



**MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Tuesday, 12 July 2022 at Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.00 am**

**PRESENT:** Councillors Rob Polhill (Chair), Rachel Bailey, Nick Mannion, James Nicholas, Nathan Pardoe and independent (non-elected) member Derek Barnett

**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 David Brown and Brian Gallagher.

**C Membership of Committee**

Members noted the membership of the Governance and Constitution Committee for 2022-23, as agreed by the Fire Authority on 22<sup>nd</sup> June 2022.

Councillors:	Rob Polhill (Chair) Nick Mannion (Deputy Chair) Rachel Bailey David Brown Brian Gallagher James Nicholas Nathan Pardoe
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Substitutes:	Michael Beanland Rob Moreton Peter Wheeler
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Independent (non-elected) member:	Derek Barnett
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**D Declarations of Members' Interests**

There were no declarations of Members' interests.

**E Minutes of the Governance and Constitution Committee**

**RESOLVED:**

**That the minutes of the Governance and Constitution Committee held on**

**Wednesday 30<sup>th</sup> March 2022 be confirmed as a correct record.**

## **2 DISPENSATIONS**

The Director of Governance and Commissioning introduced the report which asked Members to extend the benefit of the existing dispensations to the new Members of the Fire Authority. This would allow them to take part in debates and votes on the approval of the Members' Allowances Scheme (and any changes and/or additions to it).

He explained that he accepted that the guidance issued by the Local Government Association, which accompanied the Model Councillor Code of Conduct, made the existing dispensation relating to the Council Tax precept redundant.

The Director informed the Committee that Councillors Nathan Pardoe and Peter Walker had requested that the dispensation be extended so they could benefit from it.

**RESOLVED: That**

**[1] the dispensation granted to Fire Authority Members on 29<sup>th</sup> January 2020 be extended to benefit Councillors Nathan Pardoe and Peter Walker, thereby allowing them to take part in debates and votes on the approval of the Members' Allowances Scheme (and any changes and/or additions to it).**

## **3 WHISTLEBLOWING ANNUAL REPORT 2021-22**

The Director of Governance and Commissioning introduced the report which provided information about whistleblowing for 2021-22 and asked Members to review the Policy and Procedure.

He informed Members that the Authority had not been contacted by Safecall during 2021-22. He suggested to Members that this was likely to be a result of staff being comfortable raising their concerns through existing informal channels. To continue raising awareness of the Safecall procedure, the Director of Governance and Commissioning assured Members that a review of its visibility would be conducted.

A Member queried the review date on the Whistleblowing Procedure attached as Appendix 1 to the report. The Director advised that the review date on the document referred to a review conducted by officers.

Members suggested that a review on the visibility of Safecall be conducted by the newly appointed Health and Safety Manager to ensure its accessibility for staff.

**RESOLVED: That**

**[1] the Whistleblowing Annual Report 2021-22 be noted.**

#### **4 COMPLIMENTS AND COMPLAINTS ANNUAL REPORT 2021-22**

The Director of Governance and Commissioning introduced the report which provided information regarding compliments and complaints received about the Service during the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022.

He provided an overview of the figures for the past five reporting periods which were presented within a table in the report. He explained that although the figures remained similar to the previous year, there was a significant decrease in the number of compliments. Officers believed this was due to staff being unaware of the reporting process and further communications would be provided to raise awareness.

Members queried the complaints which had not met the reporting timescale. The Director of Governance and Commissioning advised he would investigate further and report back to Members.

**RESOLVED: That**

**[1] the information regarding compliments and complaints made during the period 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022 be noted.**

#### **5 SUMMARY OF MEMBER ATTENDANCE 2021-22**

The Director of Governance and Commissioning introduced the report which provided information about Member attendance for the last municipal year. Appendix 1 to the report summarised Member attendance at meetings of the Fire Authority and its three main committees: Estates and Property Committee, Governance and Constitution Committee and Performance and Overview Committee. Appendix 2 to the report contained details of the planning days and additional meetings attended, as well as conferences and events attended.

The Director explained that the appendices for the next reporting period would be amended so that Member attendance at formal meetings and Member Planning Days were better represented.

Members discussed the figures and noted that despite some impact from the Covid Pandemic, that meetings were generally well attended. Members agreed that no action was necessary.

**RESOLVED: That**

**[1] the summary of Member attendance for 2021-22 be noted.**

#### **6 AUDIT COMMITTEE ARRANGEMENTS AND APPOINTMENT OF INDEPENDENT AUDIT MEMBER**

The Treasurer introduced the report which sought to: secure Member appointments to the Audit Committee; determine the quorum of the Audit Committee; and obtain

agreement about the arrangements for and recruitment of the independent audit member. He referred to the updated Position Statement: Audit Committees in Local Authorities and Police 2022 published by the Chartered Institute of Public Finance and Accounting (CIPFA) attached as Appendix 1 to the report. This provided guidance on the establishment of Audit Committees and influenced the proposals/suggestions contained within the report.

#### Appointments to the Audit Committee

The Treasurer advised that in light of the guidance provided by CIPFA, four Members were required for the Audit Committee. It was recommended that the appointments for the Audit Committee be politically proportionate: 2 Labour, 1 Conservative; and 1 Independent, with the Chair being a Labour Member.

Members appointed Councillors Nick Mannion, Brian Gallagher, Rachel Bailey and James Nicholas to the Audit Committee. Cllr Nick Mannion was appointed as Chair. Members agreed that due to the level of training associated, it was not appropriate to appoint substitutes to the committee.

#### Quorum

Members decided that attendance by 3 of the 4 elected Members would be fulfil the requirement to be quorate; the Independent Audit Member would not be counted as part of quorum initially.

#### Recruitment of Independent Audit Member

Members considered the requirements and eligibility criteria contained within the bullet points of paragraphs 13 and 14 within the report. It was agreed that the requirements were suitable and met the expectations of the Position Statement.

#### Remuneration of the Independent Audit Member

The Director of Governance and Commissioning explained that the Independent Audit Member would be required to meet a level of experience and knowledge as well as attend Audit Committee meetings and associated training. Therefore, remuneration commensurate with that of the independent (non-elected) member role was proposed, in order to make the role attractive to applicants. Members agreed with the proposal.

#### Term of the Independent Audit Member

A Member queried whether a total of 6 years' service for an Independent Audit Member was adequate. The Director of Governance and Commissioning advised that the Position Statement recommended a maximum service of 6 years as this allowed enough time for the Independent Audit Member to familiarised themselves with the organisation yet retain a level of independence.

### Advert for the Independent Audit Member

Members recalled agreeing to an open advert for the role at their last meeting of the committee. However, officers believed a more targeted approach might also be beneficial alongside the open advert. Members agreed that officers should notify the monitoring officers, of the various local public bodies that have audit committees with independent audit members, so that they could bring the advert to the attention of existing audit members.

### Interview Panel

The Director of Governance and Commissioning advised the interview panel for the Independent Audit Member would consist of two officers and ideally two members from the Audit Committee. Members agreed, subject to availability, that Councillors Nick Mannion and Rachel Bailey should be involved.

### Future-proofing

The Treasurer explained that the CIPFA guidance suggested that Audit Committees should have multiple Independent Audit Members appointed to the Audit Committee. Although this was not a requirement or originally agreed by the Fire Authority, it may be worth considering looking to appoint a further individual in the future whilst undergoing the recruitment process. Members agreed to consider this at a later stage dependent on the number of applications received.

### **AGREED: That**

- [1] Councillors Rachel Bailey, Brian Gallagher, Nick Mannion and James Nicholas be appointed to the Audit Committee;**
- [2] Councillor Nick Mannion be appointed Chair of the Audit Committee;**
- [3] the quorum of the Audit Committee be 3 of the 4 elected Members and not include the Independent Audit Member;**
- [4] the bullet points contained in Paragraphs 13 and 14 of the report be approved for inclusion in the recruitment pack;**
- [5] the Independent Audit Member receive an annual allowance of £1,250;**
- [6] the Independent Audit Member serve a 3 year term with the option to 'renew' once;**
- [7] the recruitment of the Independent Audit Member be advertised through an open advert on the Service's website with the monitoring officers of the local public bodies that have audit committees with Independent Audit Members being notified to encourage them to inform suitable individuals about the role;**
- [8] the interview panel for the Independent Audit Member consist of two**

**Members appointed to the Audit Committee; and**

- [9] the recruitment paperwork shall state that the Authority may consider appointing a second Independent Audit Member in the future.**