



**Tuesday,  
12 July 2022  
10.00 am**

**Meeting of  
Governance and  
Constitution Committee  
Sadler Road  
Winsford  
CW7 2FQ**

Contact Officer:  
Emilie Salkeld  
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## **Cheshire Fire Authority**

### **Notes for Members of the Public**

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#### **Attendance at Meetings**

The Cheshire Fire Authority welcomes and encourages members of the public to be at its meetings and Committees. You are requested to remain quiet whilst the meeting is taking place and to enter and leave the meeting room as quickly and quietly as possible.

All meetings of the Authority are held at the Training Centre, Sadler Road, Winsford. If you plan to attend please report first to the Reception Desk where you will be asked to sign in and will be given a visitors pass. You should return your pass to the Reception Desk when you leave the building. There are some car parking spaces available on site for visitors at the front of the building. Please do not park in spaces reserved for Fire Service personnel.

If you feel there might be particular problems with access to the building or car parking please contact the Reception Desk at Sadler Road Winsford Tel (01606) 868700.

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#### **Access to Information**

Copies of the Agenda will be available at the meeting. A copy can also be obtained from the contact officer named on the front of the Agenda. Alternatively, the Agenda and individual reports are available on the Authority's website ([www.cheshirefire.gov.uk](http://www.cheshirefire.gov.uk))

The Agenda is usually divided into two parts. Most business is dealt with in the first part which is open to the public. On some occasions some business may need to be considered in the second part of the agenda, in private session. There are limited reasons which allow this to take place, e.g. as confidential information is being considered about an individual, or commercial information is being discussed.

**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](mailto:equalities@cheshirefire.gov.uk)**

#### **Recording of Meetings**

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**MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE  
TUESDAY, 12 JULY 2022**

**Time : 10.00 am**

**Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7  
2FQ**

**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 2022-23, as agreed by the Fire Authority on 22<sup>nd</sup> June 2022.

Members:

Rob Polhill (Chair)  
Nick Mannion (Deputy Chair)  
Rachel Bailey  
David Brown  
Brian Gallagher  
James Nicholas  
Nathan Pardoe

Substitutes:

Michael Beanland  
Rob Moreton  
Peter Wheeler

Independent (non-elected) member:

Derek Barnett

**1D Declarations of Members' Interests**

Members are reminded to disclose any interests that are relevant to any item on the Agenda.

**1E Minutes of the Governance and Constitution Committee**

(Pages 5 - 8)

To confirm as a correct record the Minutes of the meeting of the Governance and Constitution Committee held on Wednesday 30<sup>th</sup> March 2022.

## **ITEMS REQUIRING DISCUSSION / DECISION**

<b>2</b>	<b>Dispensations</b>	<b>(Pages 9 - 14)</b>
<b>3</b>	<b>Whistleblowing Annual Report 2021-22</b>	<b>(Pages 15 - 26)</b>
<b>4</b>	<b>Compliments and Complaints Annual Report 2021-22</b>	<b>(Pages 27 - 34)</b>
<b>5</b>	<b>Summary of Member Attendance 2021-22</b>	<b>(Pages 35 - 40)</b>
<b>6</b>	<b>Audit Committee Arrangements and Appointment of Independent Audit Member</b>	<b>(Pages 41 - 52)</b>



**MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 30 March 2022 at Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.00 am**

**PRESENT:** Councillors Rob Polhill (Chair), Nick Mannion, Rachel Bailey, David Brown 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 Mike Biggin, Martyn Delaney and Brian Gallagher.

**C Declarations of Members' Interests**

There were no declarations of Members' interests.

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

**RESOLVED:**

**That the minutes of the Governance and Constitution Committee held on Wednesday 10<sup>th</sup> November 2021 be confirmed as a correct record.**

**2 ANNUAL GOVERNANCE STATEMENT 2020-21 ACTION PLAN UPDATE**

The Director of Governance and Commissioning introduced the report which presented a progress update on the Annual Governance Statement 2020-21 Action Plan.

Members praised all staff for their work throughout the Coronavirus Pandemic.

**RESOLVED: That**

**[1] the Annual Governance Statement 2020-21 Action Plan Update be noted.**

**3 DRAFT STATEMENT OF ASSURANCE 2021-22**

The Director of Governance and Commissioning introduced the report which provided Members with an opportunity to review the draft Statement of Assurance for 2021-22. Members commented that the document was clear, concise and

accessible to the public.

**RESOLVED: That**

**[1] the draft Statement of Assurance be recommended to the Fire Authority for approval, at the appropriate time.**

**4 REVIEW OF MEMBER CHAMPION ARRANGEMENTS**

The Director of Governance and Commissioning introduced the report which allowed Members to consider the conclusion of the Review of the Member Champion Arrangements and make a recommendation to the Fire Authority. He advised that the report summarised the outcome of the Review, taking into consideration the views of Members that were made during the Member Planning Day on 14<sup>th</sup> January 2022.

Members noted paragraphs 9 to 11 within the report which set out the proposals for the Member Champion arrangements in 2022-23. Members welcomed the proposals and agreed that another report about the effectiveness of the arrangements should be submitted in April 2023.

Members discussed a range of ways that Members could promote the work that they had carried out in their Member Champion roles.

**RECOMMENDED: That**

**[1] the Fire Authority continue with the existing Member Champion arrangements for 2022-23 with the introduction of the requirements outlined in paragraphs 9 – 11 within the report.**

**5 EXTERNAL AUDITOR RECOMMENDATION - AUDIT COMMITTEE**

The Director of Governance and Commissioning introduced the report which allowed Members to consider a suitable response to the External Auditor's recommendation concerned with the creation of an audit committee with an independent member. Members were referred to Appendix 1; the recommendation made by the External Auditor.

Members welcomed the recommendation from the External Auditor. Following discussion a number of decisions were made, which should be recommended to the Fire Authority. These were: that an audit committee be created with the responsibilities set out in paragraph 5 of the report; that the audit committee would have a membership of four elected Members drawn from the Governance and Constitution Committee and one independent audit member; and that the Governance and Constitution Committee would arrange for and make the appointment of the independent audit member.

The Director of Governance and Commissioning explained that the Fire Authority would consider the matter at its next meeting and the feedback from the committee would be included in its report.

**RECOMMENDED: That**

- [1] the Fire Authority create an audit committee with the responsibilities set out in paragraph 5 of the report;**
- [2] the membership of the audit committee consist of four elected Members drawn from the membership of the Governance and Constitution Committee, together with an independent audit member; and**
- [3] the Governance and Constitution Committee arrange for and make the appointment of the independent audit member.**

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## CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE  
DATE: 12<sup>th</sup> JULY 2022  
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING  
AUTHOR: ANDREW LEADBETTER

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SUBJECT: DISPENSATIONS

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### Purpose of the Report

1. To ask Members to extend the benefit of one of the existing dispensations to new members of the Fire Authority to enable them to take part in debates and votes upon the approval of the Members' Allowance Scheme (and any changes and/or additions to it).

### Recommended that:

- [1] The dispensation granted to Fire Authority Members on 29<sup>th</sup> January 2020 be extended to benefit the new Members of the Fire Authority that have requested it, thereby allowing them to take part in the debates and votes on the 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 29<sup>th</sup> 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 any changes and/or additions to it) and are effective until January 2024.

### Information

3. Members will recall that the Local Government Association issued guidance to accompany the Model Councillor Code of Conduct. The Guidance includes a couple of paragraphs that deal with setting the Council Tax, or precept. These are set out below:

*The LGA is clear that you do not have a DPI simply if you are voting to set the Council Tax or precept. Guidance issued by the Government in 2013 made clear that 'any payment of, or liability to pay, council tax does not create a disclosable pecuniary interest as defined in the national rules; hence being a council tax payer does not mean that you need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support.'*

*The Council Tax and precept are charges on all relevant properties in the area and do not directly relate to any single property in such a way as to give rise to a DPI. Members are therefore fully entitled to vote on the matter (subject to rules about Council tax arrears).*

4. The above guidance effectively makes the existing dispensation relating to the Council Tax precept redundant.
5. The other dispensation concerned with Members' allowances, remains relevant and the following paragraphs deal with the potential extension of the benefit of the dispensation to those new Members that have requested it.
6. 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.
7. Section 33(1) states that there must be a written request from a Member to the proper officer (taken to be the Monitoring Officer). The names of the new Members that have confirmed that they wish to take advantage of the dispensations will be stated at the meeting.
8. 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 applied to the approval of (changes/additions to) the Members' Allowance Scheme when granting the dispensation. An extract from an earlier report is attached as Appendix 2 to this report to remind Members of the relevant matters.

### **Financial Implications**

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

### **Legal Implications**

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

### **Equality and Diversity and Environmental Implications**

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

**CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD**

**TEL [01606] 868804**

**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:** 12<sup>th</sup> JULY 2022  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** WHISTLEBLOWING ANNUAL REPORT 2021-22

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### **Purpose of Report**

1. To provide Members with information about whistleblowing for 2021-22.

### **Recommended That: Members**

- [1] review the Policy and Procedure; and
- [2] note the contents of the Report.

### **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 Whistleblowing Policy and Procedure was last reviewed by officers in August 2021. Since that review a number of changes have been made to the list of individuals that whistleblowers are encouraged to contact. Apart from those changes, the Policy and Procedure appears to remain fit for purpose.
5. As the Whistleblowing Policy and Procedure has not been reviewed by Members since 2019, a copy has been attached as Appendix 1 to this report. Members are asked to review it and provide any suggested changes/improvements.

### **Whistleblowing Complaints**

6. The Authority has not been contacted by Safecall in 2021-22.

### **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**

# Whistleblowing

This document sets out the Service's procedures to raise matters of concern with Service management using a confidential help line if necessary

<b>OWNER</b>	<b>Health Safety and Wellbeing Manager</b>
<b>LAST REVIEW</b>	<b>January 2021</b>
<b>REVIEW DUE DATE</b>	<b>January 2023</b>
<b>VERSION CONTROL/AMEND SCHEDULE</b>	<b>V2</b>

## **CROSS REFERENCES**

Code of Conduct for employees (e-docs 1212)

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## **PART 1 – POLICY SECTION**

### **Policy Statement**

Cheshire Fire and Rescue Service (The Service) expects the highest possible standards of openness, probity and accountability. Hence employees, who have serious and genuine concerns about any aspect of the Service's work and relationships, should be able to come forward and raise their concerns, without fear of harassment or victimisation. .

## **PART 2 – PROCEDURE SECTION**

### **Introduction**

Cheshire Fire and Rescue Service values its employees and the services they provide to the people of Cheshire. We are working hard to improve the services we deliver and we need our employees, partners and contractors to tell us when anything is not working well or when people are not behaving properly.

As a public service organisation, the Fire Authority will use public funds prudently and apply the highest standards of conduct throughout the organisation. This procedure encourages all employees to help maintain these standards, by enabling you to draw attention, within the Fire Authority, to any concerns which you may have. Public disclosure may well be justified at some point, but this should not happen before the Service has had the opportunity to investigate the concern. Premature or unnecessary publicity may impede proper investigations or harm individuals.

The Service has established procedures for employees to raise concerns through their manager or grandparent manager these should be the employee's first recourse. However should the employee not feel confident about raising the concern through established Service routes the Service has a contract with Safecall, an independent route for raising concerns, this may be done anonymously if necessary.

### **How to Raise your Concern with Safecall**

Safecall has a Freephone telephone line 08009151571 that is open 24/7. The line is managed by experienced call handlers who will take the details of the issue you wish to raise, they may ask questions to ensure that the issues are recorded correctly. You will be given the option to either disclose your name or to remain anonymous. They will take down your contact details as these will be used to feedback the outcomes of the Services investigation into the allegation/s.

Safecall will send a copy of the report by email to the Health Safety and Wellbeing Manager and the Health, Safety and Wellbeing Advisor; the report is password protected so that only these two members of staff will be able to open it.

The Health, Safety and Wellbeing Manager or Advisor will decide which Senior Manager is the most appropriate to deal with the issues raised in the report.

The Health, Safety and Wellbeing Manager will agree with the manager a deadline for completing any investigation and the feedback to be fed back to you via Safecall if the matter has been raised anonymously.

If you want to raise your concern other than via the Freephone helpline, you can do

this orally [i.e. face to face or over the phone], or in writing. If you write, mark the envelope “personal and confidential” and send to Health, Safety and Well-being Manager. Whichever way you choose, please give as much information as you can. Remember also to give your name, job and where you work and say if you do not want to be contacted at work [if so, give your home address and phone number].

The following headings should help you organise your thoughts, but you do not have to follow them exactly:

- Why you are concerned and the background information
- Any other procedures, which you have already used, and what happened
- The people who are involved and where they work
- Dates or periods of time
- The names and jobs of any other people who will [or may] support your concern

The earlier a concern is raised the better. Whilst you will not be expected to prove that allegations are true, you will need to show that you have a reasonable basis for your concern.

You may want to discuss the matter with one or two colleagues first. Their support could be helpful. There is nothing to stop two or more of you putting your names to a concern.

### **Help with the Procedure**

Any of the following will help you to understand the procedure:

Health, Safety And Well-being Manager or Senior Adviser  
 The Monitoring Officer  
 The manager for your department/watch  
 A Senior Employment Advisor  
 Treasurer to the Fire Authority  
 A trade union representative

### **How your Concern will be dealt with**

As a start, discreet enquiries will be made by the Health, Safety and Well-being manager to decide whether an investigation is needed and if so, who is most appropriate to conduct the investigation. This will help protect everyone concerned. The overriding principle will be the public interest.

If this first testing stage shows that the concern should be followed up, there will be a full investigation which will if necessary be facilitated by HR. It may be necessary to involve other agencies, for example the police or the external auditors. It may be possible, of course, to sort out the concern without a detailed investigation.

**What you will be told**

Within ten working days of your concern being received, the H,S&W manager who handled the initial complaint will write to you confirming:

- What initial enquiries have been made
- How your concern has been or will be dealt with
- How long any further action may take [as far as this can be known]
- What further work is planned and how you may be involved

Updates will be provided to the employee who has registered the concern at regular intervals throughout any investigation.

The amount of contact you have with the people considering the matter will depend on many things. These include the type of concern, the potential difficulties of investigating it and the availability of information. You may need to provide more help.

Safecall have the facility to report back to the person who made the original report if the issue was raised anonymously through Safecall then the feedback will be via that route.

Wherever possible, you will be told the final outcome of the investigation.

## PART 3 – GUIDANCE SECTION

### What can I report?

You should report any concerns that you have about the conduct of our employees, volunteers, councillors, or contractors that may affect the services we provide or the reputation of the Fire Service.

Examples of concerns that may be raised under the procedure are:-

#### Law Breaking

Unauthorised use of money,

Fraud and corruption,

Bullying or abuse of employees or service users,

Breaches of Service policies including health and safety issues,

Any neglect of duty,

Miscarriages of justice,

Damage to the environment

Sexual or physical abuse

Sexual discrimination

Discrimination or abuse arising from sexual orientation

Racial discrimination

Other unethical conduct

The Fire Service considers that normal management channels are sufficiently open and effective for most concerns to be raised that way. But this will not always be appropriate, or possible, and that is why this procedure has been created. It offers the means to raise concerns you may have about any aspect of service provision, or the conduct of staff or elected Members, or other people acting on behalf of the Service. A concern may arise, for example, from worries about failure to observe standards, procedures, or policies being circumvented, or improper conduct.

The procedure does not cover concerns that are covered by other procedures. For example, an employment problem may well be covered by the Grievance Procedure or Dignity at Work procedure. If you are in doubt as to which is the appropriate procedure, you should consult your Line Manager or Employee Relations Team.

### Harassment or Victimisation

You may be put off raising a concern because you are worried about reprisals. If you raise a concern in good faith and genuinely believe it to be well founded, you should have nothing to fear. You will be doing your duty to the Fire Authority and the public. The Authority will not tolerate any harassment or victimisation [including

covert pressure] and will do all it can to protect you. Furthermore, if you happen to be involved in any disciplinary or other procedures, these will be kept quite separate from the investigation or any matter you raise under this procedure.

You will not be penalised in any way where you make an allegation in good faith, which is not confirmed after it has been investigated [but a concern that is raised frivolously, maliciously or for personal gain may result in disciplinary action].

You may wish to raise such a concern through the Dignity at Work Policy and procedure (edocs1213).

### **Confidentiality**

The preferred route for raising concerns is through the established, Service Management Procedures. Your concern will be treated in strict confidence, within this Procedure, and everything done to keep your identity secret [if this is what you want]. However, you may have to be a witness at some point if matters are taken further, following investigations. It might then not be possible to keep your identity fully secret.

If you want to raise an issue but feel that you can't use the established Service procedures the Service has an arrangement with Safecall that allows staff to raise concerns anonymously if desired.

### **Anonymous Allegations**

An anonymous concern is likely to carry much less weight than one which is signed; the investigating manager would have to decide whether or not to accept it. This decision would depend on the seriousness of the issue, the credibility of the concern and the likelihood of being able to confirm the allegation in other ways. Signed concerns are always better.

### **Raising a Concern - Who to Approach**

When deciding who it would be best to approach, take into account the type of matter, its seriousness and its sensitivity, and who may be involved. Some examples are given:-

- The manager for your department/watch or their manager.
- Your department Manager or another Service department Manager.
- Internal Audit.

- The Monitoring Officer to the Fire Authority for concerns that have servicewide implication or needs to be raised with someone independent of your work area.
- Safecall – Independent, confidential reporting line for concerns about fraud, theft, damage to equipment, harassment/bullying, or concerns involving your manager that you feel you can't raise through Service procedures.
- The Monitoring Officer if your concern is in relation to a Member.

### **Personal Support**

The Service will do all it can to minimise any difficulties which you may have because you have mentioned your concern. As far as possible, you will be offered personal support and this will be arranged by a Senior Employment Advisor. For example, if you had to give evidence in disciplinary or criminal proceedings, full advice about the procedure would be given to you.

### **If you are not satisfied with the Service`s Response**

This procedure is meant to give everyone an effective way to raise a concern within the Service [and if possible, to resolve it internally]. You should not feel that you have to take an issue outside the Service to get satisfaction. But if you are still unhappy after using the procedure [and getting a final response], you are entitled to consider taking your concern elsewhere. If you do this, these are some contacts which are available:

- The Service`s external auditors
- A relevant professional or regulatory body
- Your trade union
- A relevant voluntary organisation
- A Citizens Advice Bureau
- The Police

If you raise the matter outside the Fire Authority, you must take into account the rules about disclosing confidential information.

### **Involvement of your Trade Union or Professional Association**

You may ask your trade union or professional association to raise a matter on your behalf. In this case, if you wish, you can remain anonymous when the concern is first raised. But you may have to be involved personally if the matter goes further.

You may also have your trade union, professional association or a friend at any meeting or interview

## Contact Details

Andrew Leadbetter  
Director of Governance and Commissioning  
Cheshire Fire & Rescue Service  
Winsford, Cheshire  
Tel: [01606] 868456

Andrea Harvey  
Director of Transformation,  
Cheshire Fire & Rescue Service  
Winsford, Cheshire  
Tel: [01606] 868636

Safecall  
Independent Advisors  
Tel: 0800 9151571

Stephen Hulse  
Health, Safety and Well-being Manager  
Cheshire Fire and Rescue Service  
Winsford, Cheshire  
Tel : [01606] 868750

You can obtain the Constitution, which includes contract Standing Orders, Financial Regulations and the Scheme of Delegation on the Intranet under Democratic Services.

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 12<sup>th</sup> JULY 2022  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** COMPLIMENTS AND COMPLAINTS ANNUAL  
REPORT 2021-22

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### Purpose of Report

1. To provide Members with information about compliments and complaints, about the Service, received during the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022.

### Recommended That:

- [1] the information regarding compliments and complaints received during the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 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 2021 and some small updates were made. The Procedure can be found on the Service's website via the following link: [Compliments and Complaints Procedure](#).

### Information

4. The Procedure contains 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 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022

5. The statistics for 2021-22 are:

- i. Formal Complaints - 1
- ii. Informal Complaints - 27
- iii. Compliments - 8

### 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:

	2021-22	2020-21	2019-20	2018-19	2017-18
<b>Formal complaints</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>3</b>
<b>Informal complaints</b>	<b>27</b>	<b>30</b>	<b>31</b>	<b>20</b>	<b>14</b>
<b>Compliments</b>	<b>8</b>	<b>86</b>	<b>42</b>	<b>48</b>	<b>41</b>

7. As can be seen from the table, there has been a significant decrease in compliments during 2021-22 and a small reduction for informal complaints compared to the previous year. As was the case last year there was just one formal complaint.
8. It seems inconceivable that there has been such a drop in compliments. Officers believe that, for some reason, many have not been communicated to the corporate database-holder. Officers plan to publish an article in the weekly Green bulletin to remind staff to forward any compliments received to the Complaints mailbox.
9. 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 Procedure. Appendix 2 provides a summary of the formal complaint. Appendix 3 summarises the compliments received.
10. 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 (2); Conduct of staff (6); Covid-19 Breaches (4); Incident (7); Prevention (1); Protection (3); Thematic Inspections (2); and the Wholetime Recruitment Process (2).

- (b) The formal complaint received was concerned with the response of the service during a forced entry incident.
- (c) The compliments received all related to the Service's departments that have direct interaction with members of the public. They related to: fundraising efforts (2); the Service's response to incidents (3); and Safe and Well visits (3).

### **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 Complaint 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 01.21	23/04/21	Complaint form	Service Delivery	Complaint against the crew which damaged a door whilst assisting NWAC forced entry.	Yes	The Station Manager called and wrote to the complainant to explain the actions were taken from the request of North West Ambulance Service.	28/05/21
CMT 02.21	04/05/21	Phone / Email	Covid-19	Complaint against a newspaper report which mentioned that the Fire Service were "knocking on doors asking people to get the job".	No	The Group Manager submitted a corporate response to the complainant once approved.	15/06/21
CMT 03.21	06/05/21	Phone	Service Delivery	Complaint against the conduct of a firefighter during an incident.	Yes	The Station Manager spoken directly to the complainant. She was satisfied with the response taken.	03/06/21
CMT 04.21	10/05/21	Email	Covid-19	Complaint against a newspaper report which mentioned that the Fire Service were "knocking on doors asking people to get the job".	No	The Group Manager submitted a corporate response to the complainant once approved.	15/06/21
CMT 05.21	21/05/21	Phone	Service Delivery	Complaint relating to the complainant's lock being damaged following a forced entry.	Yes	The Station Manager called the complainant and arranged a locksmith appointed by facilities to repair the lock.	21/05/21
CMT 06.21	16/06/21	Complaint form	Service Delivery	Complaint against the conduct of a crew following an incident involving a garden fire	Yes	The Station Manager emailed to apologise for miscommunication.	14/07/21
CMT 07.21	16/06/21	Complaint form	N/A	Complaint against the driver of a fire appliance driving recklessly.	Yes	The Governance Officer required further information from the complainant for the investigation. The complainant did not respond.	14/07/21
CMT 08.21	16/06/21	Phone	Covid-19	Complaint relating to the conduct of a advocate following a safe and well visit.	Yes	The Station Manager contacted the complainant who agreed for the Station Manager to investigate the complaint without their involvement.	28/07/21
CMT 09.21	28/06/21	Email	Service Delivery	Complaint regarding the conduct of a firefighter.	Yes	The Station Manger contacted the complainant for further information and advised an investigation was underway.	26/07/21
CMT 10.21	18/08/21	Email	Service Delivery	Complaint regarding an allegation against firefighters for not wearing their seatbelts.	Yes	A response was provided to the complainant by the Head of Service Delivery outlining the Service's stance on the use of seatbelts in operational vehicles.	15/09/21
CMT 11.21	06/09/21	Email	HR	Complaint relating to comments posted online from an employee.	No	The Station Manager advised he contacted the individual and the matter had been dealt with.	04/10/21
CMT 12.21	09/09/21	Email	Service Delivery	Complaint regarding a dissatisfactory response to fire in a block of apartments	Yes	The Governance Officer emailed a letter response from the Station Manager which explained that any issues needed to be reported to the managing agent.	07/10/21
CMT 13.21	20/09/21	Email	Service Delivery	Complaint against crews allegedly not complying with Covid restrictions whilst in Wales	Yes	The Group Manager emailed the complainant to advise that he had spoken to the crews involved to remind them of the differing Covid restrictions between England and Wales.	18/10/21
CMT 14.21	21/09/21	Email	Protection	Complaint regarding lack of response following a report of a fire risk at a local business premise.	Yes	The Group Manager advised that a fire protection inspector had visited the complainant and visited the business premises in question. The complainant was satisfied with the response.	28/09/21
CMT 15.21	17/10/21	Email	Service Delivery/ Communications	Complaint against personal information being in the possession of insurance handlers following a recent incident.	Yes	The Governance Officer provided a response to the complainant to assure that no personal information was shared with insurance handlers and a link to incident information available on the Service website.	14/11/21
CMT 16.21	26/10/21	Email	Service Delivery	Complaint against a forced entry incident at the complainant's mother's property.	Yes	The Station Manager explained the circumstances of the incident and apologised for an inconveniences caused. The complainant was satisfied with the response.	29/10/21
CMT 17.21	03/11/21	Email	Communications	Complaint against being unable to take photographs on station whilst other members of the public had posted photos online.	Yes	The Area Manager explained that Service's stance on members of the public visiting fire stations during the pandemic and suggested the photos in question were taken previously.	17/12/21
CMT 18.21	02/12/21	Email	Service Delivery	Complaint against crews that unexpectedly arrived at the complainant's property to conduct a safe and well visit.	Yes	The Station Manager responded to the complainant using the standard corporate response for safe and well visits.	30/12/21

CMT 19.21	04/12/21	Email	Service Delivery	Complaint made following an unsatisfactory thematic inspection which took place in the complainant's business premises.	Yes	The Station Manager responded to the complainant however the complainant was not initially satisfied with the response. The Area Manager spoke informally to the complainant over the phone and the complainant require no further response from the Service.	17/12/21
CMT 20.21	09/12/21	Phone	Prevention	Complaint against safety advocate that unexpectedly arrived at the complainant's property to conduct a safe and well visit which subsequently made her late to an appointment.	Yes	The Station Manager called the complainant to apologise for the safe and well visit interrupting an appointment. The complainant was satisfied with the response and the Service revisited the property to install alarms as requested by the complainant.	09/12/21
CMT 21.21	12/01/22	Email	Human Resources	Complaint against the selection process for the recruitment of wholetime firefighters.	Yes	The Group Manager advised that a Station Manager had investigated and contacted the complainant who wished not to progress the complainant further.	12/01/22
CMT 22.21	18/01/22	Email	Human Resources	Complaint against the selection process for the recruitment of wholetime firefighters.	Yes	The Senior Business Partner provided a response which explained the selection process of wholetime recruitment. The complainant requested further clarity and the Senior Business Partner provided a further response and offered a phone call.	08/03/22
CMT 23.21	27/01/22	Email	Service Delivery	Complaint against crews that conducted an unannounced thematic inspection.	Yes	The Station Manager called the complainant to discuss his concerns and apologise. The complainant was satisfied with the response received.	03/02/22
CMT 24.21	13/02/22	Email	Protection	Complaint relating to a historic fire investigation at a commercial premises.	Yes	The Area Manager responded to advise there was no record of the premises and to provide further information. Further information was provided and the Group Manager responded to advise the matter should be dealt with by another agency.	31/03/22
CMT 25.21	14/02/22	Email	Service Delivery	Complaint against crews that conducted an inspection at the complainant's business premises.	Yes	The Station Manager responded and offered to meet with the complainant if unsatisfied with the response. The Station Manager met with the complainant at their store.	18/02/22
CMT 26.21	15/03/22	Email	Service Delivery	Complaint against the number of nuisance call outs to the complainant's address.	Yes	The Station Manager responded to explain how call outs were made and to consult the police to advise further.	22/04/22
CMT 27.21	24/03/22	Email	Protection	Complaint relating to the fire risks associated with the building maintenance at a residential apartment building.	Yes	The Fire Safety Inspector responded to advise the concerns raised were matters for the building management company and he forwarded the complainant's concerns onto the company.	11/05/22

Unique Ref	Date of Complaint	Details of Complaint	Details of response sent by HOD	Date of response sent by HOD	Within target timescale	Date Closed
Comp 01.21	23/11/21	The complainant contacted the Service following an incident at their property which led to the back door breaking during a forced entry.	Following an investigation conducted by the Group Manager and Station Manager, the Head of Service Delivery responded to the complainant to advise the actions taken during the incident were proportionate and in line with training. Assistance was offered to the complainant and a post incident report was sent to the complainant to claim on insurance.	06/12/21	Yes	06/01/22

Unique Ref	Date of Compliment	How was the compliment received	Compliment	Relevant Department	Department Notified of Compliment
Comp 01.21	15/06/21	Letter	Compliments were given to the crew that organised a fundraising event for The Joshua Tree.	Service Delivery	Yes
Comp 02.21	17/06/21	Complaints form	Compliments given to the crew that assisted an unwell member of the public.	Service Delivery	Yes
Comp 03.21	16/07/21	Phone	Compliments given to the advocate who fitted a fire alarm and under pillow alerter.	Prevention	Yes
Comp 04.21	06/08/21	Website feedback	Compliments were given to the crews at Lymm and Birchwood who attended an incident involving an engine fire on the M6.	Service Delivery	Yes
Comp 05.21	20/08/21	Email	Compliments were given to the crew who attended an incident at Macclesfield General Hospital.	Service Delivery	Yes
Comp 06.21	13/09/21	Email	Compliments were given to Chester White Watch for supporting Firefighter Dodd from West Yorkshire FRS in her charity bike ride.	Service Delivery	Yes
Comp 07.21	11/11/21	Telephone	Compliments were given to the Safety Advocate who fitted a smoke alarm.	Prevention	Yes
Comp 08.21	27/12/21	Email	Compliments were given to the Safety Advocate who fitted a smoke alarm.	Prevention	Yes

## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 12<sup>th</sup> JULY 2022  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** SUMMARY OF MEMBER ATTENDANCE  
2021-22

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### Purpose of Report

1. To provide information about Member attendance for 2021-22.

### Recommended: That Members

- [1] Consider the information about Member attendance for 2021-2022.

### Background

2. This Committee has the following responsibility: 'Monitors Member attendance and recommends action to the Fire Authority'.
3. Members previously agreed guidelines relating to Member attendance. They determined that an acceptable level of attendance was considered to be 70%, or more in respect of the Authority and its main committees, e.g., Estates and Property Committee, Governance and Constitution Committee and Performance and Overview Committee.
4. 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 to this report includes a summary of Member attendance at the Fire Authority and the main committees for 2021-22. It only contains information about those current Members that were members of the Fire Authority during 2021-22; former Members are not included.
6. Appendix 2 to this report provides details of the Planning Days attended and additional meetings attended by Members. It also includes information about the conferences and events that Members attended in 2021-22 on behalf of the Authority.
7. Members will appreciate that due to the Covid-19 Pandemic some meetings and events were postponed or cancelled.
8. Members are asked to consider the information in this report and the Appendices to it.
9. Officers believe the current format of the attendance summary tables could be improved to better represent Member attendance at formal meetings e.g., Brigade Manager's Pay and Performance Committee could be shown in a separate column. The Planning Days are also key meetings and should be moved to Appendix 1. The revised approach will be presented to the Committee next year. It should provide greater clarity.

## **Financial Implications**

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

## **Legal Implications**

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

## **Equality and Diversity Implications**

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

## **Environmental Implications**

13. There are no environmental implications.

**CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD**  
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**BACKGROUND PAPERS: NONE**

Councillor	E&P Meetings Held: 3	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		3		4	8	7	1	88%
Michael Beanland **				4	4	4	0	100%
David Brown **		3		3	7	6	1	86%
Razia Daniels			4	5	9	9	0	100%
Brian Gallagher *		2		4	7	6	1	86%
Phil Harris			4	5	9	9	0	100%
Marilyn Houston **	2			4	7	6	1	86%
Gina Lewis			4	4	9	8	1	89%
Nick Mannion **		3		4	7	7	0	100%
Rob Moreton **	1			4	7	5	2	71%
Karen Mundry	3			5	8	8	0	100%
Stef Nelson	3			5	8	8	0	100%
James Nicholas **			4	2	8	6	2	75%
Jonathan Parry			1	4	9	5	4	56%
Stuart Parker	3			5	8	8	0	100%
Rob Polhill		3		5	8	8	0	100%
Bob Rudd				5	5	5	0	100%
Peter Wheeler	2		4	5	12	11	1	92%
Norman Wright	1		4	5	12	10	2	83%
<b>Independent (non-elected) Member</b>								
Derek Barnett	3	3	4		10	10	0	100%

\* Cllr Brain Gallagher was appointed to the Fire Authority after the AGM on 23rd June 2021.

\*\* Cheshire East Members Cllrs Michael Beanland, David Brown, Marilyn Houston, Nick Mannion, Rob Moreton and James Nicholas were unable to attend the Cheshire Fire Authority meeting on 27th April 2022 due to a clash with a Cheshire East council meeting. The number of Fire Authority meetings that they were able to attend has been adjusted accordingly. Cllrs Rachel Bailey and Jonathan Parry attended the meeting so it remained quorate.

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<b>Councillor</b>	<b>Additional Meetings (In Person / Virtual) *</b>	<b>Planning Days Attended (5 held)</b>	<b>Events and Training Sessions (In Person / Virtual)</b>	<b>Total of additional meetings/ events attended</b>
<b>Rachel Bailey</b>	<b>8</b>	<b>4</b>	<b>3</b>	<b>15</b>
<b>Michael Beanland</b>	<b>6</b>	<b>4</b>	<b>1</b>	<b>11</b>
<b>David Brown</b>	<b>11</b>	<b>5</b>	<b>2</b>	<b>18</b>
<b>Razia Daniels</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>14</b>
<b>Brian Gallagher</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>13</b>
<b>Phil Harris</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>10</b>
<b>Marilyn Houston</b>	<b>0</b>	<b>4</b>	<b>5</b>	<b>9</b>
<b>Gina Lewis</b>	<b>14</b>	<b>4</b>	<b>6</b>	<b>24</b>
<b>Nick Mannion</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>11</b>
<b>Rob Moreton</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>5</b>
<b>Karen Mundry</b>	<b>13</b>	<b>4</b>	<b>5</b>	<b>22</b>
<b>Stef Nelson</b>	<b>17</b>	<b>5</b>	<b>9</b>	<b>31</b>
<b>James Nicholas</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>11</b>
<b>Jonathan Parry</b>	<b>1</b>	<b>2</b>		<b>3</b>
<b>Stuart Parker</b>	<b>21</b>	<b>5</b>	<b>4</b>	<b>30</b>
<b>Rob Polhill</b>	<b>4</b>	<b>5</b>	<b>8</b>	<b>17</b>
<b>Bob Rudd</b>	<b>14</b>	<b>5</b>	<b>12</b>	<b>31</b>
<b>Peter Wheeler</b>	<b>10</b>	<b>4</b>		<b>14</b>
<b>Norman Wright</b>	<b>4</b>	<b>5</b>		<b>9</b>
<b>Independent (non-elected) Members</b>				
<b>Derek Barnett</b>	<b>4</b>	<b>3</b>	<b>5</b>	<b>12</b>

\* Additional meetings include the following: Bridage Managers' Pay and Performance, Staffing Committee, Closure of Accounts, Member Training and Development Group, Pre-Fire Authority, Risk Management Board, Sprinkler Group, Pension Board, Environment and Climate Change Working Group and Unitary Performance Groups

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## CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE  
DATE: 12<sup>TH</sup> JULY 2022  
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING  
AUTHOR: ANDREW LEADBETTER

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SUBJECT: **AUDIT COMMITTEE ARRANGEMENTS AND  
APPOINTMENT OF INDEPENDENT AUDIT MEMBER**

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### Purpose of Report

1. This report is intended 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.

### Recommended: That Members

- [1] Decide which four members of Governance and Constitution Committee should sit as the Audit Committee; and
- [2] Determine the quorum of the Audit Committee; and
- [3] Agree the arrangements for and recruitment of the independent audit member.

### Background

2. The External Auditor made the following recommendation:

*We recommend that the Authority consider establishing a separate Audit Committee and to consider appointing an independent member with a suitable financial background as recommended by the Redmond review.*

3. Governance and Constitution Committee considered a report about this on 30<sup>th</sup> March 2022 and made recommendations to the Fire Authority.

4. The Fire Authority considered a report about this on 27<sup>th</sup> April 2022 and resolved that:

- [1] *an Audit Committee with the responsibilities contained in paragraph 4 of the report be created;*

[2] *the Audit Committee have four elected members (appointed from the membership of the Governance and Constitution Committee by that Committee) together with an independent audit member; and*

[3] *the appointment of the independent audit member be carried out by the Governance and Constitution Committee (with the details of the appointment, e.g. remuneration, settled by that Committee).*

5. The responsibilities of the Audit Committee are:

*To monitor the adequacy and effectiveness of the external audit of the Authority's services and functions and to:-*

- i. Approve the nature and scope of the external audit of the Authority's services and functions;*
- ii. Consider external audit reports;*
- iii. Monitor the Authority's response to the external auditor's findings and the implementation of external audit recommendations.*

*To monitor the adequacy and effectiveness of the internal audit arrangements and to: -*

- i. Approve the annual Internal Audit Plan;*
- ii. Monitor progress against the Plan through the receipt of periodic progress reports and an annual Internal Audit Report;*
- iii. Consider any internal audit that provides less than substantial assurance and/or includes any high or critical risk ratings;*
- iv. Monitor the response to Internal Audit Reports and the implementation of recommendations.*

## **Information**

6. The Chartered Institute of Public Finance & Accounting (CIPFA) issued an updated Position Statement: Audit Committees in Local Authorities and Police 2022 in June 2022 (the Position Statement). The Position Statement covers fire authorities and is attached to this report as Appendix 1. It provide guidance on: purpose; independence and effectiveness; core functions; membership; engagement and outputs; and impact.

7. This Committee should take the Position Statement into account in making the decisions outlined in this report. It will also need to return to the principles contained in the Position Statement at a later date. Members will see that it is likely that changes will need to be made to the Audit Committee arrangements in order to comply entirely with the requirements contained in the Position Statement.

### Appointments to the Audit Committee

8. As mentioned above, the Position Statement contains a section on Audit Committee membership. This should be borne in mind by Members when determining who should sit on the Audit Committee. Four Members are required for the Audit Committee and it would be appropriate to appoint as follows: 2 Labour; 1 Conservative; and 1 Independent, with the Chair being a Labour Member.
9. Given the requirement for Audit Committee members to be trained, it would not seem appropriate to appoint substitutes. In any event, the meetings should be scheduled well in advance and will usually coincide with meetings of Governance and Constitution Committee, so attendance should not be a problem.

### Quorum

10. The independent audit member would not count as part of the quorum. With four members sitting on the Audit Committee, it would be appropriate to set the quorum as three. This is consistent with the quorum for the Joint Consultative Committee, which also has four members.

### Recruitment of Independent Audit Member

11. The following paragraphs cover a range of issues that need to be reflected in the arrangements for the recruitment of the independent audit member.

### Ability and Eligibility

12. The Position Statement refers to 'appropriate technical expertise' and 'aptitude' being 'considered alongside relevant knowledge, skills and experience'.
13. With this in mind it would appear appropriate to include the following requirements:
  - Applicants must have relevant technical experience in and up-to-date knowledge of accounting and audit, preferably in the public sector.
  - Applicants should be able to scrutinise complex information and be comfortable providing a level of challenge.

14. Whilst the Position Statement does not elaborate on the concept of 'independence', it would seem appropriate to include the following eligibility criteria:

Applications will not be considered from

- Employees of Cheshire Fire and Rescue Service, Cheshire East Borough Council, Cheshire West and Chester Borough Council, Halton Borough Council, or Warrington Borough Council
- Members of Cheshire East Borough Council, Cheshire West and Chester Borough Council, Halton Borough Council, or Warrington Borough Council
- Relatives, or close friends of any employees of Cheshire Fire and Rescue Service or Members of Cheshire Fire Authority
- Individuals with any unspent convictions
- Individuals who are politically active

Remuneration

15. It has proved to be difficult to find a 'rate' that is being paid to independent audit members that are already active for other public bodies. The sums that were found vary considerably from organisation to organisation. Some organisations were paying a sum per meeting (one as low as £50 per meeting) and some organisations were paying an annual sum (a few as high as £2,500, for four or five meetings). In view of this, officers felt that there was sense in considering the sums paid within the Members' Allowances Scheme.
16. The logical comparisons might be the independent (non-elected) member. He attends up to 18 meetings per year and receives an annual allowance of just over £1,250. The independent audit member is only likely to attend four or five meetings per year, but it might be argued that expectations being placed on him/her are higher, e.g., the individual will almost certainly need to be from a professional background and will also need to take part in training. With this in mind, an annual figure of £1,250 is suggested.

Term

17. The appointment should be for a reasonable period. A three year term, with a provision for 'renewal' for a further three years, is suggested.

## Advert

18. An advert and supporting documents will be drafted that take into account the decisions made by Members at this meeting. Members may recall that a decision was made at a previous meeting for the role to be subject to an open advert.
19. Officers are concerned about how the role will come to the attention of existing independent audit members (who are the most likely to be interested and arguably the best applicants for the role). With this in mind officers were hoping to have Member approval to notify the monitoring officers of the various public bodies that have audit committees with independent audit members, so that they can inform relevant individuals about the advert.

## Interview Panel

20. It would be helpful to agree the interview panel at this point. The intention would be to consult the panel informally about the advert and supporting documentation before the role is advertised.
21. It is assumed that if the interview panel is not the whole Audit Committee that the panel will report back to the Audit Committee, prior to confirming an appointment.

## Future-proofing?

22. CIPFA recommends, in its Position Statement, that 'each authority audit committee should include at least two co-opted members to provide appropriate technical expertise.'
23. With this in mind, it may be worth indicating in the recruitment paperwork that the Authority is seeking to appoint an independent audit member, with the potential to appoint a further individual in future. This would allow the interview panel to identify a second individual capable of being appointed at a later date, should the Fire Authority decide that this is necessary. Of course this assumes that we secure a number of applicants, which remains to be seen.

## Financial Implications

24. The appointment of an independent audit member will have a relatively small financial impact. The cost will be covered by existing budgets.

## **Legal Implications**

25. The creation of an audit committee is not currently a legal requirement. However, it is expected to enhance the Authority's governance arrangements. It is likely that it will become a legal requirement in the not-too-distant future.

## **Equality and Diversity Implications**

26. There are no equality and diversity implications arising from the decisions required in this report. The appointment will be achieved through an open process.

## **Environmental Implications**

27. There may be a small environmental impact if the additional meetings add to the occasions when Members are required to travel to Sadler Road. However, the intention would be to have Audit Committee meetings immediately after Governance and Constitution Committee meetings, wherever possible.

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

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**



## CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2022

### Scope

This position statement includes all principal local authorities in the UK, corporate joint committees in Wales, the audit committees for PCCs and chief constables in England and Wales, PCCFRAs and the audit committees of fire and rescue authorities in England and Wales.

The statement sets out the purpose, model, core functions and membership of the audit committee. Where specific legislation exists (the Local Government & Elections (Wales) Act 2021 and the Cities and Local Government Devolution Act 2016), it should supplement the requirements of that legislation.

### Status of the position statement

The statement represents CIPFA's view on the audit committee practice and principles that local government bodies in the UK should adopt. It has been prepared in consultation with sector representatives.

CIPFA expects that all local government bodies should make their best efforts to adopt the principles, aiming for effective audit committee arrangements. This will enable those bodies to meet their statutory responsibilities for governance and internal control arrangements, financial management, financial reporting and internal audit.

The 2022 edition of the position statement replaces the 2018 edition.

**The Department for Levelling Up, Housing and Communities and the Home Office support this guidance.**

## CIPFA's Position Statement 2022: Audit committees in local authorities and police

### Purpose of the audit committee

Audit committees are a key component of an authority's governance framework. Their purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. The committee's role in ensuring that there is sufficient assurance over governance risk and control gives greater confidence to all those charged with governance that those arrangements are effective.

In a local authority the full council is the body charged with governance. The audit committee may be delegated some governance responsibilities but will be accountable to full council. In policing, the police and crime commissioner (PCC) and chief constable are both corporations sole, and thus are the individuals charged with governance.

The committee has oversight of both internal and external audit together with the financial and governance reports, helping to ensure that there are adequate arrangements in place for both internal challenge and public accountability.

### Independent and effective model

The audit committee should be established so that it is independent of executive decision making and able to provide objective oversight. It is an advisory committee that has sufficient importance in the authority so that its recommendations and opinions carry weight and have influence with the leadership team and those charged with governance.

The committee should:

- be directly accountable to the authority's governing body or the PCC and chief constable
- in local authorities, be independent of both the executive and the scrutiny functions
- in police bodies, be independent of the executive or operational responsibilities of the PCC or chief constable
- have rights of access to and constructive engagement with other committees/functions, for example scrutiny and service committees, corporate risk management boards and other strategic groups
- have rights to request reports and seek assurances from relevant officers
- be of an appropriate size to operate as a cadre of experienced, trained committee members. Large committees should be avoided.

The audit committees of the PCC and chief constable should follow the requirements set out in the Home Office Financial Management Code of Practice and be made up of co-opted independent members.

The audit committees of local authorities should include co-opted independent members in accordance with the appropriate legislation.

Where there is no legislative direction to include co-opted independent members, CIPFA recommends that each authority audit committee should include at least two co-opted independent members to provide appropriate technical expertise.

## Core functions

The core functions of the audit committee are to provide oversight of a range of core governance and accountability arrangements, responses to the recommendations of assurance providers and helping to ensure robust arrangements are maintained.

The specific responsibilities include:

### Maintenance of governance, risk and control arrangements

- Support a comprehensive understanding of governance across the organisation and among all those charged with governance, fulfilling the principles of good governance.
- Consider the effectiveness of the authority's risk management arrangements. It should understand the risk profile of the organisation and seek assurances that active arrangements are in place on risk-related issues, for both the body and its collaborative arrangements.
- Monitor the effectiveness of the system of internal control, including arrangements for financial management, ensuring value for money, supporting standards and ethics and managing the authority's exposure to the risks of fraud and corruption.

### Financial and governance reporting

- Be satisfied that the authority's accountability statements, including the annual governance statement, properly reflect the risk environment, and any actions required to improve it, and demonstrate how governance supports the achievement of the authority's objectives.
- Support the maintenance of effective arrangements for financial reporting and review the statutory statements of account and any reports that accompany them.

### Establishing appropriate and effective arrangements for audit and assurance

- Consider the arrangements in place to secure adequate assurance across the body's full range of operations and collaborations with other entities.
- In relation to the authority's internal audit functions:
  - oversee its independence, objectivity, performance and conformance to professional standards
  - support effective arrangements for internal audit
  - promote the effective use of internal audit within the assurance framework.

- Consider the opinion, reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control, and monitor management action in response to the issues raised by external audit.
- Contribute to the operation of efficient and effective external audit arrangements, supporting the independence of auditors and promoting audit quality.
- Support effective relationships between all providers of assurance, audits and inspections, and the organisation, encouraging openness to challenge, review and accountability.

### Audit committee membership

To provide the level of expertise and understanding required of the committee, and to have an appropriate level of influence within the authority, the members of the committee will need to be of high calibre. When selecting elected representatives to be on the committee or when co-opting independent members, aptitude should be considered alongside relevant knowledge, skills and experience.

Characteristics of audit committee membership:

- A membership that is trained to fulfil their role so that members are objective, have an inquiring and independent approach, and are knowledgeable.
- A membership that promotes good governance principles, identifying ways that better governance arrangement can help achieve the organisation's objectives.
- A strong, independently minded chair, displaying a depth of knowledge, skills, and interest. There are many personal skills needed to be an effective chair, but key to these are:
  - promoting apolitical open discussion
  - managing meetings to cover all business and encouraging a candid approach from all participants
  - maintaining the focus of the committee on matters of greatest priority.
- Willingness to operate in an apolitical manner.
- Unbiased attitudes – treating auditors, the executive and management fairly.
- The ability to challenge the executive and senior managers when required.
- Knowledge, expertise and interest in the work of the committee.

While expertise in the areas within the remit of the committee is very helpful, the attitude of committee members and willingness to have appropriate training are of equal importance.

The appointment of co-opted independent members on the committee should consider the overall knowledge and expertise of the existing members.

## Engagement and outputs

The audit committee should be established and supported to enable it to address the full range of responsibilities within its terms of reference and to generate planned outputs.

To discharge its responsibilities effectively, the committee should:

- meet regularly, at least four times a year, and have a clear policy on those items to be considered in private and those to be considered in public
- be able to meet privately and separately with the external auditor and with the head of internal audit
- include, as regular attendees, the chief finance officer(s), the chief executive, the head of internal audit and the appointed external auditor; other attendees may include the monitoring officer and the head of resources (where such a post exists). These officers should also be able to access the committee members, or the chair, as required
- have the right to call on any other officers or agencies of the authority as required; police audit committees should recognise the independence of the chief constable in relation to operational policing matters
- support transparency, reporting regularly on its work to those charged with governance
- report annually on how the committee has complied with the position statement, discharged its responsibilities, and include an assessment of its performance. The report should be available to the public.

## Impact

As a non-executive body, the influence of the audit committee depends not only on the effective performance of its role, but also on its engagement with the leadership team and those charged with governance.

The committee should evaluate its impact and identify areas for improvement.

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