



**Wednesday,
5 July 2023
10.00 am**

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

Contact Officer:
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Democratic Services

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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. 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.

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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)

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

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MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE WEDNESDAY, 5 JULY 2023

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 28th June 2023.

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 19th April 2023.

1F Appointment of Members to Audit Committee for 2023-24

The Audit Committee is comprised of four elected Members and an independent (non-elected) audit committee member.

To be politically proportionate the Labour Group needs to have the majority of seats on the Audit Committee. As the independent (non-elected) audit committee member is now co-opted she has a vote. Therefore, the Audit Committee will need to be made up of 3 Labour Members and 1 Conservative Member.

It would be helpful if the Members appointed to the Audit Committee could indicate which Member they expect to be Chair of the Committee. This will be confirmed at the first meeting of the Audit Committee on 12th July 2023.

Recommended That:

- [1] Members confirm the 3 Labour Members and 1 Conservative Member who will sit on the Audit Committee for 2023-24; and**
- [2] The Labour Members indicate who will Chair the Audit Committee for 2023-24.**

ITEMS REQUIRING DISCUSSION / DECISION

2	Whistleblowing Annual Report 2022-23	(Pages 9 - 22)
3	Summary of Member Attendance 2022-23 Municipal Year	(Pages 23 - 26)
4	Compliments and Complaints Annual Report 2022-23	(Pages 27 - 38)
5	Review of Corporate Compliments and Complaints Policy and Procedure	(Pages 39 - 64)
6	Procedure - Sections 114 to 116 Local Government Finance Act 1988	(Pages 65 - 70)
7	Fire Authority Constitution - Review (Part One)	(Pages 71 - 94)



MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 19 April 2023 at Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.30 am

PRESENT: Councillors Rob Polhill (Chair), Rachel Bailey, David Brown, Brian Gallagher, Nick Mannion, James Nicholas 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 Councillor Nathan Pardoe.

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 16th November 2022 be confirmed as a correct record.

2 ANNUAL GOVERNANCE STATEMENT 2021-22 ACTION PLAN UPDATE

The Treasurer introduced the report which provided an update on the Annual Governance Statement (AGS) 2021-22 Action Plan. He highlighted each Area for Action and noted the progress made in March 2023.

A Member raised concerns that the formal Section 114 notice process had not been highlighted in previous years. The Treasurer assured her that officers were aware of the process, and it was the case of formally documenting the process.

RESOLVED: That

[1] the Annual Governance Statement 2021-22 Action Plan Update be noted.

3 DRAFT STATEMENT OF ASSURANCE 2022-23

The Director of Governance introduced the report which provided Members with an opportunity to review the draft Statement of Assurance for 2022-23. He explained

the document was produced annually as one of the requirements of the Fire and Rescue National Framework for England. It was noted that some information needs to be included once it had been finalised such as the Internal Auditor's opinion.

RECOMMENDED: That

[1] the draft Statement of Assurance be approved by the Fire Authority.

4 MEMBER CHAMPIONS ARRANGEMENTS

The Director of Governance introduced the report which allowed Members to consider the Member Champions arrangements and make recommendations to the Fire Authority.

He summarised the report which suggested that the existing Member Champions arrangements continue with an additional 'reporting' element during 2023-24. Members felt that it would be appropriate for the Member Champions to provide a summary of their work at Member Planning Days.

Members noted the importance of the Champion roles and highlighted the benefits they provided to the Service and local communities.

RECOMMENDED: That

[1] the existing Member Champions arrangements continue in 2023-24 (with a requirement for the Member Champions to share information about their role with all Members during the Municipal Year).

5 REVIEW OF ANTI-FRAUD AND ANTI-BRIBERY POLICIES

The Treasurer introduced the report which enabled Members to consider whether the Anti-Bribery Policy and the Anti-Fraud Policy remained fit for purpose. He advised that the policy had minor changes to reflect changes in staffing.

RESOLVED: That

[1] the Anti-Fraud and Anti-Bribery Policies both be approved.

6 REVIEW OF MEMBERS' CODE OF CONDUCT

The Director of Governance introduced the report which allowed Members to consider whether there should be any changes to the Members' Code of Conduct (the Code).

The report did not propose any changes to the Code other than a slight update which would be required should the Fire Authority confirm the change to the status of the Independent Audit Committee Member.

RECOMMENDED: That

- [1] subject to the Fire Authority confirming that the Independent Audit Committee Member would be a co-opted Member (as part of the decision concerning the responsibilities of the Audit Committee) the minor change to the Code set out in the report be approved by the Fire Authority.**

7 RESPONSIBILITIES OF AUDIT COMMITTEE (AND ANCILLARY MATTERS)

The Director of Governance introduced the report which replicated the version submitted to the Audit Committee prior to the meeting. He provided Members with a document that set out the Audit Committee arrangements recommended by the Audit Committee that had taken place immediately before the meeting. He went on to explain that certain constitutional changes would be necessary if the Audit Committee arrangements were approved.

RECOMMENDED: That

- [1] the attached document setting out the responsibilities (and ancillary matters) relating to the Audit Committee be approved by the Fire Authority, together with the constitutional revisions required as set out in the report.**

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 5th JULY 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: WHISTLEBLOWING ANNUAL REPORT 2022-23

Purpose of Report

1. To provide Members with information about whistleblowing for 2022-23.

Recommended That: Members

[1] 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. Employees, trainees and agency workers are classed as workers.

Information

The Authority’s Policy and Procedure on Whistleblowing

4. The Whistleblowing Policy and Procedure was last reviewed by officers and Members in July 2022. It was determined during this review that the Policy and Procedure appeared to remain fit for purpose. The next review of the Policy and Procedure is due in July 2024. Given that there are likely to be new Members of the committee the Policy and Procedure is attached to this report as Appendix 1.

Whistleblowing Complaints

5. The Service has engaged an organisation called Safecall to provide an outsourced whistleblowing hotline. It enables anonymous reporting and is said to “allow employees to speak up and report their concerns to the highest levels of management”.
6. The Safecall service was promoted by the Health and Safety Manager in May 2023. The Article, that was contained in the staff newsletter “The Green” is attached to this report in Appendix 2. It was previously promoted as part of communications following the publication of the London Fire Brigade Culture Review and in September 2022. These examples are also included within Appendix 2.
7. The Service has not been contacted by Safecall in 2022-23.

Whistleblowing Audit Activity

8. An internal audit is to be conducted shortly concerned with Whistleblowing. This was prompted by His Majesty’s Inspectorate for Constabularies and Fire and Rescue Services report entitled Values and Culture in the Fire and Rescue Service. The Audit will be conducted in the next quarter.

Financial Implications

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

Legal Implications

10. The Policy and Procedure seeks to ensure compliance with the legislation and mitigate risks to the reputation of the Service and the Fire Authority.

Equality & Diversity Implications

11. 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

12. 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

OWNER	Health Safety and Wellbeing Manager
LAST REVIEW	July 2022
REVIEW DUE DATE	July 2024
VERSION CONTROL/AMEND SCHEDULE	V3

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 health, safety and welfare 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

External Auditor
Liz A Luddington
Manager, Audit
Grant Thornton UK LLP
Tel: 0161 953 6900

Internal Auditor
Anne-Marie Harrop
Regional Assurance Director
Tel: 07920150313

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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Appendix 2 – Promotion of Safecall

6th September 2022



Safecall

[Stephen Hulse](#), Health, Safety and Welfare – 01606 868750

If you have a serious concern at work or are concerned about a wrongdoing then report it immediately to your line manager, or speak to a senior manager or contact Safecall on:

0800 915 1571 or report online at: www.safecall.co.uk/report

All calls are treated confidentially by Safecall, and you may remain anonymous if you wish.

Who are Safecall?

Safecall is a completely independent company that operates a confidential reporting service for Cheshire Fire and Rescue Service. It is available 24 hours a day and is staffed by highly skilled professional call handlers. Offices are based in the UK, and you can reach them 24/7 365 days of the year via the Freephone number or send a report via the website.

How does it work?

When you contact Safecall by telephone you will be asked by the call handler to explain your concern in as much detail as possible. During this time, the call handler will take notes and may ask you questions based on the account you give. Once complete, Safecall will send a written report to a senior manager.

If you choose to report the concern online by visiting the Safecall website, you will need to complete the online form which, once completed and submitted, Safecall will send a written report to a senior manager.

Can I remain anonymous?

Yes. It is totally acceptable to remain anonymous. Even if you make a mistake and accidentally tell Safecall your name they will not pass it on. Also, Safecall does not record any audio of the calls to help protect the identity of anonymous callers.

What can be reported?

The Service is available to receive reports including, fraud, security, health and safety, data breaches, bullying, bribery, corruption, dishonesty, harassment, victimisation, or any other issue that you feel is unacceptable in the workplace.

Who will receive my report?

The report is initially sent to the [Health, Safety & Wellbeing Manager](#) who will then allocate the report to the most appropriate person in the Service to address.

29th November 2022

Welcome to The Green bulletin, delivered to your inbox every Tuesday.



London Fire Brigade Culture Review

[Carmine Rabhani](#), Head of Human Resources and Organisational Development – 01606 868828

[Mark Shone](#), Head of Communications and Engagement – 01606 868736

For all of us committed to creating a fair, inclusive and diverse culture in the fire and rescue service, the [Independent Culture Review of London Fire Brigade](#), published on Friday evening, will have been extremely distressing to read.

In the coming weeks, the Service Leadership Team will be looking at the report in detail and considering the lessons to be learned from its findings and whether any of the recommendations could help us further improve the support we provide to our staff in Cheshire.

Our Service has in place long-established ways of accessing information, advice and support if you are experiencing any issues in the workplace. These include our staff networks, human resources team, mental health and well-being advisor and our independent, confidential helpline Safecall. Full details can be found on our [Who Do I Turn To?](#) pages on the intranet.

31st May 2023

Safecall, Who Do I Turn To? and whistleblowing

[Stephen Hulse](#), Health and Safety Manager, Health, Safety and Welfare - 07825 754805

As a Service, we understand the importance of providing a positive and safe place to work. Feeling able to speak up and raise concerns, in confidence if necessary, is imperative to this. Along with our extensive Whistleblowing Policy, colleagues are reminded that the 'Who Do I Turn To?' hub on the intranet lists all the ways you can reach out for support if you have concerns or worries at work. These are listed under three categories:

- **[Promoting health and wellbeing](#)**
- **[Taking care of personal safety](#)**
- **[Reporting inappropriate conduct](#)**

As part of the suite of 'Who Do I Turn To?' resources, you can access Safecall should you feel unable to raise a concern with a colleague or manager.

Safecall is an independent company that operates a confidential reporting service for our Service. It is available 24 hours a day and is staffed by highly skilled professional call handlers. When you contact Safecall by telephone you will be asked by the call handler to explain your concern in as much detail as possible. During this time, the call handler will take notes and may ask you questions based on the account you give.

Once complete, Safecall will send a written report to a senior manager. If you choose to report the concern online by visiting the Safecall website, you will need to complete the online form, which once completed and submitted.

Safecall is completely anonymous and is available to receive reports including fraud, security, health and safety, data breaches, bullying, bribery, corruption, dishonesty, harassment, victimisation or any other issue that you feel is unacceptable in the workplace.

The report is initially sent to the Health, Safety and Wellbeing Manager who will then allocate the report to the most appropriate person in the Service to address.

More information about Safecall can be found [here](#).

The Service's full Whistleblowing Policy can be found on the Corp Docs via the intranet.

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 5th JULY 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: SUMMARY OF MEMBER ATTENDANCE
2022-23 MUNICIPAL YEAR

Purpose of Report

1. To provide information about Member attendance for the 2022-23 Municipal Year.

Recommended: That Members

- [1] Consider the information about Member attendance for the 2022-2023 Municipal Year in order to determine whether any action is necessary.

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 table of Member attendance at the Fire Authority and the main committees for the 2022-23 Municipal Year. It only contains information about those current Members that were members of the Fire Authority during 2022-23; 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 2022-23 on behalf of the Authority.
7. Officers have previously been encouraged to improve the way the information is presented. With this in mind they have revised the format of the attendance tables to better represent Member involvement e.g., attendance data for Brigade Managers' Pay and Performance Committee and Member Planning Days has been added to Appendix 1 as they are believed to be key meetings. Event and training attendance are also shown within Appendix 2.

Financial Implications

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

Legal Implications

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

Equality and Diversity Implications

10. 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

11. There are no environmental implications.

CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD
TEL [01606] 868804
BACKGROUND PAPERS: NONE

Meeting Attendance of decision making bodies and Member Planning Days

	Fire Authority Meetings	Member Planning Days	Audit Committee	Brigade Manager's Pay and Performance Committee	Estates and Property Committee	Governance and Constitution Committee	Performance and Overview Committee	Staffing Committee	Total Meetings Could Attend	Total Meetings Attended	%
Councillor	Held: 5	Held: 5	Held: 3	Held: 3 ¹	Held: 1	Held: 3	Held: 4	Held: 2			
Rachel Bailey	5	3	3			3			16	14	88%
David Brown	4	3				2			13	9	69%
Kath Buckley	5	4							10	9	90%
Razia Daniels	3	4					3		14	10	71%
Brian Gallagher	4	2	2			2			16	10	63%
Phil Harris	5	4					4		14	13	93%
Marilyn Houston	4	3			0				11	7	64%
Gina Lewis	4	4					4		14	12	86%
Nick Mannion	4	5	3			3			16	15	94%
Rob Moreton	4	1			0				11	5	45%
Karen Mundry	5	5		3	1			2	16	16	100%
Stef Nelson	5	5		5	1			2	18	18	100%
Stuart Parker	4	4		5	0			2	18	15	83%
Rob Polhill	5	4				3			13	12	92%
Peter Walker	4	5					4		14	13	93%
Peter Wheeler	4	2		0	0		3	0	20	9	45%
Norman Wright	5	4			1		4		15	14	93%
Independent (non-elected) Member											
Derek Barnett	3 ²	4			0	3	3		13	10	77%

Note ¹ - Two additional meetings of the Committee were held. These were interviews and not all members of the Committee were required.

Note ² - The independent (non-elected) member is not required to attend the Fire Authority meeting but often does so. His attendance figures do not include this.

Councillor	Board ¹ and Working Group ² Meetings	UPG meetings (Held: 4 per unitary)	Events and Conferences ³	Training and Development Sessions ⁴
Rachel Bailey	1	2	3	1
David Brown	5	2	1	1
Kath Buckley	0	4	3	1
Razia Daniels	1	4	2	1
Brian Gallagher	1	3	2	2
Phil Harris	1	2	0	2
Marilyn Houston	2	3	2	2
Gina Lewis	7	4	4	4
Nick Mannion	1	3	1	2
Rob Moreton	0	0	1	0
Karen Mundry	8	4	2	3
Stef Nelson	5	2	6	3
Stuart Parker	3	3	1	1
Rob Polhill	0	3	0	2
Peter Walker	0	1	1	3
Peter Wheeler	0	1	0	0
Norman Wright	0	1	0	1
Independent (non-elected) Members				
Derek Barnett	2	N/A	2	4

Note ¹ - Board meetings include the following: Risk Management Board and Pension Board

Note ² - Working Groups include: Member Training and Development Group, Sprinkler Group, Environment and Climate Change Working Group and Equality Steering Group.

Note ³ - The events and conferences incorporated within the table were extracted from the Corporate Events Calendar. It is possible that Members have attended events organised by other departments that have not been recorded or captured.

Note ⁴ - The training and development sessions included within the table were extracted from the Member Development Programme. Members participate in other informal training and development which has not been recorded or captured in the table.

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 5th JULY 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: COMPLIMENTS AND COMPLAINTS ANNUAL
REPORT 2022-23

Purpose of Report

1. To provide Members with information about compliments and complaints, relating to the Service, received during the period 1st April 2022 to 31st March 2023.

Recommended That:

- [1] the information regarding compliments and complaints received during the period 1st April 2022 to 31st March 2023 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 they wish the complaint to be escalated, when it becomes a formal complaint.

Statistics for 1st April 2022 to 31st March 2023

5. The statistics for 2022-23 are:

- i. Formal Complaints - 1
- ii. Informal Complaints - 26
- iii. Compliments - 23

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:

	2022-23	2021-22	2020-21	2019-20	2018-19
Formal complaints	1	1	1	3	3
Informal complaints	26	27	30	31	20
Compliments	23	8	86	42	48

7. 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.

8. 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 (5); Conduct (2); Driving Service vehicles (7); Incident (7); Prevention (3); and Protection (2).
- (b) As you would expect, the compliments received all related to the Service's departments that have direct interaction with members of the public. They related to: Conduct of staff (1); incident response (11); prevention activity (6); and public engagement (5).

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 (CMT)	Date of Complaint	How was the complaint received	Relevant Department	Comment	Response within target timescale (Y/N)	Action taken and outcome	Date Closed
CMT 01.22	02/04/22	Telephone	Service Delivery	Forced entry incident in Crewe.	Yes	The Station Manager attempted to make contact with the complainant to resolve the issue. Voicemail messages left. No phone call was received from the complainant. Complaint closed after no further contact (28 days).	31/04/22
CMT 02.22	07/04/22	Telephone	Service Delivery	Complainant called last Friday very unhappy about a solicitor's letter which they claim held defamatory information regarding their business.	Yes	Station Manager left messages to see if the complaint could be resolved. No further contact received. Complaint closed after no further contact (28 days).	05/05/22
CMT 03.22	11/05/22	Email	Service Delivery	Inconsiderate driving by a CFRS van driven through a very large puddle.	No ¹	The driver could not be identified, and no action could be taken. Complainant informed.	15/06/22
CMT 04.22	26/05/22	Email	Service Delivery	Dangerous driving in a fire appliance.	No ²	A thorough investigation into the complaint was conducted, and it does not appear that there was a Cheshire Fire and Rescue Service Fire Engine in the area at the time stipulated. Complainant informed.	23/06/22
CMT 05.22	30/05/22	Email	Prevention	Email not responded to after 14 days regarding fire advice at the Decks in Runcorn.	Yes	Group Manager contacted the complainant to explain the issues at the property are responsibility of the management company. Closed confirmation received 16/06/22.	16/06/22
CMT 06.22	10/06/22	Email	Prevention	Why forced entry to a door when they could have forced a key safe	Yes	Station Manager looked into the complaint and discussed the actions taken with the complainant.	14/06/22
CMT 07.22	05/07/22	Email	Prevention	Safe and Well booklet printed with the incorrect room temperature for over 65s.	Yes	Confirmed to the complainant that this was a printing error and offered to send them a new copy. The complaint was closed after no further contact.	02/08/22
CMT 08.22	11/07/22	Phone Call	Prevention	Complaint about a person who came to her house to complete a HSA and fit smoke alarms.	Yes	Station Manager called the complainant and she no longer wished to pursue the complaint.	13/07/22

CMT 09.22	22/07/22	Email	Service Delivery	Disposing of water bottles at incidents.	Yes	Protection Manager raised the issue at Station Managers Group meeting, and raised the issue whilst at both incidents directly with Ops crews. It was also flagged on the Ops De-Brief form.	04/08/22
CMT 10.22	04/08/22	Phone Call	Fleet / Prevention	Employee texting while driving.	N/A ³	The employee was identified and details passed to her line manager to action. The manager confirmed that a discussion had taken place and a log of it kept on file.	03/10/22
CMT 11.22	08/08/22	Email	Service Delivery	A fire that took place outside the complainant's pallet yard.	Yes	The service delivery manager met the complainant to resolve the issue. Complaint closed.	05/09/22
CMT 12.22	08/08/22	Email	Service Delivery	Use of sirens in the early morning hours.	Yes	The Station Manager advised the complainant of the duty of care to other road users when responding to emergencies especially as the Fire Station is situated at a junction. The Station Manager has made the Watches aware of the issue.	12/08/22
CMT 13.22	14/08/22	Email	Service Delivery	Lock damaged due to gaining access to put out a log fire.	Yes	Whilst the Service considers that appropriate action was taken regarding the fire and does not accept liability; as a goodwill gesture a sum was paid for a replacement lock.	31/10/22
CMT 14.22	15/08/22	Email	Prevention	Vehicles parked under cladding wall at The Decks.	Yes	Group Manager followed this up with the management company for the flats. This is the management company's responsibility.	22/09/22
CMT 15.22	16/08/22	Email	Protection	Fire hydrant cover not replaced correctly by a company.	Yes	The fire hydrant cover has been checked. It is not a hydrant adopted by the fire service. The cover has been closed as much as possible and the occupier notified. Occupier encouraged to contact external company that had been using the hydrant.	17/08/22

CMT 16.22	21/09/22	Email	Service Delivery	Lights left on overnight on Poynton Fire Station training tower.	Yes	The Station Manager contacted the complainant and agreed a local solution should the event occur again. This has given him some confidence and a fail-safe should the lights be forgotten about again.	03/10/22
CMT 17.22	01/11/22	Email	Communication	False information on a social media post regarding a person's injuries.	Yes	The Station Manager replied with a full explanation and full apology.	15/11/22
CMT 18.22	23/11/22	Email	Service Delivery	No contact by the Service after a hedge fire was put out.	Yes	Details of the police number were given to the complainant.	25/11/22
CMT 19.22	17/12/22	Email	Service Delivery	House keys given to the landlord of the property next door.	Yes	Station Manager agreed that a mistake was made and that the officer in charge of the incident was spoken to, to ensure this did not happen again.	21/12/22
CMT 20.22	17/01/23	Email	HR/Finance	Retirement gift not received.	No ⁴	The retirement gift was sent and a covering email sent from HR	07/03/23
CMT 21.22	31/01/23	Email	Prevention	No response to booking a safe and well visit for her mum.	Yes	Safe and well visit completed by the prevention team	08/02/23
CMT 22.22	20/02/23	Email	Service Delivery / HR	Unprofessional aggressive behaviour at a road traffic collision attended by the Service, Cheshire Constabulary and North West Ambulance Service.	No	Investigated as an HR issue, and dealt with through the disciplinary process. Should not have been logged as a complaint.	06/06/23
CMT 23.22	27/02/23	Email	Service Delivery	Fire engine sirens being deployed at 3:30am.	Yes	The Station Manager explained the issue, and has informed the Watches involved to be mindful in the early hours	12/04/23
CMT 24.22	22/03/23	Email	Health & Safety	Stone chipped her windscreen when a fire engine drove passed.	Yes	Claim rejected. The Service would need conclusive evidence that Cheshire Fire and Rescue Service caused the damage to the vehicle windscreen.	31/03/23
CMT 25.22	23/03/23	Email	Fleet Services	Misuse of a service vehicle.	Yes	No action required. It was not a misuse of a fire service vehicle.	24/03/23

CMT 26.22	25/03/23	Phone Call	Service Delivery	Damage to a house door following forced entry.	Yes	The Watch Manager has re-visited the complainant and discussed the repair and his complaint. His main concern was the lock was not the same and there was very minor damage. The replacement lock was comparable to neighbouring properties. The Watch Manager is happy and that initial actions were taken with the intention to save life.	20/04/23
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Explanatory note for response timescales not met

Note ¹ - CMT 03.22 - Unable to identify the vehicle driver without information of the vehicle registration. All possible departments were contacted, and no investigating officer could be identified. Once all possibilities were exhausted, the Governance Officer provided a response.

Note ² - CMT 04.22 - The investigating officer developed Covid and was unable to complete the investigation in the target timescale. They kept the complainant informed of the delay and followed the correct procedure.

Note ³ - CMT 10.22 - The complainant wished to remain anonymous, and no contact details were provided to give an update. The complaint investigation was conducted and complied with policy.

Note ⁴ - CMT 20.22 - The investigation was conducted by Finance and HR departments. There was a lack of updates from either team to the Complaints mailbox and lack of communication between the departments. A response was drafted but had not been sent to the complainant by either department. The Governance Officer sent the response on their behalf after the target timescale.

Unique Ref (COMP)	Date of Complaint	Details of Complaint	Details of response sent by HOD	Date of response sent by HOD	Within target timescale	Date Closed
COMP 01.22	14/09/22	Complaint about Station Managers fire investigation.	This has now been concluded and additional information considered, and he is satisfied that the finding from the original fire investigation, in that the most probable cause of this incident was accidental, is correct and that the fire investigation conducted by Station Manager was thorough and proper.	28/11/22	Group manager spoke to the complainant on 14/09 to explain the timescale for investigating this complaint, the complainant was happy with this explanation.	28/11/22

COMPLIMENTS DATABASE 2022 -23

Appendix 3

Unique Ref (Compliment)	Date of Compliment	How was the compliment received	Compliment	Relevant Department	Department Notified of Compliment
Compliment 01.22	05/04/22	Email	Thank you for the quick and professional way you and your team dealt with the fire in our neighbours house yesterday.	Service Delivery	Yes
Compliment 02.22	24/04/22	Email	Assistance given to person who had had a fall.	N/A	No
Compliment 03.22	05/05/22	Email	Installing fire angel smoke alarms.	Prevention	Yes
Compliment 04.22	11/05/22	Email	Fitting of smoke alarms.	Prevention	Yes
Compliment 05.22	19/05/22	Facebook	Firefighter interacting with the public outside Widnes Market.	Prevention	Yes
Compliment 06.22	15/06/22	Email	Forced entry, the crew were professional and showed compassion.	Service Delivery	Yes
Compliment 07.22	21/06/22	Email	Happy with smoke alarm replacement.	Prevention	Yes
Compliment 08.22	12/07/22	Email	Met with firefighter outside Matalan with the fire engine. They were extremely polite, attentive and spoke clearly to his son (whom they had correctly deduced was autistic).	Service Delivery	Yes
Compliment 09.22	20/07/22	Email	Rescue of a kitten stuck in the wall.	Service Delivery	Yes
Compliment 10.22	21/07/22	Phone	Phoned to express her thanks to us for the service we provide.	Service Delivery	Yes

Compliment 11.22	22/07/22	Email	Professionalism and hard work at farm fire.	Service Delivery	Yes
Compliment 12.22	12/08/22	Email	Thanks for professionalism at a combine harvester and field fire adjoining golf club.	Service Delivery	Yes
Compliment 13.22	06/09/22	Email	Cubs visit to Chester Fire Station.	Service Delivery	Yes
Compliment 14.22	01/10/22	Email	Professionalism of the crew called out to her elderly neighbour.	Service Delivery	Yes
Compliment 15.22	05/11/22	Email	Safety check - Customer received excellent advice and useful tips, potentially saving energy as well as increasing level of safety.	Prevention	Yes
Compliment 16.22	02/12/22	Email	Inspirational day provided at Northwich Fire Station.	Service Delivery	Yes
Compliment 17.22	23/12/22	Email	Thanks to Warrington Fire Brigade Green Watch who have just attended our house (chimney fire).	Service Delivery	Yes
Compliment 18.22	26/01/23	Social Media	Thanks for gaining entry and help with the patient.	Service Delivery	Yes
Compliment 19.22	23/02/23	Email	Thanks for kindness and professionalism when cutting the lady out of her car after road traffic collision.	Service Delivery	Yes
Compliment 20.22	28/02/23	Rated Page	Husband's zip stuck on his anorak, dealt with professionally and respectfully.	Service Delivery	Yes
Compliment 21.22	10/03/23	Email	Fire safety advice given.	Protection Department	Yes

Compliment 22.22	22/03/23	Email	Safe and Well visit for a faulty battery, a copy of informative and excellent booklet and gave several helpful safety tips, some of which not aware of.	Prevention Department	Yes
Compliment 23.22	29/03/23	Email	Kind and helpful when car tyre burst into flames.	Service Delivery	Yes

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 5TH JULY 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: REVIEW OF CORPORATE COMPLIMENTS AND COMPLAINTS POLICY AND PROCEDURE

Purpose of Report

1. To enable Members to review the Corporate Compliments and Complaints Policy and Procedure.

Recommended:

That Members consider the Corporate Compliments and Complaints Policy and Procedure and provide feedback on any changes they deem necessary.

Background

2. The Corporate Compliments and Complaints Policy and Procedure was previously reviewed in November 2021. It is attached as Appendix 1 to this report.

Information

3. The Corporate Compliments and Complaints Policy and Procedure has operated well, by large, for a number of years.
4. Officers have considered the document to establish whether it needs to be updated or improved. Apart from changing one reference made and correcting a few typographical errors, the document appears to be fit for purpose; indeed, it is comprehensive if rather lengthy.
5. Officers have identified a need to raise awareness of the Corporate Compliments and Complaints Policy and Procedure to ensure those handling complaints are operating as per the policy and procedure. Officers will promote the policy and procedure, once approved, in the staff newsletter 'The Green' and run awareness training sessions aimed at those handling complaints.

Financial Implications

6. There were no financial implications identified within the report.

Legal Implications

7. There were no legal implications identified within the report.

Equality and Diversity Implications

8. There were no equality and diversity implications identified within the report.

Environmental Implications

9. There were no environmental implications identified within the report.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING
MANAGER
TEL [01606] 868804
BACKGROUND PAPERS: NONE**

1575 CORPORATE COMPLIMENTS AND COMPLAINTS POLICY AND PROCEDURE

The following procedure sets out the consistent approach taken by Cheshire Fire and Rescue Service to ensure that complaints are dealt with appropriately and that compliments are communicated to the appropriate departments.

OWNER	Democratic Services
LAST REVIEW	November 2021
REVIEW DUE DATE	November 2023
VERSION CONTROL/AMEND SCHEDULE	Version 6
CROSS REFERENCES –N/A	

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PART 1 – POLICY SECTION

1. Policy Statement

Cheshire Fire and Rescue Service is committed to reducing preventable deaths and injuries arising from fires and other emergencies in Cheshire by seeking to work with the public and others through education, training, partnerships and research, whilst continuing to provide a risk assessed fire safety and rescue service. We aim to ensure that the community is satisfied with our service but there may be occasions when the service appears to be unsatisfactory.

Positive and negative feedback from customers in the form of compliments and complaints is essential in refining our services to meet their needs. It can highlight areas where services are failing to meet expectations and potentially where changes can deliver efficiencies for Cheshire Fire and Rescue Service.

Cheshire Fire and Rescue Service endeavours to ensure that good practice spreads across the service to innovate and develop through the positive and negative feedback that is received.

This document outlines the associated procedures for dealing with Corporate Compliments and Complaints.

2. Introduction and Scope

The Corporate Compliments and Complaints Procedure needs to adhere to legislative and statutory requirements of the Data Protection Act 2018 Environmental Information Regulations 2004 and the Freedom of Information Act 2000. The procedure coordinates responses to external communication raised by the public in relation to services provided by Cheshire Fire and Rescue Service.

The Government's Audit and Inspection Framework requires Local Authorities to apply rigorous challenges to the services provided to the public ensuring continuous improvement is being attained. The Democratic Services Team monitors the compliments and complaints received and presents an annual report to the Authority's Governance and Constitution Committee.

The procedure outlines Cheshire Fire and Rescue Service's approach to ensuring that complaints are dealt with appropriately and that there is an opportunity to review services provided. It also ensures that compliments are relayed to the appropriate service areas to assist with continued service improvement.

The procedure provides clear guidelines for dealing with compliments and complaints.

3. Role and Responsibilities

The guidelines for compliments and complaints received directs all such correspondence to the Democratic Services Team.

Role	Responsibility
Complaints Co-Ordinator	Democratic Services are responsible for the day to day process of recording and coordinating all correspondence in accordance with the procedures and timelines detailed.
Investigating Officer (informal complaints)	Officers are responsible for investigating and responding to informal complaints relevant to their department, within Corporate deadlines detailed within the procedure.
Senior Investigating Officer (formal complaints)	Heads of Department are responsible for responding to formal Complaints within Corporate deadlines detailed within the procedure.
Review of Head of Department's response (formal complaints)	A Principal Officer and/or Independent Senior Investigating Officer is responsible for reviewing the matter and providing a written response.

PART 2 – PROCEDURE SECTION

4. Overview

Cheshire Fire and Rescue Service want to ensure that service users, be they individual residents or business owners, are provided with a fair, consistent and structured process to remedy any failures in the delivery of its service.

A log of all compliments and complaints is retained by Democratic Services. It is the responsibility of the person receiving the compliment or complaint to ensure it is forwarded to the Democratic Services Office. The details below provide guidance on how, upon receipt, they should be dealt with and the procedures that should be followed.

A judgement should be made upon initial receipt of a complaint as to whether it is dealt with informally or formally in the first instance. The following definitions should be taken into consideration:

Informal complaints include:

- Straight forward investigations
- Easy to provide brief response required
- No 'real' action required
- Not lengthy and involved

Formal complaints include:

- Complex, lengthy investigations
- Complainant specifies they want to make a formal complaint
- Complaint received in writing by completion of Complaints form or a letter

The majority of complaints received are dealt with as an informal complaint initially, and if not resolved satisfactorily are then logged as a formal complaint and the formal procedure followed.

5. Methods of contact to submit a compliment or complaint

A customer can contact Cheshire Fire and Rescue Service in a number of ways:

- In person by visiting one of the Fire Station premises, or Headquarters at Clemonds Hey, Oakmere Road , Winsford,CW7 2UA
- By telephone
- By email
- In writing to Democratic Services, Clemonds Hey, Oakmere Road,Winsford CW7 2UA

- Via the Service’s website www.cheshirefire.gov.uk and completing the online form
- Via the Service’s social media accounts (e.g. Facebook, Twitter etc.)

**6. Procedure 1 (attached as Appendix 1)
Informal complaints**

Upon receipt of a complaint, attempts should be made to deal with it at initial contact. Such complaints will follow an informal procedure and will be resolved by the officer contacted or their line manager for the relevant department to which the complaint refers. A response dealing with an informal complaint should be provided generally within 10 working days of receipt of the complaint. Details of the complaint and copies of all correspondence should be sent to Democratic Services for recording purposes. Additionally, when appropriate, details of complaints are sent to the Corporate Communications Department, for their information, to enable any possible reputational issues to be managed. Where it has not been possible to deal with the complaint satisfactorily at initial contact, the formal complaints procedure should then be followed, as noted on page 7 (Procedure 2).

	Process / Action	Responsibility
1	Officer receives a complaint and forwards details to Democratic Services by emailing complaints@cheshirefire.gov.uk	Receiving Officer
2	Democratic Services log the details of the complaint on a central database and consider whether it can be investigated and whether any of the exclusions apply. If so provide an explanation to the complainant and advise on appropriate route to follow.	Democratic Services
3	When appropriate, Democratic Services sends details of the complaint to the Corporate Communications department, for information.	Democratic Services
4	Officer from the relevant department investigates the complaint and provides a response within 10 working days of receipt of the complaint, sending a copy of the response to Democratic Services to be held centrally.	Investigating Officer
5	Democratic Services monitors to ensure the complaint is dealt with within the standard timeline and log a record of the response sent.	Democratic Services

6	Democratic Services close the record 28 days after the date the response is sent to the complainant, if no further response is received from the complainant.	Democratic Services
7	If a further dissatisfied response is received, this should be escalated to the next stage, and the formal complaints procedure followed (Procedure 2).	Democratic Services

7. Procedure 2 (attached as Appendix 2) Formal Complaints

The complainant should be advised that a formal complaint should be submitted either:

- in writing to the Service Headquarters,
- by completion of the Service's Compliments and Complaints form on the website, or
- if assistance is required completing the form, by calling Democratic Services on 01606 868304.

	Process / Action	Responsibility
1	Officer receives a formal complaint and forwards details to Democratic Services by emailing complaints@cheshirefire.gov.uk	Receiving Officer
2	Democratic Services log details of the complaint on a central database, and an acknowledgement email/letter is forwarded within 5 working days of receipt of the complaint (Appendix 4). Consider whether it can be investigated and whether any of the exclusions apply and if so, provide an explanation to the complainant and advise on appropriate route to follow.	Democratic Services
3	Democratic Services forwards the complaint to the relevant Head of Department to provide a written response within 28 days of the date of the initial acknowledgement and monitors to ensure a response is sent.	Democratic Services
4	When appropriate, Democratic Services sends details of the complaint to the Corporate Communications department, for information.	Democratic Services
5	The relevant Head of Department to which the complaint refers, investigates and provides a	Head of Department

	detailed written response to the complaint within the standard timeline.	
6	If the standard timeline can't be met, the complainant is notified by email/letter of the delay and the reason. (Appendix 5)	Head of Department / Democratic Services
7	Democratic Services receive a copy of the detailed response and add to the central record.	Democratic Services
8	Democratic Services close the record 28 days after the response is sent to the complainant, if no further response is received from the complainant.	Democratic Services
9	If a further response is received regarding the same matter, the complaint is escalated to the appropriate Principal Officer and/or Independent Senior Investigating Officer.	Head of Department /Democratic Services
10	Further response logged by Democratic Services and an acknowledgement email/letter sent to the complainant within 5 working days of the further response.	Democratic Services
11	Principal Officer and/or Independent Senior Investigating Officer to review the matter and provide a written response within 28 days of the date of the acknowledgement email/letter.	Principal Officer/ Independent Senior Investigating Officer
12	Democratic Services to monitor to ensure a response is sent and a copy is added to the central record.	Democratic Services
13	Democratic Services close the record 28 days after the response of the Principal Officer and/or Independent Senior Investigating Officer is sent to the complainant, if no further response received from the complainant (see Appendix 2 for process map).	Democratic Services
14	If a further response is received regarding the same matter, any further action is taken through the independent Local Government Ombudsman.	Local Government Ombudsman

**8. Procedure 3 (attached as Appendix 3)
Compliments**

	Process / Action	Responsibility
1	Officer receives compliment and provides acknowledgement if appropriate, forwarding all details to Democratic Services by emailing complaints@cheshirefire.gov.uk OR Compliment received by Democratic Services, who will send out an acknowledgement email/letter if appropriate (Appendix 6), and the compliment is forwarded to the relevant department.	Officer /Democratic Services
2	Democratic Services log details of the compliment on a central database.	Democratic Services
3	Democratic Services close the record and no further action is required.	Democratic Services

9. Template Documents

To provide consistency when responding to external communications raised by the public, standard templates have been developed. The standard templates are as follows:

- an initial response email/letter for formal complaints advising the complainant of the process and when they should expect to hear following an investigation into the matter including an Equality Monitoring Form for completion (Appendix 4);
- a response to send to the complainant if the investigation has been delayed and a detailed response cannot be provided within the original time scale (Appendix 5); and
- Response for compliments received (Appendix 6).

10. Recording of Data, Monitoring and Performance Reporting

As part of the Authority's existing Governance and Constitution Committee Terms of Reference compliments and complaints received are reported to the Committee annually. The recording of the information on the central database will give the ability to provide the Governance and Constitution Committee and the Service a more in-depth analysis of:

- the number of compliments and complaints received through the year;

- the number of complaints resolved at initial contact; and
- the types of compliments and complaints received.

All compliments and complaints are registered with Democratic Services where they are kept on a database. A unique reference number will be allocated to each entry.

Case files for all complaints are retained electronically by Democratic Services for monitoring purposes, it is therefore essential that copies of all correspondence are submitted. Hard copies of case files are created for formal complaints only.

Additionally, when appropriate, details of complaints recorded by Democratic Services are sent to the Corporate Communications Department, for monitoring purposes, to enable any possible reputational issues that may occur to be managed.

11. Dealing with Persistent Complainants

Cheshire Fire and Rescue Service endeavour to deal fairly, honestly and properly with persistent complainants while ensuring that other service users, officers or the Service as a whole does not suffer any detriment and that the resources of the Service are used as effectively as possible.

A persistent complainant may have a genuine grievance, but take inappropriate steps to seek redress. A persistent complainant is a member of the public who complains about issues the complainant considers are within the remit of the Service and whose behaviour is characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious and/or
- b) insistence upon unreasonably pursuing unmeritorious complaints and/or unrealistic outcomes, or
- c) insistence upon pursuing meritorious complaints in an unreasonable manner.

The danger is that their complaint, even if meritorious, is treated without a significant degree of seriousness and consideration, which compounds their complaint and leads to criticism of the Service.

A persistent complainant may use the complaints procedure excessively either at step two or at a higher level. Firstly it should be considered whether a dissatisfied complainant has raised legitimate concerns:

- a) has the complaint been investigated properly?
- b) was any decision reached the right one?
- c) have communications with the complainant been satisfactory?

- d) is the complainant now providing any significant new information that might affect the Service's view of the complaint.

Action

The actions that Cheshire Fire and Rescue Service will take in dealing with unreasonably persistent complainants will be appropriate to the nature and frequency of the complainant's contacts. The following is a list of possible options that the Service may consider if a person is deemed to be an unreasonably persistent complainant.

- a) Limiting the complainant to one form of contact e.g. telephone, letter, email and/or requiring the complainant to communicate only with one named member of staff
- b) Refusing to register and process further complaints about the same matter
- c) Where a decision on the complaint has been settled. Informing the complainant that future correspondence on the same matter will be read and filed and will not be acknowledged or sent a response.

If a decision is taken to apply an action from the above, the Service will write to inform the complainant.

The fact that a complainant has been deemed an unreasonably persistent complainant, details of any restrictions imposed on that complainant, will be recorded and notified to the Director of Governance and Principal Officers. Personal information about the complainant will not normally be included in such a notification.

12. Monitoring and Recording of Persistent Complainants

A central register of persistent complaints will be retained by Democratic Services. Such complaints will be monitored and a report presented annually to the Authority's Governance and Constitution Committee in line with the Service's Compliments and Complaints reporting procedure.

13. Persistent Complainants and Links to Other Policies

This procedure should be used in conjunction with other Cheshire Fire and Rescue Service policies and procedures aimed at protecting officers and the Service. Attention should also be paid to the Service's obligations under the Human Rights Act 1998 to ensure that it is within its right to take any action with regard to a persistent complainant.

14. Exclusions

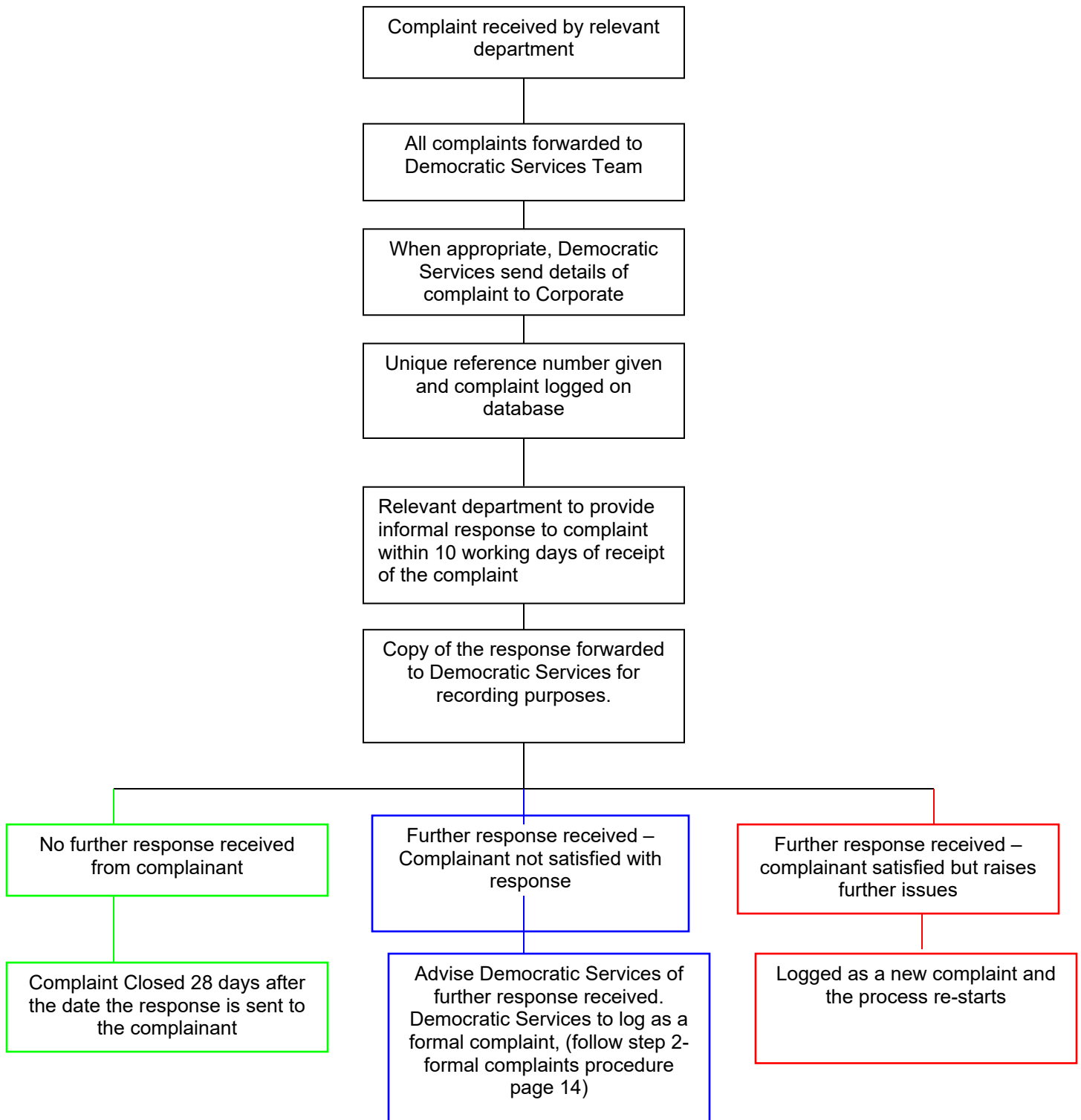
Although this procedure covers complaints relating to the majority of services provided by, or on behalf of, Cheshire Fire and Rescue Service it does not

cover the following situations, which are covered by other policies and procedures. Democratic Services should consider these exclusions before initiating the Corporate Complaints procedure:

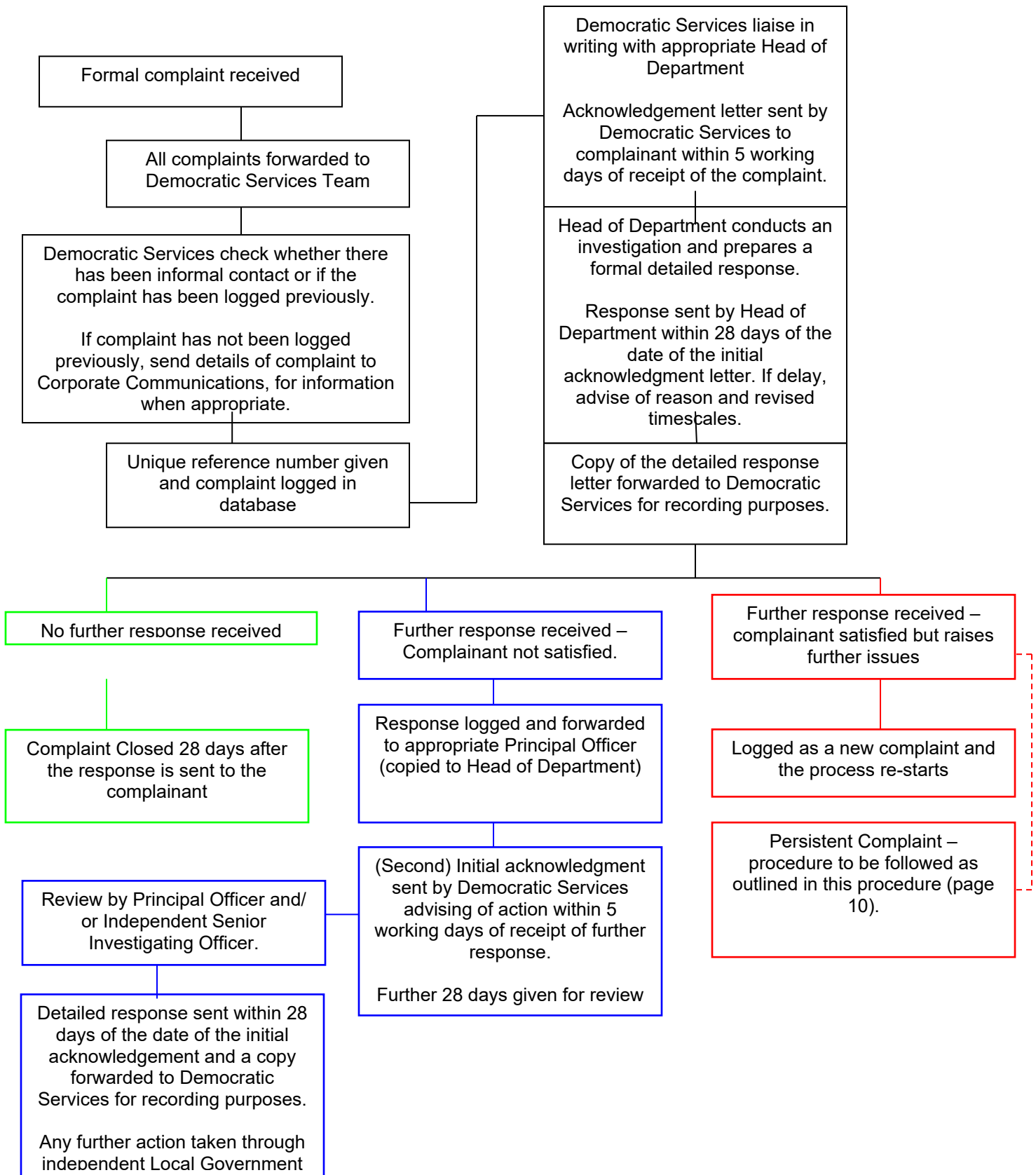
- A complaint where the complainant or Fire Service has started legal proceedings or there is a right of redress in law and where it is reasonable to have expected the complainant to have pursued that course of action
- Complaints about the conduct of a Member of Cheshire Fire Authority. Details of the procedure for handling this type of complaint can be found on our website at <https://www.cheshirefire.gov.uk/about-us/fire-authority/complaints-about-fire-authority-members>
- Complaints covered by statutory appeals processes
- Complaints about personnel matters, including the recruitment process, disciplinary and grievances issues
- Complaints made by staff under the Whistleblowing Policy
- Complaints regarding insurance claims
- Allegations of criminal behaviour or financial impropriety. In these situations, it is appropriate to hold the internal investigation of any aspect of the complaint relating to the allegation of criminal behaviour or financial impropriety pending the outcome of the police investigation. A crime number should be requested from the complainant and it is their responsibility to inform us when the police investigation is complete so that the internal investigation can recommence.
- Freedom of information and the handling of data protection requests

Upon receipt of a complaint which for any reason cannot be considered under the Service's Complaints procedure, Democratic Services will provide an explanation to the complainant and advise on the appropriate route to follow.

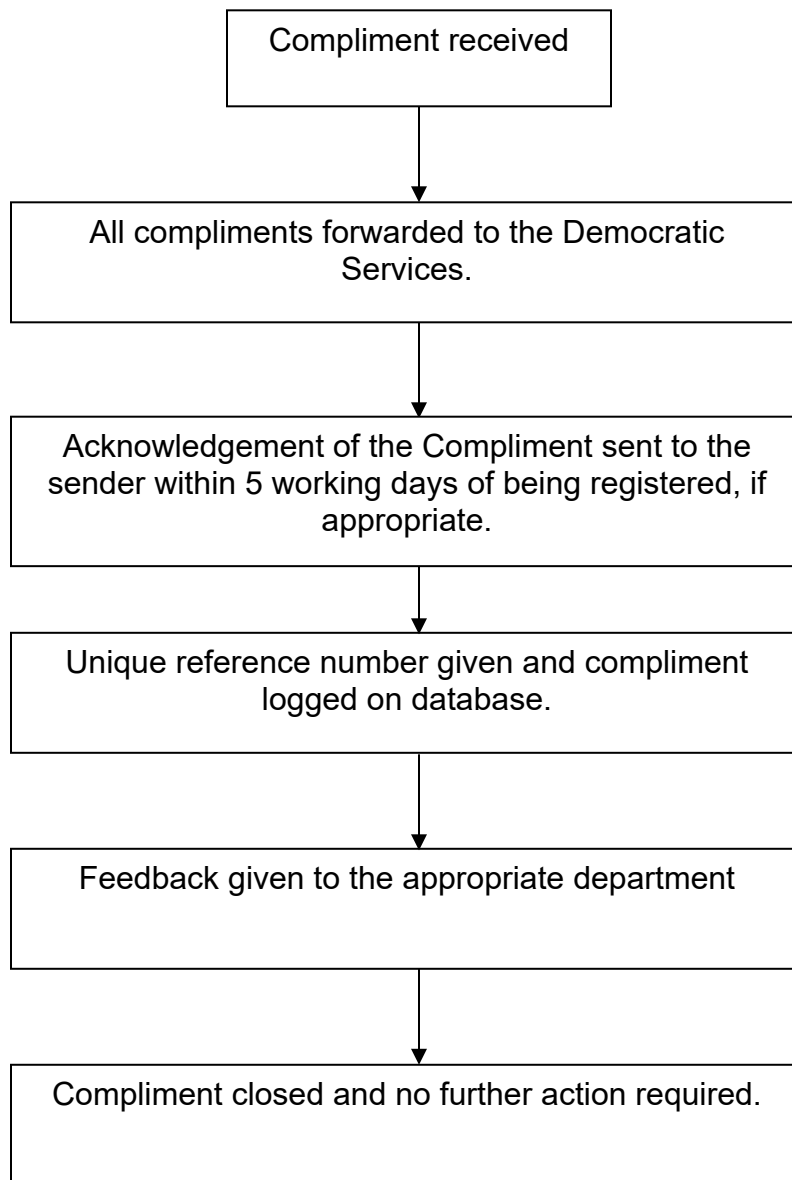
APPENDIX 1
STEP 1: INFORMAL COMPLAINTS PROCEDURE



**APPENDIX 2
STEP 2: FORMAL COMPLAINTS PROCEDURE**



**APPENDIX 3
PROCEDURE FOR DEALING WITH COMPLIMENTS:**



**APPENDIX 4
TEMPLATE INITIAL RESPONSE FOR FORMAL COMPLAINTS**

(To be amended as necessary)

(insert address of the complainant)

(date)

Complaint **(insert number)**

Governance Officer

Email address

Dear **(insert name)**,

Re: Complaint No. (insert number) – (insert address)

I am writing to acknowledge receipt of your completed complaint **(email/form/letter)** in respect of **(provide summary of the complaint)**

Your complaint has been forwarded to the **Director/Head of (insert department), (insert name of HOD)**. Your complaint will be investigated and a detailed written response of the findings forwarded to you within the next 28 days.

If you would like to provide us with any further information during this time or would like to ask any questions about the complaints process please do not hesitate to contact Democratic Services on 01606 868304.

Cheshire Fire and Rescue Service are trying to make sure that we are not inadvertently discriminating against any sections of the local community when delivering our services or when dealing with complaints/concerns that they may have. I would be grateful if you could complete the attached equality monitoring form and return it in the pre paid envelope provided.

Yours sincerely,

Governance Officer

EQUALITY MONITORING FORM

The information you provide on this form will be kept confidentially and secure.



Cheshire Fire and Rescue Service is keen to ensure that all residents within Cheshire, Halton and Warrington receive an appropriate level of customer service.

The information collected within this monitoring form will be anonymous and used purely for our legitimate interests to research whether there are any trends in the complaints / compliments made about our services and monitor the equality of opportunity or treatment of our customers , for example, whether more complaints received from people over the age of 65. It will not be used to identify individuals. Where a trend is identified with regards to complaints the Service will take steps to ensure that this does not happen again.

The information you provide will be protected and handled under the Data Protection Act 2018 and used only as we have stated above. We will only retain this information for as long as we need it, which is currently 4 years. Our website provides further information about how we use personal information and how to contact the data protection officer: www.cheshirefire.gov.uk/about-us/key-documents/data-protection. You can also complain to the ICO: www.ico.org.uk

If you have any questions about this form you can contact:

equalities@cheshirefire.gov.uk

Please X the appropriate boxes

Gender
<input type="checkbox"/> Male <input type="checkbox"/> Female

Ethnic Origin
I would describe my ethnic origin as:
White <input type="checkbox"/> British <input type="checkbox"/> Irish
<input type="checkbox"/> Any other white background

Please specify

.....

Gypsy and Traveller

Romany/Roma Gypsy

Irish Traveller

Other

Please specify

.....

Mixed

White & Black Caribbean

White & Asian

White and Black African

Any other mixed background

Please specify

.....

Asian or Asian British

Indian

Pakistani

Bangladeshi

Any other Asian background

Please specify

.....

Black or Black British

Caribbean

African

Any other Black background

Please specify

.....

Chinese or other ethnic

Chinese

group

Any other ethnic group

Please specify

.....

Disability

Do you consider yourself to be disabled?

Yes

No

Age

16 - 21

51 - 60

22 - 30

61 - 65

31 - 40

Above 65 years

41 - 50

**APPENDIX 5
TEMPLATE RESPONSE – DELAY IN PROVIDING A DETAILED RESPONSE TO
THE COMPLAINANT**

(To be amended as necessary)

(insert address)

(date)

Complaint **(insert number)**

Governance Officer

Email address

Dear **(insert name)**,

Re: Complaint No. (insert number) – (insert address)

Further to our letter dated **(Insert date of initial response letter)** I would like to advise that the investigation into your complaint is still underway and a detailed response will not be complete for the date originally specified.

I would like to apologise for the delay however we would like to ensure that a thorough investigation is conducted to ensure that the matter is resolved accurately.

The Officer investigating the matter has advised that there will be a delay of **(note the timescale/days)**. If you have any further question with regards to the complaints process or delay please do hesitate to contact Democratic Services on 01606 868304.

Yours sincerely,

Governance Officer

**APPENDIX 6
TEMPLATE RESPONSE FOR COMPLIMENTS RECEIVED**

(To be amended as necessary)

(insert address)

(date)

Compliment **(insert number)**

Governance Officer

Email address

Dear **(insert name)**,

Re: Compliment

Thank you for your recent correspondence giving thanks to the Service following **(insert detail)**. The Service appreciates the positive feedback.

A copy of your letter of thanks has been forwarded to the relevant department.

Yours sincerely,

Governance Officer

PART 3 – GUIDANCE SECTION

15. Steps for Dealing with a Complaint

(External – Published Guidance for Service Users)

Compliments

Cheshire Fire and Rescue Service welcomes positive feedback. We want to learn from your experiences of using the service. If you compliment us on doing something well we can ensure that the good practice spreads across the service.

Complaints

Cheshire Fire and Rescue Service aim to provide a high quality service to all our customers, but if you are unhappy with the service that you have received, please let us know.

Step One: We aim to ensure your complaint is resolved at initial contact. You can make your complaint in person to any Fire Service Premises, by telephone, by email, on the Services website or in writing to Cheshire Fire and Rescue Service. You should receive a response within 10 working days of receipt of your complaint.

Step Two: If the initial contact was not resolved satisfactorily you can make a formal complaint by writing to Democratic Services, Cheshire Fire and Rescue Service, Clemonds Hey, Oakmere Road, Winsford, Cheshire, CW7 2UA, by using the Compliments and Complaints form or via the Cheshire Fire and Rescue Service website. If you require assistance with completing the form you can call Democratic Services on 01606 868304.

An acknowledgement of your complaint will be sent to you within 5 working days of receipt of your formal complaint, notifying you of:

- What we understand your complaint to be;
- How we are dealing with your complaint;
- How long this will take; and
- Who will be dealing with your complaint.

You will receive a response to your complaint within 28 days of the date of the acknowledgment. If there is a delay and we are unable to respond within this timeframe, we will write to you notifying you of the delay and a reason.

Step Three: If you are still dissatisfied with the response you have received, please notify us within 28 days. Your complaint will be referred to a Principal

Officer and/or Independent Senior Investigating Officer who will conduct a review. We will inform you of the outcome within 28 days of receipt of your further response or advise you of any delay.

Step Four: If you are still not satisfied with the response you are entitled to send your complaint to the Local Government Ombudsman.

The Contact details for the Local Government Ombudsman are:

Tel: 0300 061 0614

Website: <https://www.lgo.org.uk/contact-us>

If you'd like to make a complaint by post please call them on the number above and they will provide further contact details for you.

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CHESHIRE FIRE AND RESCUE SERVICE

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 5TH JULY 2023
REPORT OF: TREASURER
AUTHOR: PAUL VAUGHAN

SUBJECT: PROCEDURE – SECTIONS 114 TO 116
LOCAL GOVERNMENT FINANCE ACT 1988

Purpose of Report

1. To gain the Committee's approval for a procedure in relation to Sections 114 to 116 of the Local Government Finance Act 1988.

Recommended That:

- [1] the Procedure at Appendix 1 be approved.

Background

2. Production of an Annual Governance Statement (AGS) is a requirement under the Accounts and Audit Regulations (England) 2015 and helps to ensure that a reliable system of internal controls can be demonstrated. It is produced and approved along with the Annual Statement of Accounts.
3. Included in each year's AGS is a review of effectiveness. The AGS for 2021-22 identified that the Authority did not have a process to respond to actions required of the Authority under Section 114 of the Local Government Finance Act 1988 (the Act).

Information

4. Section 114 of the Act states that a Section 151 Officer must produce a report where the following circumstances exist:
 - A decision has been made, or is about to be made which involves, or would involve the incurring of expenditure which is unlawful
 - A course of action has been taken, or is about to be taken which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency
 - An item of account is about to be entered which is unlawful

5. Section 114 goes on to describe who the Section 151 Officer must consult and who needs to receive the report.
6. Sections 115 and 116 of the Act cover: how the report should be considered; prohibitions that apply to expenditure/action until the report is considered; and what must happen after the report is considered.
7. Attached to this report as Appendix 1 is a draft Procedure for Member consideration.

Financial Implications

8. The report itself does not have financial implications.

Legal Implications

9. The report considers how the Section 151 Officer should deal with a situation that engages the provisions in the Act. It helps to have a procedure in place which sets out in simple terms what is contained in the Act. It forms part of the Authority's statutory framework for handling its financial affairs.

Equality and Diversity Implications

10. There are no equality and diversity implications.

Environmental Implications

11. There are no environmental impacts.

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

PROCEDURE - SECTION 114, 115 and 116 OF THE LOCAL GOVERNMENT FINANCE ACT 1988.

Introduction

1. This procedure sets out how a situation will be handled that engages Sections 114, 115 and 116 of the Local Government Finance Act 1988 (the Act). It is intended for use by the Authority's Section 151 (S151) Officer.

Who is the Authority's S151 Officer

2. S151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a S151 Officer, also known as a Chief Financial Officer, to have responsibility for those arrangements. The Authority's Treasurer fulfils this role.

What is a section 114 Report?

3. As part of their role the S151 Officer will regularly monitor the financial activities of the Authority.
4. Section 114 of the Act looks at two scenarios involving financial activity and explains what the S151 Officer should do in the event that they materialise.

What are the Scenarios?

Scenario 1 - Unlawful activity

5. This would occur if in the opinion of the S151 Officer the Authority:
 - (a) has made or is about to make a decision which involves or would involve the authority incurring expenditure which is unlawful,
 - (b) has taken or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the authority, or
 - (c) is about to enter an item of account the entry of which is unlawful."

Scenario 2 – Exceeding available resources

6. This would occur if it appears to the S151 Officer " that the expenditure of the Authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure."

What should the S151 Officer do?

7. In both scenarios the S151 Officer needs to follow the same process, as described in paragraphs 8 to 13 below. The publication of a report will instigate a prohibition period as described in paragraphs 16-23 below. In the case of Scenario 2, the S151 Officer is able to personally approve any discretionary expenditure, as described in paragraph 24 below. Note: The Monitoring Officer or other appropriate officer should undertake the actions in paragraphs 14-15 below.
8. Consult with the Chief Fire Officer and Chief Executive and the Monitoring Officer
9. Contact the Chair of the Authority to explain the situation (this is not a formal requirement of the Act);
10. Contact the Home Office to explain the situation (this is not a formal requirement of the Act);
11. Contact the Authority's external auditors (the auditors) to explain the situation;
12. Prepare and send a report to the Authority's members explaining the situation and recommending appropriate action;
13. Send a copy of the report to the auditors.

Authority meeting

14. Once the report has been completed, the Monitoring Officer (or whoever has responsibility for calling the Authority's meetings) will call a meeting of the Authority to discuss the report.
15. The Monitoring Officer (or whoever has responsibility for calling the Authority's meetings) will inform the auditors of the date, time and place of the meeting and after the meeting will inform them of any decisions made at the meeting.

Prohibition

16. On the day that the report is published, a prohibition period begins which ends the day after the Authority meeting to discuss the report. The restrictions that

apply during the prohibition period depend on which of the scenarios the Section 114 report has been written in response to.

17. If the Section 114 report is in response to Scenario 1, unlawful or potentially unlawful activity, then during the prohibition period any action relating to this activity may not be pursued.
18. If the Authority were to make any payment in relation to the activity it will be deemed to be acting beyond its powers.
19. If the Section 114 report is in response to Scenario 2, expenditure exceeding resources, then during the prohibition period the Authority may not enter into any new agreement which may involve the Authority incurring expenditure. The only exceptions to this are where entering into any agreement would, in the opinion of the S151 Officer:
 - Prevent the situation prompting the report getting worse
 - Improve the situation
 - Prevent the situation from recurring
20. Any such agreement entered into during the prohibition period will be authorised by the S151 Officer in writing, identifying the grounds for entering into the agreement, and identifying why the S151 Officer thinks the grounds apply.
21. If the Authority makes a new agreement committing it to expenditure which does not follow the process above it would be deemed to be acting beyond its powers.

Discretionary Expenditure

22. In addition, all payments of a non-discretionary nature (ie those to which the Authority is not contractually committed) should be agreed by the S151 Officer in writing before they are made (this is not a requirement of the Act).

Substitution

23. If for any reason the Section 151 Officer is unable to perform the duties in this procedure, it will be undertaken by their nominated deputy, or a suitably qualified officer, or an officer nominated by the Section 151 Officer.

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 5th JULY 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: FIRE AUTHORITY CONSTITUTION – REVIEW
(PART ONE)

Purpose of Report

1. To enable Members to consider changes to the Fire Authority's Constitution for recommendation to the Fire Authority.

Recommended That: Members

- [1] Consider the Sections of the Constitution covered by this report; and
- [2] agree any changes (which will ultimately be confirmed by the fire authority).

Background

2. Since the current version of the Constitution was adopted in 18th June 2014, there have been a number of relatively minor changes to it. The most significant change was the adoption of the current Members' Code of Conduct. It feels appropriate to carry out a full review of the Constitution during this Municipal Year.

Information

3. The Constitution is relatively short when set against similar documents adopted by other public bodies. However, it is still over 100 pages and it would be unhelpful to carry out a review of it in one sitting. Officers intend to work with Members to on a phased review (probably over three meetings of the Committee).
4. This report is Part One of the Review and covers Sections 1, 2, 5 and 6 of the Constitution.

Section 1 of the Constitution

5. Section 1 of the Constitution is attached to this report as Appendix 1. Some minor changes have been made to simplify the introductory text. It seems appropriate to continue to include the Combination Scheme.

Section 2 of the Constitution

6. Section 2 of the Constitution includes a short explanation of certain key documents, namely: Integrated Risk Management Plan; Five Year Strategy; Medium Term Financial Plan; Annual Statement of Assurance; Business Continuity Plan; Annual Report; and Annual Financial Statement.
7. Given the fact that the documents referred to in Section 2 are all available electronically on the Website this Section seems superfluous and should be removed.

Section 5 of the Constitution

8. Section 5 of the Constitution is attached to this report as Appendix 2. Members will see that it refers to various outside bodies. Some minor changes have been made to update the text, e.g. references to the current owners of NW Fire Control Limited. Members will note that those Members that attend the various outside bodies do not have any delegated decision-making. Some of the outside bodies have become less active and this perhaps needs to be reflected in the final version that is considered by the Fire Authority.

Section 6 of the Constitution

9. Section 6 of the Constitution is attached to this report as Appendix 3. Members will see that it provides a general description of the various roles that Members fulfil. It also refers to the Police and Crime Commissioner's rights. This section appears to adequately describe the various roles, but Members' feedback is welcomed.

Financial Implications

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

Legal Implications

11. The Fire Authority should have a Constitution that assists it to carry out its work. It should be reviewed from time-to-time to ensure that it remains current and fit for purpose.

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.

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

BACKGROUND PAPERS: NONE

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SECTION 1 – CHESHIRE FIRE AUTHORITY

- 1.1 The Cheshire Fire Service (Combination Scheme) Order 1997 (the Scheme) established Cheshire Fire Authority (the Authority) for the combined area then covered by Cheshire County Council, Halton Borough Council and Warrington Borough Council. Upon local government reorganisation in 2009 the Authority's combined area became that covered by the borough councils of Cheshire East, Cheshire West and Chester, Halton and Warrington (the Constituent Authorities). At that time it was agreed that there should be 23 Councillors appointed to the Fire Authority.
- 1.2 The Scheme restricts the number of Members that may sit on the Authority (to a maximum of 25). It also requires each of the Constituent Authorities to 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 Constituent Authority areas. In other words the seats are allocated in proportion taking into account the electoral numbers in each of the Constituent Authority areas. The allocation is checked each year.
- 1.3 There are currently 23 elected Members of the Authority. At present the appointments are made by the Constituent Authorities as follows:
- | | |
|---|---|
| Cheshire East Borough Council | 9 |
| Cheshire West and Chester Borough Council | 7 |
| Halton Borough Council | 3 |
| Warrington Borough Council | 4 |
- 1.4 The Authority operates a committee system rather than an executive/ cabinet model. The Authority itself makes all the key decisions.
- 1.5 A copy of the Cheshire Fire Services (Combination Scheme) Order 1997 is attached as Annex 1 to this section.

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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

STATUTORY INSTRUMENTS

1997 No. 2697

FIRE SERVICES

The Cheshire Fire Services (Combination Scheme) Order 1997

Made - - - - *8th November 1997*

Coming into force - - *9th November 1997*

Whereas it appears to the Secretary of State that it is expedient in the interests of efficiency that a combination scheme should be made for the areas of the fire authorities referred to in paragraph 3 of the scheme set out in the Schedule hereto (“the scheme”), and a scheme has not been submitted to him by those authorities;

And whereas notice of the general nature of the scheme has been given in accordance with section 6(2) of the Fire Services Act 1947(1)(“the 1947 Act”);

And whereas the Secretary of State has been notified by the fire authorities concerned of their assent to the scheme;

And whereas a draft of the Order containing the draft scheme has been laid before Parliament for a period of forty days pursuant to section 6 of the Statutory Instruments Act 1946(2), and that period has expired without either House resolving that the Order be not made;

Now, therefore, in exercise of the powers conferred upon him by sections 6, 8 and 10 of the 1947 Act, and section 7(2) of the Fire Services Act 1959(3), the Secretary of State hereby makes the following Order:

Citation

1. This Order may be cited as the Cheshire Fire Services (Combination Scheme) Order 1997 and shall come into force on the day after the day on which it is made.

Combination Scheme

2. The combination scheme set out in the Schedule to this Order, which shall be known as the Cheshire Fire Services Combination Scheme, shall have effect.

(1) 1947 c. 41. Sections 6 and 10 of the 1947 Act were amended respectively by paragraphs 1 and 2 of Schedule 3 to the Local Government Act 1992 (c. 19). For the purposes of making the scheme set out in the Schedule to this Order, sections 5(2) and 10 of the 1947 Act have effect as indicated in article 5 of the Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996 (S.I.1996/1863).

(2) 1946 c. 36.

(3) 1959 c. 44.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

8th November 1997

George Howarth
Parliamentary Under-Secretary of State, Home
Office

SCHEDULE

THE CHESHIRE FIRE SERVICES COMBINATION SCHEME

PART I

CITATION, COMMENCEMENT AND INTERPRETATION

Citation and commencement

1. This scheme may be cited as the Cheshire Fire Services Combination Scheme and shall come into force—
 - (a) for the purposes of constituting an authority as the fire authority for the combined area constituted by the scheme, and the performance by that authority of any functions necessary for bringing the scheme into full operation on 1st April 1998, on the day on which the Cheshire Fire Services (Combination Scheme) Order 1997(4) comes into force, and
 - (b) for all other purposes, on 1st April 1998.

Interpretation

2. In this scheme any reference to a paragraph or a Part is a reference to a paragraph or a Part of this scheme, and—
 - “the Authority” means the fire authority constituted for the combined area by virtue of paragraph 4;
 - “the combined area” means the fire authority area comprising the areas referred to in paragraph 3;
 - “the combined fire service fund” means the combined fire service fund established by virtue of paragraph 6;
 - “constituent authority” means a council referred to in paragraph 3; and
 - “the fire brigade” means, unless otherwise indicated, the fire brigade established for the combined area by virtue of paragraph 5.

PART II

GENERAL

The combined area

3. The areas of the following councils, namely the councils of the boroughs of Halton and Warrington and Cheshire County Council shall be combined and shall become the combined area.

Combined Fire Authority

4. (1) There shall be constituted as the fire authority for the combined area an authority to be known as the Cheshire Fire Authority.
- (2) The Authority shall be constituted in accordance with the provisions of Part III.

(4) S.I. 1997/2697.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Fire brigade for combined area

5. (1) There shall be established a fire brigade for the combined area which shall be known as the Cheshire Fire Brigade, or by such other name as the Authority may determine.

(2) The first chief officer of the fire brigade shall be D.T. Davis Esq.

(3) The Authority shall submit an establishment scheme for their area to the Secretary of State in accordance with section 7 of the Fire Services Act 1959(5).

Financial provisions etc.

6. (1) The expenses of the Authority shall be paid out of a combined fire service fund constituted and administered in accordance with the provisions of Part IV.

(2) Contributions shall be paid into the combined fire service fund by constituent authorities in accordance with the said provisions.

7. The Authority shall appoint a treasurer of the combined fire service fund.

Officers and employees

8. The provisions of Part V shall have effect with respect to officers and employees of the Authority.

9. The Authority may appoint such other officers and employees as they think necessary for the efficient discharge of their functions.

10. The Authority may make arrangements with any constituent authority for the use by the Authority of the services of officers and employees of the constituent authority and for the making of contracts and payments on behalf of the Authority by the constituent authority.

PART III

CONSTITUTION OF COMBINED FIRE AUTHORITY

11. (1) The Authority shall consist of not more than 25 members save that, where the minimum number of members of the Authority resulting from the operation of paragraph 12 would be greater than 25, the Authority shall consist of that number of members.

(2) Each member of the Authority shall be appointed by a constituent authority from its own members in accordance with this Part.

12. 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.

13. A member of the Authority shall come into office on the date of his appointment and shall, subject to paragraphs 14 to 16, hold office for such period or periods as shall be determined by the constituent authority which appoints him.

14. A member of the Authority may resign his membership by giving notice in writing to that effect to the officer of the Authority whose function it is to receive such notice.

(5) 1959 c. 44.

15. (1) A member of the Authority who ceases to be a member of the council which appointed him shall cease to be a member of the Authority.

(2) A person shall be disqualified from being a member of the Authority if he holds any paid office or employment (other than the office of chairman or vice-chairman), appointments to which are or may be made or confirmed by the Authority, by any committee or sub-committee of the Authority, or by a joint committee or board on which the Authority are represented.

16. (1) Subject to sub-paragraph (2), if a member of the Authority resigns, becomes disqualified or otherwise ceases to be a member of the Authority before the expiry of his period of office, the council which appointed him shall appoint a representative to replace him, who shall come into office on the date of his appointment and, unless he resigns, becomes disqualified or otherwise ceases to be a member of the Authority, shall hold office for the remainder of the period for which his predecessor would have held office had he not resigned, become disqualified or otherwise ceased to be a member of the Authority.

(2) If a member of the Authority resigns, becomes disqualified or otherwise ceases to be a member of the Authority within six months before the end of his period of office, the council which appointed him shall not be required to appoint a representative to replace him for the remainder of such period unless, on the occurrence of the vacancy (or in the case of a number of simultaneous vacancies, the occurrence of the vacancies) the total number of unfilled vacancies in the membership of the Authority exceeds one third of the number of members of the Authority referred to in paragraph 11.

17. (1) The Authority shall elect a chairman, and may elect a vice-chairman, from among its members.

(2) The chairman and the vice-chairman, if elected, shall, subject to paragraphs 13 to 16, hold office for such period not exceeding one year as the Authority shall determine.

(3) Sub-paragraph (2) shall not prevent a person who holds or has held office as chairman or vice-chairman, as the case may be, from being elected or re-elected to either of those offices.

(4) On a casual vacancy occurring in the office of chairman or vice-chairman, the Authority shall elect from its members a person to replace the chairman, and may so elect a person to replace the vice-chairman, as the case may be.

(5) The election to replace the chairman under sub-paragraph (4) shall take place not later than the next following ordinary meeting of the Authority.

18. The first meeting of the Authority shall be held as soon as it is practicable to do so and shall be convened by the Chief Executive of Cheshire County Council, and subsequent meetings shall be convened in such a manner as the Authority shall determine.

19. At a meeting of the Authority the quorum shall be one third of the total number of members of the Authority, or such greater number of members as the Authority may determine, including at least one representative from each constituent authority.

20. (1) The following provisions of the Local Government Act 1972⁽⁶⁾, namely sections 82(1), 94 to 98, 101 to 106, 99 and Part VI of Schedule 12 shall, subject to sub-paragraph (2), apply to the Authority and its members as if references in those provisions to a principal council or to a local authority, other than references to a parish council, were references to the Authority.

(2) Section 101(6) of the Local Government Act 1972 shall have effect, by virtue of sub-paragraph (1), as if for the words “levying, or issuing a precept for, a rate” there were substituted the words “assessing or varying the contributions to be paid into the combined fire service fund by the constituent authorities”.

(6) 1972 c. 70.

PART IV

COMBINED FIRE SERVICE FUND

21. (1) Each constituent authority shall, in respect of each financial year, pay into the combined fire service fund, in accordance with the provisions of this paragraph, a contribution equal to its appropriate proportion of the net expenses of the Authority in respect of that year.

(2) The Authority shall, before 31st December in any year, submit to each constituent authority an estimate of its net expenses for the next financial year, and shall subsequently, before 15th February, give notice to each constituent authority of the amount of the contribution to be paid by that authority under this paragraph in the next financial year.

(3) Subject to sub-paragraphs (4) and (5), each constituent authority shall, at such intervals as are agreed between it and the Authority, make an interim payment into the combined fire service fund of such an amount as is so agreed on account of the said contribution.

(4) Subject to sub-paragraph (5), if a constituent authority and the Authority fail to agree, or subsequently disagree, as to the intervals at which payments should be made under sub-paragraph (3) or as to the amounts of such payments, each payment shall, until the end of the financial year or subsequent agreement between the two authorities, whichever is sooner—

(a) be made on the first working day of each month, and

(b) be of such an amount as would, if added to payments of an equal amount made on the first working day of each remaining month of the financial year, equal the outstanding balance of the contribution to be paid by the constituent authority under this paragraph.

(5) Notwithstanding the provisions of sub-paragraphs (3) and (4) any payments made under those sub-paragraphs shall be made at such times, and shall be of such amounts, as are at all times sufficient to enable the financial obligations of the Authority to be met.

(6) The Authority may, after consultation with each constituent authority, revise the estimate referred to in sub-paragraph (2) at any time before the end of the financial year to which that estimate relates and shall, as soon as is practicable, give notice in writing to each constituent authority of the revised amount of the contribution to be paid by that authority under this paragraph.

(7) Where a constituent authority receives notice under sub-paragraph (6) the interim payments payable thereafter under sub-paragraph (3) or (4) shall, subject to sub-paragraph (5), be so increased or reduced as to adjust to the difference.

(8) If the Authority makes arrangements with any constituent authority under paragraph 10 for the making of payments on behalf of the Authority by that constituent authority, the interim payments to be made by that constituent authority under this paragraph shall, subject to sub-paragraph (5), take into account payments made by that constituent authority on behalf of the Authority.

(9) For the purposes of this paragraph the net expenses of the Authority, in respect of any financial year, shall be the amount of its expenditure in respect of that year less all income which is credited to the combined fire service fund in respect of that year, other than contributions paid or payable under sub-paragraph (1), but may, for the purposes of preparing the estimate referred to in sub-paragraph (2) and if the Authority so resolve, include such amount or amounts as the Authority consider appropriate with a view to minimising any upward revision of an estimate under sub-paragraph (6).

(10) In this paragraph—

“appropriate proportion” means the proportion of the total amount of the constituent authorities' council tax base which is represented by the council tax base of the constituent authority in question;

“council tax base” means the council tax base for the year calculated by the Secretary of State for the Environment for Revenue Support Grant purposes in accordance with the local government finance report for that year made under section 78A of the Local Government Finance Act 1988(7);

“financial year” means the period of twelve months beginning on 1st April; and

“working day” means a day other than a Saturday or a Sunday, Good Friday, Christmas Day or a day which is, or is to be observed as, a bank holiday, or a holiday under the Banking and Financial Dealings Act 1971(8) in England and Wales.

22. The Authority shall have the power to pay out of the combined fire service fund compensation to persons employed by Cheshire County Council who in consequence of this scheme, or anything done thereunder, suffer direct pecuniary loss by reason of the determination of their appointments or the diminution of their emoluments.

PART V

OFFICERS AND EMPLOYEES OF THE AUTHORITY

23. There shall be transferred—

- (a) to the fire brigade members of the fire brigade maintained by Cheshire County Council, and
- (b) to employment by the Authority persons employed by that council wholly or mainly for the purposes of the fire brigade maintained by that council.

24. The following provisions of the Local Government Act 1972, namely sections 114, 115, 116, 117(1), (2) and (3), 118 and 119, shall apply to the officers and employees of the Authority as if references in those provisions to a local authority, other than references to a parish council, were references to the Authority.

PART VI

PROPERTY, RIGHTS AND LIABILITIES

25. There shall be transferred from Cheshire County Council to the Authority any property which is held by that council solely in connection with the provision of fire services, and rights and liabilities held or incurred by that council in respect of—

- (a) any contract of employment with a person transferred in accordance with paragraph 23;
- (b) the Firemen’s Pension Scheme as set out in Schedule 2 to the Firemen’s Pension Scheme Order 1992(9); and
- (c) any contract for the provision of services or the delivery of goods solely in connection with the provision of fire services.

(7) 1988 c. 41. Section 78A was inserted by the Local Government Finance Act 1992 (c. 14), section 104 and Schedule 10, paragraph 10.

(8) 1971 c. 80.

(9) S.I. 1992/129.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes a scheme which combines the areas of the councils of the boroughs of Halton and Warrington (which would otherwise become individual fire authorities on 1st April 1998 by virtue of the Local Government Act 1992) and the Cheshire County Council into a combined fire area. The scheme comes into force on the same day as the Order comes into force for the purpose of doing anything which is necessary to bring the scheme fully into operation on 1st April 1998. The scheme establishes a fire authority for the combined area, to be known as the Cheshire Fire Authority, and provides for the appointment and terms of office of its members, and for meetings of the Authority. The scheme establishes a fire brigade for the combined area, to be known as the Cheshire Fire Brigade or by such other name as the Authority determines, appoints its first chief officer, and provides for the submission of an establishment scheme to the Secretary of State. The scheme establishes a combined fire service fund and provides for the administration of the Authority's finances. The scheme also provides for the transfer of staff, and certain property, rights and liabilities, directly from the Cheshire County Council (the fire authority for the same area as the combined area prior to 1st April 1998) to the new combined authority.

SECTION 5 – OUTSIDE BODIES

5.1 NORTH WEST FIRE FORUM

Role

5.1.1 This Forum oversees a number of collaborative workstreams being undertaken by the five Fire and Rescue Services in the North West. Meetings are scheduled to take place four times a year.

Appointment(s)

5.1.2 The Chair and Deputy Chair of the Authority together with the Leader of the main opposition group are appointed annually to sit on the Forum.

Delegated powers

5.1.3 The Authority has not delegated any powers to the Members appointed to this Forum.

5.2 NW FIRE CONTROL LIMITED – BOARD OF DIRECTORS

Role

5.2.1 This Company is jointly owned by the Authority and Cumbria Police, Fire and Crime Commissioner, Greater Manchester Combined Authority and Lancashire Combined Fire Authority.

5.2.2 It is responsible for the provision of call handling and mobilising services to the Authorities.

5.2.3 It has a Board of Directors and each Authority is able to appoint two of its Members to the Board.

Appointment(s)

5.2.4 The Chair of the Authority and one other Member are appointed as Directors and sit on the Board.

Delegated powers

5.2.5 The Authority has not delegated any powers to the Members appointed to this Board. However, the Company is a separate legal entity and the Members appointed to the Board have responsibilities to the Company.

5.3 LOCAL GOVERNMENT ASSOCIATION FIRE COMMISSION

Role

5.3.1 The Fire Commission provides a focus for the needs and concerns of fire authorities. All Fire and Rescue Services in full or corporate membership of the Association have the right to nominate a

SECTION 5 – OUTSIDE BODIES

representative to this forum. At Cheshire this is usually the Chair of the Authority. Additional Members from Fire Authorities are appointed as necessary by the political groups to ensure political balance. The Commission meets quarterly and is an opportunity for Members to network and share information and ideas. The Commission is subject to the Constitution and Standing Orders of the Local Government Association.

Appointment(s)

5.3.2 The Fire Authority appoints one Member (usually the Chair) to sit on the Commission.

Delegated powers

5.3.3 The Authority has not delegated any powers to the Member appointed to the Commission.

5.4 SAFER CHESHIRE EAST PARTNERSHIP

Role

5.4.1 The Partnership's key priorities will include crime prevention, anti-social behaviour, preventing offending, Road Safety and domestic abuse.

Appointment(s)

5.4.2 The Fire Authority is represented by a Senior Officer and a (Cheshire East) Fire Authority Member is also appointed by the Fire Authority.

Delegated powers

5.4.3 The Authority has not delegated any powers to the Member appointed to this Partnership.

5.5 SUB REGIONAL LEADERS BOARD

Role

5.5.1 The Board provides strategic direction and focus on sub regional matters for any sub regional commissions, working groups, sub committees or project steering groups, or task and finish groups established to develop and implement sub regional strategy. The Board comprises of elected Leaders of Cheshire East Council, Cheshire West and Chester Council and Warrington Borough Council, the Police and Crime Commissioner for Cheshire, Chair of the Cheshire Fire Authority, the Chair of Cheshire and Warrington Local Enterprise Partnership and the Chair of the Cheshire, Warrington & Wirral PCT Cluster. In addition the Leader of Halton Borough Council has membership of the Board in an Associate Capacity.

SECTION 5 – OUTSIDE BODIES

Appointment(s)

5.5.2 The Fire Authority is represented by the Chair on this board.

Delegated powers

5.5.3 The Authority has not delegated any powers to the Member appointed to the Board.

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SECTION 6 – MEMBERS’ ROLES

GENERAL ROLE

- 6.1 Collectively, elected Members shape the future of the Fire Authority and determine its priorities. Whilst it is acknowledged that Members have a duty to represent their constituents and are members of their constituent authorities their overriding duty as Fire Authority Members is to act in the interests of the Authority as a whole.

Members will:

- 6.2 Be advocates for the Fire Authority in the respective communities they serve and act as a channel of communication to the community on Fire Authority strategies, objectives, policies, services and procedures.
- 6.3 Represent the views of their respective communities, wherever possible, in the Fire Authority’s decision-making processes by liaising with other Members, Officers and partner organisations to ensure that the needs of the local communities are identified, understood and supported.
- 6.4 Engage fully in Fire Authority business and meetings including meetings of any committee, board, task group or external organisation that they may be appointed to serve on from time to time. This includes a requirement to fully engage in any preparatory or follow up work or tasks such as undertaking training and site visits or participating in any study, research, review or scrutiny exercises.
- 6.5 Proactively and continually identify, seek out and participate in opportunities for personal development.
- 6.6 Make effective use of modern electronic communication including email, the internet and intranet, to aid efficient communication with officers, other Members and the community.
- 6.7 Provide support and encouragement to new Members.

SECTION 6 – MEMBERS’ ROLES

SPECIFIC ROLES

Chair of the Fire Authority and Deputy Chair in the Chair’s Absence

- 6.8 Acting as the Civic Head of the Authority, performing an ‘ambassadorial’ role on behalf of the Authority;
- 6.9 Acting as political Leader of the Authority;
- 6.10 Leading the development and maintenance of the Authority’s vision, objectives and values;
- 6.11 Participating in the North West Fire Forum;
- 6.12 Participating in regional and national political networks;
- 6.13 Enhancing links between the Authority and other public bodies and forging formal partnership working arrangements;
- 6.14 Encouraging links with the business community;
- 6.15 Chairing Authority meetings;
- 6.16 Co-ordinating the appraisal of the Chief Fire Officer and Chief Executive;
- 6.17 Ensuring a good political/professional interface particularly between the Chair, the Deputy Chair and the Chief Fire Officer and Chief Executive; and
- 6.18 Ensuring good governance in relation to the Authority’s activities and abiding by legal and procedural requirements.

Chairs of other Members’ Decision-Making Bodies

- 6.19 To help co-ordinate the work of the decision-making body.
- 6.20 To be a focal point of knowledge, leadership and advice to Members of the decision-making body.
- 6.21 To provide competent and effective management of meetings to facilitate inclusivity, participation and clear decision-making.
- 6.22 To ensure that Members are able to take part in decision-making and that this is carried out with the benefit of adequate advice from officers.
- 6.23 To liaise with other Chairs of Members’ decision-making bodies where necessary.
- 6.24 To report to other Members and/or Members’ decision-making bodies.

SECTION 6 – MEMBERS’ ROLES

Lead Members (each constituent Authority)

Roles and responsibilities

6.25 The role of Lead Member is:

- i] To represent the views of the Fire Authority at their constituent Authorities, taking the lead and co-ordinating activities in their constituent area in relation to Fire Authority business, where necessary.
- ii] To sit on the Business Continuity Committee
- iii] To fulfil the role of Business Continuity Member (Business Continuity Lead)

6.26 It is likely that the Chair and Deputy Chair will fulfill the role of Lead Member for their constituent Authorities. Should the Chair and/or Deputy Chair indicate a wish to act as Lead Member, they should automatically take this role without the need for appointment by Members of the Constituent Authority which appointed them to the Authority.

6.27 It should be noted that those Groups spokespersons that are not represented through the appointment of the Chair and Deputy Chair sit on the Business Continuity Committee and also act as Business Continuity Members (Business Continuity Leads) with the Chair and Deputy Chair.

Appointment

6.28 The appointment of a Lead Member is the responsibility of the members of the constituent Authority required to appoint a Lead member. If those Members are unable to decide or there is an equality of votes for candidates, the decision will then fall to be made by the Fire Authority. The Chair and Deputy Chair of the Authority assume the role of Lead Member for their constituent authorities.

Member Champions

6.29 The Structure allocates a number of Member champion roles. These roles make the best use of a Member’s experience and interest, whether gained in their constituent authority, working life or through a personal hobby.

6.30 It is expected that prior to the Authority meeting in June, Members will put themselves forward for these roles within their political groups, which will be subject to voting in the usual manner if they are not agreed.

SECTION 6 – MEMBERS’ ROLES

- 6.31 There is no constitutional requirement for Member Champions to be drawn from the largest group on the Authority, or to be drawn from any particular committee.
- 6.32 The role of Member Champions is to speak up, during Member meetings, on key issues relating to the position. In the consideration of reports and during debate, the Chair may look to the relevant Member Champion to speak or give an opinion to inform the wider Authority on matters relating to that Member Champion’s area of expertise.
- 6.33 The Member Champion will also be expected to serve as a key contact for Officers, when dealing with a relevant matter. This is particularly relevant for the purposes of consultation responses to government and policy development. Member Champions may be asked to attend key meetings and conferences arranged by external bodies. It is the responsibility of Member Champions to feedback any key messages from such events, to the wider Membership of the Authority, at meetings.
- 6.34 In some cases, Member Champions will be expected to Chair or sit on key Officer meetings. As with external meetings, it will be the role of Member Champions to ensure key messages are relayed back to the wider Authority and to provide a Member opinion on relevant matters of policy.

Independent Members

- 6.35 The independent members are not members of the Fire Authority. They are unelected and have an advisory role. They will be appointed following advertisement and interview and will normally hold a term of office.
- 6.36 Currently there is one independent member. They sit on the following decision making bodies: Governance and Constitution Committee; Performance and Overview Committee; and Member Training and Development Group.

Independent Audit Committee Member

- 6.37 The Independent Audit Committee member is a co-opted member of the Audit Committee and not a member of the Fire Authority. They are appointed following advertisement and interview and will hold a term of office. There is currently one Independent Audit Committee Member.

Police and Crime Commissioner for Cheshire

- 6.38 Cheshire Fire Authority (CFA) and the Police and Crime Commissioner for Cheshire (Cheshire PCC) are working more closely.

SECTION 6 – MEMBERS’ ROLES

- 6.39 CFA grants the following rights to the Cheshire PCC:
- (a) to be provided with papers for CFA meetings (including those to be considered in private session unless a conflict of interest exists); and
 - (b) to be briefed appropriately before CFA meetings: and
 - (c) to attend CFA meetings (and remain during items considered in private session); and
 - (d) to speak at CFA meetings.
- 6.40 The CFA expects the Cheshire PCC to:
- (a) Exercise these rights reasonably; and
 - (b) Declare any conflict of interest at the appropriate time and withdraw as necessary.

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