to the Safety Advocates who fitted a smoke alarm into a domestic property.	Prevention	Yes
Compliment 23.19	20/11/19	Email	Macclesfield	Compliments were given to the crews who attended a domestic fire in Macclesfield.	Service Delivery	Yes
Compliment 24.19	22/11/19	Email	Warrington	Compliments were given to the crew who gave a presentation on home safety.	Prevention	Yes
Compliment 25.19	05/12/19	Telephone	Malpas	Compliments were given to the crew who conducted a Safe and Well visit.	Prevention	Yes
Compliment 26.19	29/09/19	Card	Runcorn	Compliments were given to crews who rescued a girl from the Manchester Ship Canal.	Service Delivery	Yes
Compliment 27.19	15/01/20	Email	Safety Central	Compliments were given to the staff at Safety Central during a Safer Together tour.	Prevention	Yes
Compliment 28.19	26/11/19	Email	Safety Central	Compliments were given to the staff at Safety Central.	Prevention	Yes
Compliment 29.19	27/11/19	Email	Safety Central	Compliments were given to the staff at Safety Central	Prevention	Yes
Compliment 30.19	16/01/20	Letter	Safety Central	Compliments were given to the Safety Central facilities and hospitality during an external team meeting.	Prevention	Yes

Compliment 31.19	20/01/20	Email	Chester	Compliments were given to the crews who attended a chimney fire in Saighton.	Service Delivery	Yes
Compliment 32.19	17/01/20	Telephone	Northwich	Compliments given to the crew who attended an incident on School Lane.	Service Delivery	Yes
Compliment 33.19	23/01/20	Letter	Safety Central	Compliments were given to the staff at Safety Central for accommodating their visitors.	Prevention	Yes
Compliment 34.19	27/01/20	Email	Northwich	Compliments were given to the crews at Northwich Fire Station during a scout visit to the station.	Service Delivery	Yes
Compliment 35.19	03/02/20	Email	Winsford	Compliments were given to a retained firefighter who responded from home to support a patient.	Service Delivery	Yes
Compliment 36.19	04/02/20	Email	Safety Central	Compliments were given to Safety Central for allowing a Co-op meeting to take place on site and thanks to the staff who provided a tour of the facility.	Prevention	Yes
Compliment 37.19	15/02/20	Email	Macclesfield	Compliments were given to the crew who attended a house fire in Macclesfield	Service Delivery	Yes
Compliment 38.19	17/02/20	Facebook	Nantwich	Compliments were given to the safety advocates and crews at Nantwich Fire Station following an incident which occurred in Nantwich.	Service Delivery/Prevention	Yes
Compliment 39.19	01/03/20	Email	N/A	Compliments were given to the Communications team for their video of Gecko the Frog on YouTube.	Communications	Yes
Compliment 40.19	02/03/20	Email	Macclesfield	Compliments were given to the crews who attended a gaining entry incident.	Service Delivery	Yes
Compliment 41.19	06/03/20	Email	Malpas	Compliments were given to the Road Safety team for conducting a session for a scout group.	Prevention	Yes
Compliment 42.19	27/03/20	Email	Audlem	Compliments were given to the crew who rescued a woman and her two dogs from a flooded road.	Service Delivery	Yes

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CHESHIRE FIRE AUTHORITY

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

SUBJECT: SUMMARY OF MEMBER ATTENDANCE
2019–20

Purpose of Report

1. To provide information about Member attendance which can be considered alongside the previously agreed expectation about attendance.
2. To allow Members to consider whether they wish to amend the guidelines concerned with the monitoring of Member attendance.

Recommended: That Members

- [1] Consider the information about Member attendance at meetings of the Authority and its three main Committees for 2019-2020; and
- [2] Consider whether they wish to make any changes to the guidelines concerned with the monitoring of Member attendance levels.

Background

3. The terms of reference for this Committee includes the responsibility: *'Monitors Member attendance and recommend action to the Fire Authority'* (reference - 3.44 of the current Constitution).
4. Members previously agreed guidelines relating to Member attendance. They determined that an acceptable level of attendance was considered to be 70% in respect of the Authority and its main committees; Estates and Property Committee, Governance and Constitution Committee and Performance and Overview Committee and.

In addition Members also agreed the following principles:

- (a) In addition to recording Member attendance at the main bodies, information will be collected on attendance at other bodies, including attendance at conferences and seminars. This additional information will be made available at the request of the Committee;

- (b) Should the Committee consider a Member's attendance is unsatisfactory, the circumstances will be referred by the Chair of the Committee to the relevant Member, in the first instance, and the Group Leader of the relevant party for action; and
- (c) If this action does not improve the position, a formal resolution from the Committee will be sought to refer the matter to the Party whip at the constituent authority for determination.

Information

- 5. Appendix 1 includes a summary in respect of Member attendance at the Fire Authority and the main committees for 2019-20. It only includes current Members that were members of the Fire Authority for some or the whole of 2019-20.
- 6. Appendix 2 of this report provides details of the planning days attended and additional meetings attended by Members. It also includes figures on conferences and events that Members attended in 2019-20 on behalf of the Authority.
- 7. Members are asked to consider the information in paragraphs 6 and 7 and the Appendices of this report. They are also asked to decide whether the current guidelines outlined in paragraph 4 of this report require any amendment.
- 8. Members should note that the impact of COVID-19 and the introduction of the Government's lockdown measures led to the cancellation of scheduled meetings at the end of 2019-20.

Financial Implications

- 9. There are no financial considerations arising from this report.

Legal Implications

- 10. There are no legal implications arising from this report.

Equality and Diversity Implications

- 11. There are no equality and diversity implications arising from this report. It is important, however, that Members are treated appropriately if they are having difficulty attending meetings/events.

Environmental Implications

- 12. There are no environmental implications.

BACKGROUND PAPERS: NONE

Councillor	E&P Meetings Held: 2	G&C Meetings Held: 3	P&O Meetings Held: 4	CFA Meetings Held: 5	Total Meetings Could Attend	Total Meetings Attended	Apologies Received	%
Rachel Bailey		2		3	8	5	3	63%
Michael Beanland				4	5	4	1	80%
Mike Biggin		3		4	8	7	1	88%
David Brown		3		4	8	7	1	88%
Razia Daniels			2	4	9	6	3	67%
Martyn Delaney		3		5	8	8	0	100%
David Edwardes	2			4	7	6	1	86%
Phil Harris			4	5	9	9	0	100%
Marilyn Houston*	1 of 1			1 of 1	2	2	0	100%
Gina Lewis			4	5	9	9	0	100%
Nick Mannion		2		4	8	6	2	75%
Les Morgan**				1 of 1	1	1	0	100%
Karen Mundry	2			5	7	7	0	100%
Stef Nelson	2			5	7	7	0	100%
James Nicholas			3	5	9	8	1	89%
Jonathan Parry			2	3	9	5	4	56%
Stuart Parker	1			5	7	6	1	86%
Rob Polhill		3		5	8	8	0	100%
Bob Rudd				5	5	5	0	100%
Peter Wheeler			4	5	9	9	0	100%
Norman Wright	1		3	4	11	8	3	73%
Steve Wright		3		4	8	7	1	88%
Independent (non-elected) Members								
Derek Barnett		3	3		7	6	1	86%
Lesley Thomson	2	2			5	4	1	80%

* Appointed to the Fire Authority on 31st January 2020

** Appointed to the Fire Authority on 16th December 2019

The following Members have attended a committee as a substitute Member:

CLr Rachel Bailey - Performance and Overview Committee on 2 occasions

CLr Michael Beanland - Governance and Constitution Committee

CLr Mike Biggin - Performance and Overview Committee

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Appendix 2

Councillor	Additional Meetings	Planning Days Attended (5 held)	Events Attended	Total of additional meetings/ events attended
Rachel Bailey	0	4	10	14
Michael Beanland	4	2	4	10
Mike Biggin	7	2	0	9
David Brown	2	5	4	11
Razia Daniels	1	3	1	5
Martyn Delaney	0	5	8	13
David Edwardes	3	2	13	18
Phil Harris	0	5	1	6
Marilyn Houston*	0		0	0
Gina Lewis	5	5	10	20
Nick Mannion	2	3	6	11
Les Morgan**	1	1 of 1	0	1
Karen Mundry	2	5	3	10
Stef Nelson	13	5	13	31
James Nicholas	0	4	7	11
Jonathan Parry	0	0	0	0
Stuart Parker	15	5	7	27
Rob Polhill	0	3	0	3
Bob Rudd	13	5	22	40
Peter Wheeler	0	4	5	9
Norman Wright	0	4	0	4
Steve Wright	0	4	4	8
Independent (non-elected) Members				
Lesley Thomson	1	5	0	6
Derek Barnett	0	5	3	8

* Appointed to the Fire Authority in 31st January 2020

** Appointed to the Fire Authority on 16th December 2019

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 10TH APRIL 2019
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: DRAFT STATEMENT OF ASSURANCE 2019-20

Purpose of Report

1. To provide Members with an opportunity to review the draft Statement of Assurance for 2019-20.

Recommended: That

- [1] The contents of the report be noted
- [2] Subject to Members' comments, the draft Statement of Assurance be approved.

Background

2. Members will be aware that one of the requirements of the Fire and Rescue National Framework for England (the Framework) is the publication of Statement of Assurance (the Statement).
3. The Statement should:

"...outline the way in which the authority and its fire and rescue service has had regard to this National Framework, the Integrated Risk Management Plan and to any strategic plan prepared by the authority for that period. The authority must also provide assurance to their community and to government on financial, governance and operational matters."

Information

4. The Statement would normally be published in July following approval by the Fire Authority. This year, because of Coronavirus, the Government has extended the period allowed to conclude the audit of accounts and acknowledged that the publication of the statement of accounts and associated documents will be later than usual.
5. The draft Statement for 2019-20 is attached to this report as Appendix 1.

6. The draft Statement has been prepared in accordance with national guidance. It includes sections on financial assurance, governance and operational assurance. It also outlines the way in which the Authority has had regard to the Framework. A new version of the Framework was published in May 2018 and the Statement provides evidence to show that the Authority complies with its requirements. The final section provides information about the outcomes from the HMICFRS inspection and areas for improvement. This was added last year to provide further evidence about the Authority's performance.
7. The guidance suggests that where authorities have already set out relevant information that is clear, accessible, and user-friendly within existing documents they may wish to include extracts or links to these documents within their statement of assurance. The draft Statement includes extracts or links to many of the existing key documents and policies such as the Integrated Risk Management Plan, the Annual Statement of Accounts (with Annual Governance Statement) and the HMICFRS report. Members will see that there are some areas that require updating, prior to approval by the Fire Authority.
8. Members are asked to consider the contents of this draft Statement in its present form and if approved, a final version should be presented to the Fire Authority for approval at its meeting in September 2020 prior to publication.

Financial Implications

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

Legal Implications

10. Under section 21 of the Fire and Rescue Services Act 2004 the Secretary of State must prepare a Fire and Rescue National Framework. Paragraph 4.6 of the current Framework requires each fire and rescue authority to produce an annual Statement of Assurance.
11. The Statement of Assurance will be used as a source of information on which to base the Secretary of State's biennial report under section 25 of the Fire and Rescue Services Act 2004.
12. The Statement of Assurance should be signed off by an elected member of the authority who is able to take responsibility for its contents. The Chair of the Authority will sign the Statement, together with the Chief Fire Officer and Chief Executive. They formally declare that they are satisfied that the arrangements are adequate and operating effectively and meet the requirements of the Framework.

Equality and Diversity Implications

13. There are none.

Environmental Implications

14. There are none.

CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD

TEL [01606] 868804

BACKGROUND PAPERS: NONE

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Making Cheshire Safer

DRAFT
Statement of Assurance 2019-20



www.cheshirefire.gov.uk

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1. Foreword

Cheshire Fire Authority recognises the importance of having good management, effective processes and appropriate controls in place to deliver services to the communities of Cheshire East, Cheshire West and Chester, Halton and Warrington.

Fire authorities are accountable for their performance and should be open to evaluation by the communities they serve. By producing this Statement of Assurance, we aim to provide information to communities, government, local authorities and other partners which will allow them to make a valid assessment of our performance

TO BE UPDATED

Overall we are satisfied that the Authority's financial, governance and operational assurance arrangements are adequate and operating effectively and meet the requirements detailed within the Fire and Rescue National Framework for England.

Cllr Bob Rudd
Chair
Cheshire Fire Authority



Mark Cashin
Chief Fire Officer and
Chief Executive
Cheshire Fire and Rescue Service



2. Introduction

The Statement of Assurance is published annually to provide an easy and accessible way for communities, government, local authorities and partners to make a valid assessment of the Authority's performance and governance arrangements.

The Authority is required to publish an annual Statement of Assurance as part of the Fire and Rescue National Framework for England.

Fire and Rescue authorities must provide annual assurance on financial, governance and operational matters and show how they have had due regard to the expectations set out in their Integrated Risk Management Plan (IRMP) and the requirements included in the Framework. To provide assurance, fire and rescue authorities must publish an annual Statement of Assurance.

The Statement of Assurance may include any potential improvements the Authority has identified across its accounting, governance or operational responsibilities and any plans to achieve the improvements.

National guidance on the content of Statements of Assurance published in May 2013 suggests that where authorities have already set out relevant information that is clear, accessible and user friendly within existing documents, they may wish to include extracts or links to these documents within their Statement of Assurance. This Statement includes extracts or links to key documents, where relevant.

3. Financial Assurance

The Authority is responsible for ensuring public money is properly accounted for and used efficiently and effectively.

Annual Statement of Accounts

Cheshire Fire Authority provides financial assurance through the publication of the Annual Statement of Accounts. This is a statutory requirement under the [Accounts and Audit \(England\) Regulations 2015](#) and the accounts are prepared following the *CIPFA Code of Practice on Local Authority Accounting*. The financial statements are subject to review by independent auditors as directed by the [Audit Commission Act 1998](#).

The Treasurer is responsible for ensuring the right controls are in place to ensure that financial assets are properly managed, financial reporting is accurate and that the Annual Statement of Accounts is prepared in accordance with statutory requirements.

Annual Governance Statement

The [Annual Governance Statement](#), which is a requirement under the Accounts and Audit Regulations (England) 2015 and which is published as part of the Annual Statement of Accounts, sets out the systems and procedures that are in place to ensure that the Authority's resources are used in accordance with the law and provide best value for the taxpayer.

Transparency

In addition to the statutory requirement to publish annual financial results, the Authority is committed to increasing transparency. The Authority has adopted the best practice guidance set out in the Local Government Transparency Code 2015 as far as is practical and publishes key documents and information on the Authority's website regarding how money is being spent. This includes details of payments for goods and services to external bodies and suppliers above £500, details of salaries and allowances paid to staff and Members and tender and procurement information.

[Transparency](#)

[Local Government Transparency Code 2015.](#)

Auditors

Grant Thornton Limited Liability Partnership is the appointed external auditor for Cheshire Fire Authority and is responsible for completion of the following assurance activities:

- Audit of the 2019-20 financial statements
- Opinion on the Authority's accounts
- Value for Money conclusion

The Internal Audit function for 2019-20 was provided by Mersey Internal Audit Agency (MIAA). A number of audits were commissioned in line with the Authority's risk profile which provided an independent assurance level on the Authority's control frameworks.

Key evidence links

[Accounts and Audit \(England\) Regulations 2015](#)
[Local Audit and Accountability Act 2014](#)
[Statement of Accounts](#)
[Annual Governance Statement](#)
[Efficiency plan 2015/16-2019/20](#)
[Medium Term Financial Plan](#)
[Transparency](#)
[Local Government Transparency Code 2015.](#)

4. Governance

The Authority's governance arrangements and framework aim to ensure that in conducting its business it:

- Operates in a lawful, open, inclusive and honest manner.
- Makes sure public money is safeguarded, properly accounted for and spent wisely.
- Has effective arrangements in place to manage risk.
- Meets the needs of the communities of Cheshire East, Cheshire West and Chester, Halton and Warrington.
- Secures continuous improvements in the way it operates.

Annual Governance Statement

The Authority is required to produce an “**Annual Governance Statement**” (AGS) which is published as part of the Annual Statement of Accounts. The AGS is an expression of the measures taken by the Authority to ensure appropriate business practice, high standards of conduct and sound governance. It explains how the organisation manages its governance and internal control arrangements and measures the effectiveness of those arrangements.

The [AGS](#) for the period 1st April 2019 to 31st March 2020 is published on the Authority’s website within the Annual Statement of Accounts.

Local Code of Corporate Governance

CIPFA published a new version of the framework ‘Delivering Good Governance in Local Government’ in 2016. This best practice guidance sets out seven principles of good governance A to G which are illustrated below, and each principle is considered in the AGS:



How the Authority Works

Cheshire Fire Authority

The Authority has responsibility for ensuring that its business is conducted in accordance with the law and that proper standards are in place.

The Authority was created in 1997 by the Cheshire Fire Services (Combination Scheme) Order. It is made up of twenty-three elected Members appointed by the constituent authorities of Cheshire East, Cheshire West and Chester, Halton and Warrington Borough Councils. There are also two non-elected independent members who act in an advisory role.

In 2017 the Authority enabled the Police and Crime Commissioner for Cheshire (PCC) to attend and speak at its meetings. This was intended to help develop further integration of those services and assets that are the responsibility of the Authority and the Police and Crime Commissioner. In March 2020 the Combination Scheme was amended by the Government to allow the PCC to sit as a Member of the Authority with voting rights if he makes a formal request to do so and if the Authority agrees to the request.

In discharging the statutory responsibilities of the Authority, Members and senior officers are responsible for ensuring that proper governance arrangements are in place. These demonstrate good management of the Authority's key risks in accordance with legislation and appropriate standards.

The **Constitution** of the Authority covers:

- An explanation of key documents produced by the Fire Authority
- Members decision making bodies
- Procedural matters
- Outside bodies
- Members roles
- Protocols
- Members Code of Conduct
- Members allowances
- Financial regulations
- Scheme of Delegation

The Authority's committee structures allow Members to consider key policies and to monitor performance. The Authority has an effective strategic and financial planning process which includes rigorous review and challenge by Members.

The Authority operates with the following main Committee structure:

- Performance and Overview Committee
- Governance and Constitution Committee
- Brigade Managers Pay and Performance Committee
- Staffing Committee
- Estates and Property Committee

Terms of Reference for each Committee are subject to regular review.

Member Champions are assigned to a number of thematic areas to provide additional scrutiny and challenge; these include risk, equality, young people, older people, pensions, finance and the environment.

The Service Management Team (SMT) Structure

The operations of the Authority are directed through a clear leadership and management structure with defined roles and responsibilities. The Service Management Team is comprised of:

- Chief Fire Officer and Chief Executive
- Two Assistant Chief Fire Officers
- Director of Governance and Commissioning
- Treasurer
- Director of Transformation
- Heads of Department

Monitoring Officer:

During the 2019-20 financial year the Director of Governance and Commissioning fulfilled the statutory role of Monitoring Officer for the Authority, ensuring all actions taken were lawful.

Treasurer/Section 151 Officer:

The Joint Corporate Services Head of Finance has responsibility for day to day financial management in accordance with CIPFA guidance with the Treasurer/Section 151 Officer employed by the Fire Authority responsible for the matters set out in Section 151 of the Local Government Act 1972.

Integrated Risk Management Plan (IRMP)

Each year Cheshire Fire Authority has created a plan called the IRMP which assesses local fire and rescue related risks and details how these will be addressed. The IRMP is published on the Authority's website.

In 2019 the Authority decided to produce a four year IRMP covering the period 2020-2024.

Vision and Mission

The Authority's **vision** is defined as

"A Cheshire where there are no deaths, injuries or damage from fires or other emergencies"

and it's **mission**

"To help create safer communities, to rescue people and protect economic, environmental and community interests"

Core Values

The Authority also has a set of values and behaviours to define what is expected of everyone involved with Cheshire Fire and Rescue Service.

Following consultation and engagement with staff new Core Values were introduced in March 2020.

These **Core Values** are:

Be Inclusive: By acting fairly, with integrity, respect and without prejudice

Do the Right Thing: By holding each other to account for ensuring high standards of professionalism in everything we do

Act with Compassion: By being understanding and offering help to each other and to our communities with warmth, patience and kindness

Make a Difference: By making an impact in our organisation and in our communities in whatever ways we can, for as many people as we can

Performance Management: How we performed during 2019 – 2020

As part of the corporate planning process the Authority measures and monitors performance using a range of Key Performance Indicators (KPIs) that are also used to compare performance against other fire and rescue authorities in England.

Achievements against these indicators are scrutinised quarterly by the Performance and Overview Committee and Performance and Programme Board and annually by the Fire Authority.

Performance relating to the handling of calls by North West Fire Control is also monitored quarterly, in line with agreed standards.

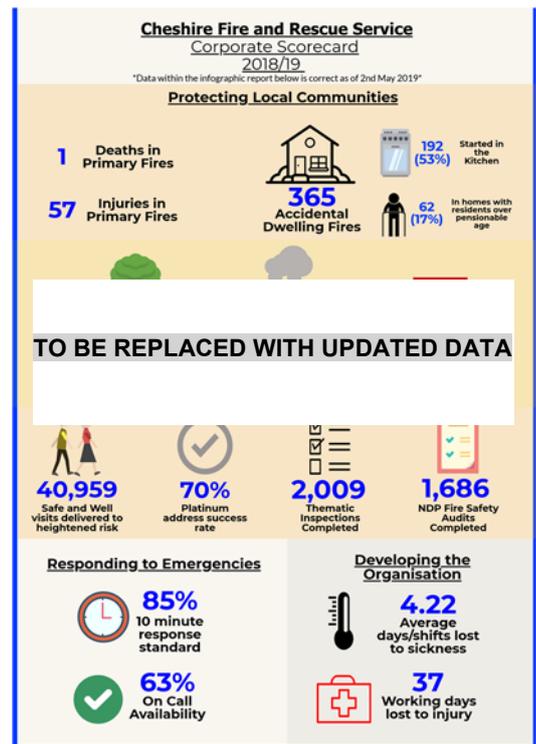
An Annual Report is produced in September each year setting out how the Authority has performed over the last 12 months.

Performance information can be accessed in the Performance section of the Authority's website.

Auditors

Internal Audit:

The Authority's Internal Audit function for 2019-20 was outsourced to Mersey Internal Audit Agency (MIAA). A risk-based internal audit plan and three-year strategy was agreed by senior management and approved by the Authority in 2018. A number of audits were



commissioned in line with our risk profile and appetite which provided an independent assurance level on the Authority's control frameworks.

The internal audit team completed a number of compliance and assurance audits during 2019-20 aligned to the approved internal audit plan, which have generally resulted in positive opinions with a small number of recommendations made as a result of their findings. Action plans have been put in place to deal with any issues found during the audits.

Internal Audit Opinion 2019-20:

Director of Internal Audit Opinion:

Substantial Assurance, can be given that that there is a good system of internal control designed to meet the organisation's objectives, and that controls are generally being applied consistently.

External Audit:

The Authority has appointed Grant Thornton as external auditors and established protocols are in place for working with External Audit.

External Audit Opinion 19-20:

Opinion

TO BE INSERTED WHEN AVAILABLE.

Conclusion

TO BE INSERTED WHEN AVAILABLE.

Key evidence links

[Delivering Good Governance 2016](#)
[Local Code of Corporate Governance](#)
[Principals A-G](#)
[Annual Governance Statement](#)
[Integrated Risk Management Plan](#)
[CFRS Vision, Mission, Core values](#)
[Constitution](#)
[Annual Report for 2019](#)
[Corporate Scorecard 19/20](#)
[Internal Audit Opinion](#)

5. Operational Assurance

The Fire and Rescue Services National Framework for England outlines the requirement placed upon fire and rescue authorities to provide assurance on operational matters which are determined locally by them.

Statutory Responsibilities

Fire and Rescue Authorities function within a clearly defined statutory and policy framework. The Authority is required to comply with a range of laws, regulations and guidance. Links to some of the key legislation/guidance can be accessed below:

[Fire and Rescue Services Act 2004](#)

[Civil Contingencies Act 2004](#)

[Regulatory Reform \(Fire Safety\) Order 2005](#)

[Fire and Rescue Services \(Emergencies\) \(England\) Order 2007](#)

[Localism Act 2011](#)

[Fire and Rescue National Framework for England 2018](#)

[Local Government Act 1999](#)

[Health & Safety at Work Act 1974](#)

[Policing and Crime Act 2017](#)

To ensure that the Authority can demonstrate how it complies with this statutory and policy framework a number of detailed assessments are undertaken.

- Progress against the Authority's Health and Safety policy/framework is regularly presented to the Health, Safety and Wellbeing Committee.
- The Authority regularly assesses operational capability against risks in the area covered by the Authority to ensure that the right resources, procedures and skills are available to respond to incidents within target response times.
- The Authority undertakes an annual review of operational risk and performance, supplemented by scrutiny at quarterly Member and officer meetings.
- The Risk Management Board monitors and scrutinises strategic risks.

Corporate Planning

There is a robust corporate planning process in place which facilitates the development of the Integrated Risk Management Plan (IRMP).

Integrated Risk Management Plan (IRMP)

Fire authorities must produce an IRMP which assesses local fire and rescue related risks and details how these will be addressed. The IRMP takes account of the requirements of the Fire and Rescue National Framework and outlines the key risks and influences facing Cheshire and how the Authority is currently structured to address them.

The Authority has outlined its plans for 2020-24 in its Integrated Risk Management Plan "Saving Lives, Changing Lives, Protecting Lives". This was approved by the Authority in July 2020 following a period of public and staff consultation.

Community Risk Management

Through its Community Risk Management (CRM) Model, the Service undertakes risk and performance analysis in order to ensure that strategic, tactical and operational activities are intelligence-led and evaluated. This is achieved by using specialist systems, software, data and skills delivered by the Joint Corporate Service Business Intelligence team located at Clemonds Hey.

Unitary Area Plans

In addition to, and complementing the IRMP, each council area has a Unitary Performance Group (UPG) involving local Fire Authority members in performance management. The UPG meets quarterly to scrutinise data and performance. Unitary Area Plans are developed for each unitary area. Each plan is unique to that area and contains the actions the Unitary teams will take in order to mitigate risk and improve community safety. These plans are informed by the Community Risk Management Model which brings together historic incident data, demographic, commercial and external risk factors.

Stakeholder Engagement

The Authority is committed to involving all of its stakeholders in the development of its strategies and plans. It encourages this by carrying out a comprehensive annual consultation programme on its draft IRMP. Local communities, partners, staff, representative bodies and other stakeholders are invited to comment to ensure that before any decision is taken a broad range of views are taken into account. To enable active and informed participation, data and information relevant to the plan is made available to the public on the Service's website and via social media, in consultation packs, which are distributed at community roadshow events held across Cheshire, and also at key local stakeholder forums and meetings.

Fire Prevention (Community Safety)

The Authority has a risk based approach to prevention. This risk profile is developed through Community Risk Management Model using a range of tools including Exeter data from health partners. It's Safe and Well programme, delivered to over 32,443 residents between April 2019 and March 2020, was developed in conjunction with NHS and local health partners. Safe and Well visits provide advice to householders on fire safety in the home but also address health priorities such as the prevention of slips, trips and falls, smoking cessation and alcohol reduction, bowel cancer screening and tests for atrial fibrillation.

The Service also works with partner agencies to deliver road safety initiatives targeted at vulnerable users such as young drivers and motorcyclists.

The Authority is commissioned to provide early intervention programmes such as RESPECT and is a delivery partner for the Prince's Trust programme.

It has also had a significant commitment to raising awareness and prevention through its safety and life skills centre, Safety Central.

Fire Protection

The Authority operates a risk based intelligence-led inspection programme of non-domestic premises. If a business is audited, the audit will be carried out by a qualified fire-safety officer who will follow a set procedure which is designed to establish compliance with the requirements of the Regulatory Reform (Fire Safety) Order 2005. The Authority always aims to help businesses comply with fire safety legislation; however, at times it has to enforce the law by implementing a formal enforcement procedure and will on occasion prosecute. This is always a last resort and the Authority will endeavour to avoid this course of action by working with business owners/managers via a range of key interventions:

- A dedicated team of non-enforcing officers who proactively deliver interventions and offer advice tailored to the different sectors of the business community.
- Protection staff offer support to businesses to assist in complying with legislation.
- Information provided digitally to support businesses.
- Proactively working with partners and key stakeholders to raise awareness of the fire safety benefits of sprinkler systems.

The Government's Primary Authority Scheme is a means for a business to receive assured and tailored advice on meeting environmental health, trading standards or fire safety regulations through a single point of contact. This enables the business to invest with confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent. The Authority supports the Primary Authority Scheme and will consider entering into partnerships with a business or organisation to provide assured and tailored fire safety advice. The approach it adopts creates a more consistent and co-ordinated regulatory environment.

Fire investigation is an integral part of the Service's Prevention and Protection activities. The main purpose of fire investigation is to determine the origin, cause and development of a fire and to contribute to organisational learning.

All fires attended will be investigated to establish the cause of fire. Where a fire has occurred, investigators have the power of entry under Section 45 of the Fire and Rescue Services Act 2004 which allows an authorised employee to gain entry to premises in order to investigate the cause and progression of the fire that has occurred there.

Investigation outcomes will steer future prevention and protection activities and may assist in the prevention and detection of crime. They may also lead to inspections focused on certain risks or themes.

Emergency Response

The Authority responds to a range of emergency incidents with 35 fire engines operating from 28 fire stations across Cheshire. Stations are crewed by operational staff who work different shift patterns depending upon local risk:

- Wholtime: firefighters operate on stations 24 hours per day, working 12 hour shifts.
- Day Crewing: during the daytime the station is crewed by wholtime firefighters who also live next to the station to provide emergency cover overnight
- Nucleus: stations are crewed by wholtime firefighters during day time hours and by on-call firefighters overnight
- On-Call: firefighters live or work in the local community near to the station and respond to emergency calls via an alerter

The Authority has in place a Cheshire Standard to respond to life-risk incidents (e.g. house fires and road traffic collisions) within ten minutes on 80% of occasions.

Pre-determined attendance requirements are developed through the analysis of risk information from sources such as incident data and site specific risk information. Through the Authority's review of emergency response, specialist assets have been placed in strategic locations to improve response to incidents across Cheshire and respond to local risks, such as road traffic collisions on motorways.

The Authority's debrief policy outlines processes for evaluating operational learning and improvement.

Incident command is embedded within the internal assessment procedures, with incident commanders assessed regularly through live and simulated exercises arranged locally and centrally.

Organisational performance, including the Service's emergency response and call handling performance of North West Fire Control (NWFC), is scrutinised through structures such as Performance and Programme Board, Unitary Performance Groups, the Fire Authority's Performance and Overview Committee and by Directors of the NWFC Board.

The Authority conducts Site Specific Risk Inspections (SSRIs) for high risk premises in Cheshire. The procedure has recently been internally audited, receiving an outcome of 'significant assurance'. A dedicated SSRI training officer is in post alongside an SSRI portfolio holder for on-call stations.

Cheshire has 28 Control of Major Accident Hazard (COMAH) sites and employs a high-risk training officer. Both on-site and off-site incident plans are managed by the Cheshire Resilience Forum and tested through multi-agency exercises.

The Authority influences the development of operational response, training and occupational standards at a regional level through membership of a number of regional fire and rescue services and multi-agency groups and forums.

Business Continuity – Civil Contingencies Act 2004

Business Continuity is an important part of the Authority's strategy and a robust programme is well established to ensure responsibilities align to best practice standards, e.g. BS25999-2. Departmental plans which support the Authority's Crisis Management Plan are maintained and tested regularly. The Crisis Management Plan is owned by the Risk Management Board and reviewed and approved annually.

Interoperability, Resilience and Safety

A comprehensive range of risk intelligence data and information is taken into account as part of the risk identification and analysis process underpinning the IRMP. This includes Cheshire's Community Risk Register, with the Authority having a leading role in the Cheshire Resilience Forum (CRF) which focuses on interoperability and joint planning and training exercises with other emergency services using the Joint Emergency Services Interoperability Principles (JESIP). Additional joint training and planning has taken place following the Manchester Arena terrorist attack to ensure the effectiveness of the Authority's response to a similar event within Cheshire.

CRF structures, policies and practices are regularly reviewed to better reflect the changing make up of partner agencies. Governance is managed through a monthly meeting cycle of the Management Group which reports twice yearly to the CRF Executive Group.

The Authority is represented on the Cheshire CONTEST group, which has developed plans for notification of, and response to, a multi-agency marauding terrorist firearms attack (MTFA). Cheshire's National Inter-Agency Liaison Officers (NILOs) have received MTFA response training via regional NILO groups.

Over the Border Mutual Aid Arrangements

Sections 13 and 16 of the Fire and Rescue Services Act 2004 allow mutual arrangements to be agreed with neighbouring fire and rescue services to improve resilience and capacity in border areas. Cheshire Fire Authority has in place contractual agreements with the following bordering Fire Authorities for response to life risk incidents:

- Merseyside
- Staffordshire
- Shropshire
- Derbyshire
- Greater Manchester
- North Wales

Health and Safety

The Authority seeks to comply with the requirements of the Health and Safety at Work etc. Act 1974 and relevant legislation in managing its health and safety (H&S) duties.

The Authority has an H&S management system based on Health & Safety Executive (HSE) guidance. There are clearly defined management responsibilities; as far as reasonably practicable the Authority assesses and manages the risks arising from its activities, consults its employees on matters affecting H&S, and provides training and information to employees.

The Authority has an Occupational Health Unit to support the health and wellbeing of staff. The Authority has signed up to the MIND Blue Light campaign to support mental health and wellbeing in the workforce and provided training to mental health champions and is looking to introduce more widely a Trauma Risk Management (TRiM) process. It will also have a Mental Health Advisor.

The Authority has introduced an electronic system to support the reporting and investigation of all accidents and near misses that occur and to track the investigations conducted with the intention of preventing a recurrence.

As part of the H&S Management System there is a programme of audits and inspections. The audits are based on the Royal Society for Prevention of Accidents Quality Safety Audit system and its performance indicators. These audits and inspections inform the annual review of H&S Policy and performance. They also contribute towards an Annual Health and Safety report submitted to the Authority's Performance and Overview Committee.

Firefighter Fitness

The Authority has had a policy to ensure the fitness of its operational staff for some time. In December 2014 the Department for Communities and Local Government (DCLG) issued an addendum to the National Framework for England in relation to firefighter fitness. In 2015 the Authority proposed amendments to its then current fitness policy to align it to the National Framework requirements and the national fitness standards.

The Authority recruited a full-time Fitness Advisor to lead on supporting the firefighters to attain and maintain the fitness standards required, and to undertake fitness testing. Fitness testing for all operational staff takes place annually. Performance is monitored at the Service Health Safety and Wellbeing Committee.

An audit of compliance with the National Framework requirements on management of firefighter fitness concluded that the Authority complied.

Operational Training

The Service has an Operational Training Strategy which outlines its approach to ensuring that its operational staff are trained and competent in order to fulfil the various operational demands placed upon them.

All new firefighters attend basic training which is broken down into modules and each module is assessed.

All front line operational staff, inclusive of new starters, attend regular station planned training as detailed within their Station Training Forecast in order to maintain their operational abilities and competence. They also attend centrally planned refresher training in order to support this maintenance programme.

Breathing apparatus refresher training takes place in dedicated 'hot fire' conditions annually and the Authority aims to ensure that 100% of all eligible staff attend. An electronic course management system aids the monitoring of training.

Compartment fire behaviour training capability is refreshed every two years and the Authority aims to ensure 100% of all eligible staff attend.

Road traffic extrication techniques, trauma care, dealing with hazardous materials, and working safely at height skills are refreshed over a three-year period and each year the Service aims to refresh the skills, knowledge and understanding of one third of its operational workforce with the intention to achieve 100% of all eligible staff attendance after three years. The swift water rescue capability of the Service's key water incident fire stations is validated by the staff attending two days of assessment every year.

The Service delivers in-house Large Goods Vehicle training on a one to one basis for its front line firefighters. Once they are designated as an appliance emergency response driver they then go on to attend a one-day emergency response driving refresher within a five-year period.

The Operational Training Group (OTG) also manages the Authority's Accredited Centre; currently Edexcel and Skills for Justice are the awarding bodies. Visits by external standards verifiers annually assess and confirm that the Authority operates to and maintains

the awarding standards and this assists OTG in quality assuring its planning, delivery and review of training and assessment.

Managers are all trained and assessed for their skills, knowledge and understanding in Incident Command. A dedicated Command Training Group (CTG) of vocationally qualified officers plan, deliver and assess these training programmes. The quality of the Incident Command Training within the Service has attracted business from several other fire and rescue services and other emergency services as well as private and public organisations including several high risk industries.

In 2019 the Authority began construction work on its new operational training centre, based at its site in Sadler Road, Winsford. While the success of our prevention work has led to a long term reduction in fires, this does mean that firefighters are more reliant on training and simulation to develop their learning experience instead of operational firefighting. The training centre, a significant investment at over £11m, will provide firefighters with realistic and immersive training to safely and effectively deal with a wide range of incidents that may occur across Cheshire.

Key evidence links

[Five Year Strategy](#)

[Integrated Risk Management Plan](#)

[CRM Model](#)

[Unitary Performance Area Profiles](#)

[Safe and Well](#)

[Safety Central](#)

[Fire Safety advice for Businesses](#)

[JESIP](#)

[Annual Health and Safety Report](#)

[Firefighter Fitness Addendum](#)

[Firefighter Fitness Policy](#)

[Operational Training Strategy](#)

6. Fire and Rescue National Framework for England

Under the Fire and Rescue Services Act 2004 the Secretary of State must prepare a Fire and Rescue National Framework which sets out priorities and objectives for fire and rescue authorities and contains guidance in connection with the discharge of any of their functions.

Every fire and rescue authority **must** have regard to the Framework in carrying out their functions.

In May 2018 a new National Framework was published. There is an emphasis in this latest Framework upon the national programme of reform within the sector and a number of requirements which fire authorities **must** comply with in the areas of:

- **Delivery of functions:** a need to identify and assess risk, prevent fire and promote fire safety, respond effectively to incidents and a statutory duty to consider collaboration
- **National Resilience:** identify and address any gaps in capability and prepare to respond to terrorist attacks
- **Governance:** to produce an IRMP, Annual Statement of Assurance and financial plans
- **Achieving Value for money:** having a policy on reserves, commercial transformation and trading
- **Workforce:** the need for a People Strategy and implementation of the new Professional Standards when published.
- **Inspection, Intervention and Accountability:** co-operation with the new inspection regime and compliance with the Local Authority Transparency Code.

A review was undertaken of the mandatory requirements under the Framework and evidence gathered to demonstrate compliance and a report was presented to the Performance and Overview Committee in September 2019.

In March 2020 a further review was undertaken and a new compliance document was being prepared when Coronavirus (Covid-19) began to impact upon the Service.

Key evidence links

[Fire and Rescue National Framework for England 2018](#)

[Fire and Rescue National Framework for England 2018 - Compliance Report \(Performance and Overview Committee 04.09.2019\)](#)

7. Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS): Inspection Outcomes 2018

HMICFRS carried out an inspection of Cheshire Fire and Rescue Service in the summer of 2018. The inspection process asked three key inspections:

- a. How effective is CFRS at keeping people safe and secure from fire and other risks?
- b. How efficient is CFRS at keeping people safe and secure from fire and other risks?
- c. How well does CFRS look after its people?

The report summary said:

“ We are pleased with most aspects of the performance of Cheshire Fire and Rescue Service in keeping people safe and secure. But it needs to improve how it looks after its people, to give a consistently good service.

The service is effective at keeping people safe and secure. It understands risk and is good at preventing it. The service makes good use of fire regulation to protect the public. Its response to fires and emergencies is good and it responds well to national risks too.

The service is efficient. It uses resources well and it is affordable.”

The inspection report identified some areas for improvement and an action plan has been prepared to address each of these, with details of any action taken to be taken, the lead officer with responsibility for the actions, a timetable and how success will be measured.

A report was presented to the Performance and Overview Committee on the 10th July 2019 together with the HMICFRS Inspection 2018 Action Plan, both of which are published on the website.

The Service was due to be inspected again during March and April 2020 but due to the Coronavirus (Covid -19) outbreak HMICFRS suspended all inspection work.

Every fire and rescue service due to be inspected in this phase was asked to complete a self assessment template as part of the inspection process. This was completed and submitted to HMICFRS in March 2020 and can be found on the website.

Key evidence links

[HMICFRS Inspection Report](#)

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CHESHIRE FIRE AUTHORITY

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

SUBJECT: ALLOCATION OF SEATS ON CHESHIRE FIRE AUTHORITY

Purpose of Report

1. To allow Members to consider how to deal with requests from Warrington Borough Council concerned with the allocation of seats on Cheshire Fire Authority.

Recommended: That Members

- [1] consider the information in the report and provide guidance to officers.

Background

2. The Cheshire Fire Services Combination Scheme (the Scheme) was created by secondary legislation in 1998. The Scheme includes a part which is concerned with the governance of Cheshire Fire Authority.
3. Paragraph 12 of the Scheme states:

Each constituent authority shall, so far as is practicable, appoint such number of representatives to be members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities' areas.
4. Paragraph 11 of the Scheme restricts the number of Fire Authority members to 25 unless a greater number results from the operation of Paragraph 12 of the Scheme. In other words, there can be more than 25 members if they are required in order to satisfy the requirements in Paragraph 12 of the Scheme.
5. Each year the constituent authorities are asked to confirm the number of local government electors in their area. These figures are used to determine the allocation of seats on the Fire Authority. The calculation has, on occasion, led to changes in the number of seats available to the constituent authorities. When this happens, the constituent authorities that are impacted are notified and given an opportunity to comment on the calculation and the outcome.

The overall number of seats on the Fire Authority has never been altered as a result of the calculations.

Information

6. The following tables illustrate the calculations, described in paragraph 5 of this report, for last year (2019-20) and the current year (2020-21).

	Local Government Electors	Percentage	Proportions	Seats
Number of Electors - Proportion of Seats 2019-20				
Cheshire East Council	306203	36.71124646	8.443586685	8
Cheshire West and Chester Council	271030	32.49429015	7.473686735	7
Halton Borough Council	94207	11.29465222	2.597770011	3
Warrington Borough Council	162645	19.49981117	4.484956569	5
Total	834085	100	23	23
	Local Government Electors	Percentage	Proportions	Seats
Number of Electors - Proportion of Seats 2020-21				
Cheshire East Council	304821	36.14329688	8.312958282	8
Cheshire West and Chester Council	277319	32.8823242	7.562934567	8
Halton Borough Council	97051	11.50755068	2.646736656	3
Warrington Borough Council	164177	19.46682824	4.477370495	4
Total	843368	100	23	23

7. This year has been like no other due to Coronavirus. However, the usual calculation was carried out for 2020-21 and Cheshire West and Chester Borough Council (CWACBC) and Warrington Borough Council (WBC) were provided with details. The calculation led to a change in seat allocations with CWACBC entitled to appoint an extra member and WBC entitled to appoint one less member.
8. Due to Coronavirus many local authorities, including CWACBC and WBC, decided that they would roll-forward their appointments from 2019-20 into 2020-21. The change to the Fire Authority seat allocations was, therefore, unhelpful.
9. WBC's Monitoring Officer has submitted the following requests:
1. *That the Fire Authority undertake a full review of the apportioning of seats, the calculations used and the formula relied upon to ensure that the allocation provides an equitable representation from the constituent authorities. WBC wish to be a formal consultee as part of this review including at a formative stage when terms of reference for the review are being finalised.*

2. *For future, any proposed changes to the allocation of seats on the Fire Authority are made to the constituent authorities on a formal basis at the earliest opportunity and no action is undertaken as a result of any proposals until a formal response is received from all constituent authorities.*
10. WBC has been asked to expand upon these requests and further information will be provided to Members in due course.
11. Officers have also approached the other combined authorities with a view to establishing how they deal with seat allocations.
12. At this point it would be useful to understand what the Committee's expectations are in relation to the requests made by WBC.
13. Information from WBC and the other combined authorities together with the views of the Committee will help frame the work that is necessary as a result of the requests from WBC.

Financial Implications

14. There could be financial implications if a decision were to lead to an increase in the number of members of the Fire Authority.

Legal Implications

15. The methodology for the allocation of seats is described in the Scheme and therefore new legislation would be required to change it. The Scheme is the same as the schemes of the other combined authorities.

Equality and Diversity Implications

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

Environmental Implications

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

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING
MANAGER**

TEL [01606] 868804

BACKGROUND PAPERS: The Cheshire Fire Services (Combination
Scheme) Order 1997

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CHESHIRE FIRE AUTHORITY

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

SUBJECT: MODEL MEMBER CODE OF CONDUCT –
CONSULTATION BY LOCAL GOVERNMENT
ASSOCIATION

Purpose of Report

1. To bring to Members' attention the consultation, by the Local Government Association (LGA), about a Model Member Code of Conduct.

Recommended: That Members

[1] consider how they wish to respond to the consultation.

Background

2. The current standards regime has been in place since 2012. The Localism Act 2011 and associated secondary legislation created a new approach and framework for promoting and maintaining high standards of conduct. The legislation contained certain prescriptive elements, but left local authorities with discretion in a number of key areas. One such area was the code of conduct – whilst local authorities were required to have a code, there was no model. As a result, there is a considerable variation in detail and complexity in the codes that have been adopted by local authorities. This is not ideal and is particularly troublesome for Members that sit on more than one local authority.

Information

3. The LGA has produced a draft Model Code of Conduct and is consulting upon it. The consultation document is attached to this report as Appendix 1. The draft Model Code itself begins on page 3 of the consultation document.
4. The LGA has posed a number of questions concerned with the draft Model Code. These can be found in the document that is attached to this report as Appendix 2.
5. Whilst it is acknowledged that it may be difficult to secure consensus about responses to all aspects of the consultation, it is appropriate to promote a discussion with Members.

Financial Implications

6. There are no financial implications associated with responding to the consultation.

Legal Implications

7. There are no legal implications associated with responding to the consultation.

Equality and Diversity Implications

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

Environmental Implications

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

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING
MANAGER
TEL [01606] 868804**

BACKGROUND PAPERS:

Local Government Association Model Member Code of Conduct Consultation

Local Government Association Model Member Code of Conduct

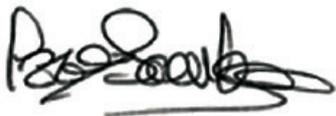
Introduction

The Local Government Association (LGA) is providing this Model Member Code of Conduct as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.

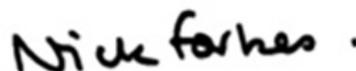
The role of councillor in all tiers of local government is a vital part of our country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. The conduct of an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to and want to participate with. We want to continue to attract individuals from a range of backgrounds and circumstances who understand the responsibility they take on and are motivated to make a positive difference to their local communities.

All councils are required to have a local Member Code of Conduct. This Model Member Code of Conduct has been developed in consultation with the sector and is offered as a template for councils to adopt in whole and/or with local amendments. The LGA will undertake an annual review of the Code to ensure it continues to be fit-for-purpose, particularly with respect to advances in technology, social media and any relevant changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code, whilst the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

As a councillor we all represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent everyone (in our ward/town/parish), taking decisions fairly, openly, transparently and with civility. Councillors should also be treated with civility by members of the public, other councillors and council employees. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations. This Code, therefore, has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.



Councillor Izzi Seccombe OBE
Leader, LGA Conservative Group



Councillor Nick Forbes CBE
Leader, LGA Labour Group



Councillor Howard Sykes MBE Leader,
LGA Liberal Democrats Group



Councillor Marianne Overton MBE
Leader, LGA independent Group

Purpose

The purpose of this Code of Conduct is to assist councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. It is also to protect yourself, the public, fellow councillors, council officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct. The overarching aim is to create and maintain public confidence in the role of member and local government.

Application of the Code

The Code of Conduct applies to you when you are acting [or claiming or giving the impression that you are acting]¹ in [public or in]² your capacity as a member or representative of your council, although you are expected to uphold high standards of conduct and show leadership at all times. The Code applies to all forms of member communication and interaction, including written, verbal, non-verbal, electronic and via social media, [including where you could be deemed to be representing your council or if there are potential implications for the council's reputation.] Model conduct and expectations is for guidance only, whereas the specific obligations set out instances where action will be taken.

The seven principles of public life

Everyone in public office at all levels – ministers, civil servants, members, council officers – all who serve the public or deliver public services should uphold the seven principles of public life. This Code has been developed in line with these seven principles of public life, which are set out in appendix A.

Model member conduct

In accordance with the public trust placed in me, on all occasions I will:

- act with integrity and honesty
- act lawfully
- treat all persons with civility; and
- lead by example and act in a way that secures public confidence in the office of councillor

In undertaking my role, I will:

- impartially exercise my responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any person
- avoid conflicts of interest
- exercise reasonable care and diligence; and
- ensure that public resources are used prudently and in the public interest

Specific obligations of general conduct

This section sets out the minimum requirements of member conduct. Guidance is included to help explain the reasons for the obligations and how they should be followed. These obligations must be observed in all situations where you act [or claim or give the impression that you are acting] as a councillor [or in public], including representing your council on official business and when using social media.

As a councillor I commit to:

Civility

- 1. Treating other councillors and members of the public with civility.**
- 2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.**

Civility means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a civil manner. You should not subject individuals, groups of people or organisations to unreasonable or excessive personal attack.

In your contact with the public you should treat them courteously. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

In return you have a right to expect courtesy from the public. If members of the public are being abusive, threatening or intimidatory you are entitled to close down any conversation in person or online, refer them to the council, any social media provider or if necessary, the police. This also applies to members, where action could then be taken under the Member Code of Conduct.

Bullying and harassment

- 3. Not bullying or harassing any person.**

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. The bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and not always be obvious or noticed by others.

The Equality Act 2010 defines harassment as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

Impartiality of officers of the council

- 4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.**

Officers work for the council as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. Although you can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

Confidentiality and access to information

- 5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.**
- 6. Not preventing anyone getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and

printed materials are open to the public except in certain circumstances. You should work on this basis but there will be times when it is required by law that discussions, documents and other information relating to or held by the council are treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Disrepute

7. Not bringing my role or council into disrepute.

Behaviour that is considered dishonest and/or deceitful can bring your council into disrepute. As a member you have been entrusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on other councillors and/or your council.

Your position

8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the council provides you with certain opportunities, responsibilities and privileges. However, you should not take advantage of these opportunities to further private interests.

Use of council resources and facilities

9. Not misusing council resources.

You may be provided with resources and facilities by the council to assist you in carrying out your duties as a councillor. Examples include office support, stationery and equipment such as phones, and computers and transport. These are given

to you to help you carry out your role as a councillor more effectively and not to benefit you personally.

Interests

10. Registering and declaring my interests.

You need to register your interests so that the public, council employees and fellow members know which of your interests might give rise to a conflict of interest. The register is a document that can be consulted when (or before) an issue arises, and so allows others to know what interests you have, and whether they might give rise to a possible conflict of interest. The register also protects you. You are responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise.

It is also important that the public know about any interest that might have to be declared by you or other members, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained. Discuss the registering and declaration of interests with your Monitoring Officer/Town or Parish Clerk and more detail is set out in appendix B.

Gifts and hospitality

11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.

12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

You should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you

because you are a member. However, you do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family, or gifts which you do not accept. However, you may wish to notify your monitoring officer of any significant gifts you are offered but refuse which you think may have been offered to influence you.

Note – items in square brackets [x] refer to recommendations made by the Committee on Standards in Public Life and may be part of a future Government consultation. This includes possible future sanctions and appeals processes.

Breaches of the Code of Conduct

Most councillors conduct themselves appropriately and in accordance with these standards. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations.

Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Each local authority must publish a code of conduct, and it must cover the registration of pecuniary interests, the role of an 'independent person', and sanctions to be imposed on any councillors who breach the Code.

The 2011 Act also requires local authorities to have mechanisms in place to investigate allegations that a member has not complied with the Code of Conduct, and arrangements under which decisions on allegation may be made.

Failure to comply with the requirements to register or declare disclosable pecuniary interests is a criminal offence. Taking part in a meeting or voting, when prevented from doing so by a conflict caused by disclosable pecuniary interests, is also a criminal offence.

Political parties may have its own internal standards and resolution procedures in addition to the Member Code of Conduct that members should be aware of.

Example

LGA guidance and recommendations

Internal resolution procedure

Councils must have in place an internal resolution procedure to address conduct that is in breach of the Member Code of Conduct. The internal resolution process should make it clear how allegations of breaches of the Code of Conduct are to be handled, including the role of an Independent Person, the appeals process and can also include a local standards committee. The internal resolution procedure should be proportionate, allow for members to appeal allegations and decisions, and allow for an escalating scale of intervention. The procedure should be voted on by the council as a whole.

In the case of a non-criminal breach of the Code, the following escalating approach can be undertaken.

If the breach is confirmed and of a serious nature, action can be automatically escalated.

1. an informal discussion with the monitoring officer or appropriate senior officer
2. an informal opportunity to speak with the affected party/ies
3. a written apology
4. mediation
5. peer support
6. requirement to attend relevant training
7. where of a serious nature, a bar on chairing advisory or special committees for up to two months
8. where of a serious nature, a bar on attending committees for up to two months.

Where serious misconduct affects an employee, a member may be barred from contact with that individual; or if it relates to a specific responsibility of the council, barred from participating in decisions or information relating to that responsibility.

Endnotes

1. CSPL recommend that “Section 27(2) of the Localism Act 2011 should be amended to state that a local authority’s code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority”.
2. CSPL recommend that “councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.”
3. Subject to footnotes 1 and 2 above
4. See CSPL website for further details www.gov.uk/government/news/the-principles-of-public-life-25-years
5. ACAS’s definition of bullying

Appendices

Code Appendix A

The principles are :

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Code Appendix B

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests).
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Table 1 or 2, or of any change to a registered interest, notify the Monitoring Officer.

Declaring interests

3. Where a matter arises at a meeting which directly relates to an interest in Table 1, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
4. Where a matter arises at a meeting which directly relates to an interest in Table 2, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

5. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
6. Where a matter arises at a meeting which affects –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body covered by table 1 below

you must disclose the interest.

7. Where the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 .
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the councillor’s knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

*'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;	
Any Body—	(a) exercising functions of a public nature;
	(b) directed to charitable purposes; or
	(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
of which you are a member or in a position of general control or management.	



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PLEASE USE THE ONLINE SURVEY FORM TO SUBMIT YOUR RESPONSE

LGA Consultation on Draft Model Member Code of Conduct

Thank you for taking the time to complete this consultation. This Model Member Code of Conduct [[Model Member Code of Conduct.pdf](#)] aims to be concise, written in plain English and be understandable to members, officers and the public. The Model Member Code is designed to aid members in all tiers of local government model the behaviours and high standards that anyone would expect from a person holding public office. Equally, it articulates behaviour which falls below the standards that would be expected of council members. It is designed to help set a framework for public and councillor interaction, emphasising the importance of civility and that councillors should be protected from bullying, intimidation and abuse.

The LGA has reviewed the existing Model Member Code of Conduct and updated it here incorporating the recommendations from the Committee on Standard's in Public Life's recommendations on Local Government Ethical Standards and the representation from its membership. Part of the Committee's recommendations were the introduction of sanctions for breaches of the code, alongside an appeals process. This aspect is out of scope of this consultation, as it requires legislative changes by Government, but the LGA has sought to reflect some of the possible changes by using square brackets where legal changes would be necessary. The LGA is continuing to take soundings from the sector on the issue of sanctions in anticipation of a Government response to the Committee's recommendations.

This consultation addresses key areas that the LGA would like a view on to help finalise the Code. It is aimed at councillors and officers from all tiers of local government. If you would like a wider discussion about the code, please do sign up to one of the forthcoming Webinars the LGA are holding as part of this consultation. Details will be posted on our [LGA events website](#).

Instructions and privacy notice

You can navigate through the questions using the buttons at the bottom of each page. Use the 'previous' button at the bottom of the page if you wish to amend your response to an earlier question.

All responses will be treated confidentially. Information will be aggregated, and no individual or authority will be identified in any publications without your consent. Identifiable information may be used internally within the LGA but will only be held and processed in accordance with our [privacy policy](#). We are undertaking this consultation to aid the legitimate interests of the LGA in supporting and representing authorities.

Please complete your response in one go - if you exit before submitting your response your answers may be lost. If you would like to see an overview of the questions before completing the consultation online, you can access a PDF [here](#).

About you

Your name _____

Are you...

- A councillor
- An officer
- Answering on behalf of a whole council (Please provide council name below)

- Other (please specify below)

Please indicate your council type

- Community/Neighbourhood/Parish/Town
- District/Borough
- County
- Metropolitan/Unitary/London Borough
- Other (please specify below)

Application of the Code

Under the Localism Act 2012, the Code of Conduct applies to councillors only when they are acting in their capacity as a member. The LGA believes that because councillors are elected by the public and widely recognised by the public, it makes sense for them to continue to model these behaviours when they are making public comment, are identifying as a councillor and when it would be reasonable for the public to identify them as acting or speaking as a councillor. The Committee on Standards in Public Life supported this approach in their report into Local Government Ethical Standards. Whilst the LGA is waiting for Government's response to these recommendations the option has been added in square brackets as it would need changes in legislation.

Q1. To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

Q1a. If you would like to elaborate on your answer please do so here:

Q2. Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?

- Yes
- No
- Don't know

Q3. Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?

- Personal tense ("I will")
- Passive tense ("Councillors should")
- No preference

Specific obligations

The Code lists 12 specific obligations – these set out a minimum standard councillors are asked to adhere to.

Each obligation or group of obligations is put into a wider context to explain why that particular obligation is important.

Q4. To what extent to you support the 12 specific obligations?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
1. Treating other councillors and members of the public with civility.					
2. Treating council employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.					
3. Not bullying or harassing any person.					
4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the council.					
5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.					
6. Not preventing anyone getting information that they are entitled to by law.					
7. Not bringing my role or council into disrepute.					
8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.					

9. Not misusing council resources.					
10. Registering and declaring my interests.					
11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.					
12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.					

Q5. If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here:

Q6. Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?

- As a list
- Each specific obligation followed by its relevant guidance
- No preference

Q7. To what extent do you think the concept of 'acting with civility' is sufficiently clear?

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

Q7a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q8. To what extent do you think the concept of 'bringing the council into disrepute' is sufficiently clear?

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

Q8a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:

Q9. To what extent do you support the definition of bullying and harassment used in the code in a local government context?

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

Q9a. If there are other definitions you would like to recommend, please provide them here.

Q10. Is there sufficient reference to the use of social media?

- Yes
- No
- Don't know/prefer not to say

Q10a. Should social media be covered in a separate code or integrated into the overall code of conduct?

- Separate code
- Integrated into the code
- Don't know/prefer not to say

Q10b. If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here:

Registration and declarations of interests

The law at present requires, as a minimum, registration and declaration of 'Disclosable Pecuniary Interests' - that is matters which directly relate to the councillor and their partner if applicable.

The LGA is proposing that all councillors are required to declare interests where matters also relate to or affect other family members or associates. The LGA has broadened the requirement to declare interests beyond this current statutory minimum in line with a recommendation from the Committee on Standards in Public Life. These specific provisions are set out in **Appendix B** of the Code.

Q11. To what extent do you support the code going beyond the current requirement to declare interests of the councillor and their partner?

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

Q11a. If you would like to elaborate on your answer please do so here:

Q12. Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?

- In the main body of the code
- In the appendix
- Other (please specify below)
- Don't know/prefer not to say

Q12a. If you would like to make any comments or suggestions in relation to how the requirement to declare interests is covered in the code please do so here:

It is also suggested that more outside interests should be registered than is the current statutory minimum. These are set out in **Table 2 of the Appendix** and are designed to demonstrate to the community transparency about other bodies with which the councillor is engaged.

Q13. To what extent do you support the inclusion of these additional categories for registration?

	To a great extent	To a moderate extent	To a small extent	Not at all	Don't know / Prefer not to say
Any organisation, association, society or party of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council					
Any organisation, association, society or party that exercises functions of a public nature of which you are a member or in a position of general control or management					
Any organisation, association, society or party directed to charitable purposes					
Any organisation, association, society or party of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)					

Q13a. If you would like to propose additional or alternative **categories** for registration, please provide them here:

Q14. To what extent do you support the proposed requirement that councillors do not accept significant gifts as set out in Obligation 11?

- To a great extent
- To a moderate extent
- To a small extent
- Not at all
- Don't know/prefer not to say

Q14a. If you would like to elaborate on your answer please do so here:

Q15. The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?

- Yes
- Yes, but the amount should be reviewed annually with the code's review
- No, it should be lower (please specify amount) _____
- No, it should be higher (please specify amount) _____
- Don't know/prefer not to say

Q16. The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful.

- _____ Regularly updated examples of case law
- _____ Explanatory guidance on the code
- _____ Case studies and examples of good practice
- _____ Supplementary guidance that focuses on specific areas, e.g., social media
- _____ Improvement support materials, such as training and e-learning packages

Q16a. If you would like to suggest any other accompanying guidance please do so here:

Q17. If you would like to make any further comments about the code please do so here:

Once you press the 'Submit' button below, you will have completed your response.

Many thanks for taking the time to respond to this consultation. You are in control of any personal data that you have provided to us in your response. You can contact us at all times to have your information changed or deleted. You can find our full privacy policy here: [click here to see our privacy policy](#)

For information only - Do not complete

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