



**Wednesday,
8 November 2023
10.00 am**

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

Contact Officer:
Emilie Salkeld
Democratic Services

Cheshire Fire and Rescue Service, Clemonds Hey, Winsford, Cheshire, CW7 2UA

Tel: 01606 868304
E-mail: emilie.salkeld@cheshirefire.gov.uk

Cheshire Fire Authority

Notes for Members of the Public

Attendance at Meetings

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

Access to Information

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

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

Recording of Meetings

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Fire Evacuation

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MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE WEDNESDAY, 8 NOVEMBER 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 Declarations of Members' Interests

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

1D Minutes of the Governance and Constitution Committee

(Pages 5 - 12)

To confirm as a correct record the Minutes of the meeting of the Governance and Constitution Committee held on Wednesday 5th July 2023.

NOTE: Members will recall approving the Procedure - Section 114, 115 and 116 of the Local Government Finance Act 1988 at the last meeting (Minute 6 refers).

A copy of the Procedure is attached to the Agenda with two minor changes: the addition of a timescale for calling the Fire Authority meeting; and a requirement to review the Procedure from time-to-time. These are shown in red. Members are asked to approve these minor changes.

ITEMS REQUIRING DISCUSSION / DECISION

- | | | |
|----------|--|-----------------|
| 2 | Dispensation | (Pages 13 - 18) |
| 3 | Fire Authority Constitution - Review (Part Two) | (Pages 19 - 58) |
| 4 | Members' Allowances Scheme: Uplift 2023-24; 2024-25; and Review | (Pages 59 - 68) |

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MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 5 July 2023 at Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.00 am

PRESENT: Councillors Rob Polhill (Chair), Rachel Bailey, David Brown, Brian Gallagher, Derek Barnett and Peter Wheeler

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 Felicity Davies.

C Membership of Committee

Members noted the membership of the Governance and Constitution Committee for 2023-24, as agreed by the Fire Authority on 28th June 2023.

D Declarations of Members' Interests

There were no declarations of Members' interests.

E Minutes of the Governance and Constitution Committee

RESOLVED:

That the minutes of the Governance and Constitution Committee held on Wednesday 19th April 2023 be confirmed as a correct record.

F Appointment of Members to Audit Committee for 2023-24

Members agreed the membership of the Audit Committee for 2023-24 as follows:

Councillors:	Peter Wheeler (Chair) Rachel Bailey Felicity Davies Brian Gallagher
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Independent Audit Committee Member:	Suzanne Horrill
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NOTE: Cheshire West and Chester Borough Council replaced Councillor Felicity Davies with Councillor Sherin Akhtar on 11th July 2023. The Labour Group confirmed that Councillor Akhtar replaces Councillor Davies on the Audit Committee.

2 WHISTLEBLOWING ANNUAL REPORT 2022-23

The Director of Governance introduced the report which provided information about whistleblowing for 2022-23. He referred to the Policy and Procedure on Whistleblowing that was attached to the report for the benefit of new Members of the committee.

Members were advised that the Authority had not been contacted by Safecall during 2022-23. An internal audit was due to be conducted in Quarter 2, 2023-24 concerned with Whistleblowing which was, in part, prompted by His Majesty's Inspectorate for Constabularies and Fire and Rescue Services (HMICFRS) report entitled Values and Culture in the Fire and Rescue Service.

Members noted the importance of whistleblowing and reporting malpractice or wrongdoing. It was requested that an item about the HMICFRS report be considered at the next Member Planning Day.

RESOLVED: That

- [1] the content of the report be noted; and**
- [2] the Values and Culture in the Fire and Rescue Service report from His Majesty's Inspectorate for Constabularies and Fire and Rescue Services be considered at the next Member Planning Day.**

3 SUMMARY OF MEMBER ATTENDANCE 2022-23 MUNICIPAL YEAR

The Director of Governance introduced the report which provided information about Member attendance for the last Municipal Year. Appendix 1 to the report summarised Member attendance at meetings of the Fire Authority, Member Planning Day and main committees: Audit; Brigade Manager's Pay and Performance; Estates and Property; Governance and Constitution; Performance and Overview; and Staffing. Appendix 2 to the report contained details of the additional meetings attended, as well as events, conferences and training and development session attendance.

Members noted the attendance figures did not determine that any action was necessary.

RESOLVED: That

- [1] the summary of Member attendance for 2022-23 Municipal Year be noted.**

4 COMPLIMENTS AND COMPLAINTS ANNUAL REPORT 2022-23

The Director of Governance introduced the report which provided information regarding compliments and complaints received about the Service during the period 1st April 2022 to 31st March 2023.

He provided an overview of the figures for the past five reporting periods which were presented within a table in the report. He explained some of the informal complaints which were attached as Appendix 1 to the report.

Members commented on the compliments received which demonstrated the diverse services a firefighter delivers and the professionalism of staff in the Service.

RESOLVED: That

[1] the information regarding compliments and complaints made during the period 1st April 2022 and 31st March 2023 be noted.

5 REVIEW OF CORPORATE COMPLIMENTS AND COMPLAINTS POLICY AND PROCEDURE

The Director of Governance introduced the report which enabled Members to review the Corporate Compliments and Complaints Policy and Procedure. He advised that officers had conducted the review and believed that the current Procedure was fit for purpose and that no amendments were necessary. He advised that officers would continue to work to ensure that all staff handling complaints were aware of the process and timescales.

RESOLVED: That

[1] the Corporate Compliments and Complaints Policy and Procedure be approved.

6 PROCEDURE - SECTIONS 114 TO 116 LOCAL GOVERNMENT FINANCE ACT 1988

The Treasurer introduced the report which enabled Members to consider the procedure in relation to Sections 114 to 116 of the Local Government Finance Act 1988 (the Act). He advised that it was identified in the Annual Governance Statement's review of effectiveness, that the Authority did not have a process to respond to actions required of the Authority under Section 114 of the Act.

RESOLVED: That

[1] the Procedure – Sections 114 to 116 of the Local Government Finance Act 1988 attached as Appendix 1 to the report be approved.

7 FIRE AUTHORITY CONSTITUTION - REVIEW (PART ONE)

The Director of Governance introduced the report which enabled Members to consider changes to the Fire Authority's Constitution for recommendation to the Fire Authority. He advised that since the current version of the Constitution was adopted on 18th June 2014, there had only been minor changes to it, and he felt that it was appropriate to conduct a full review during the Municipal Year 2023-24.

He explained that Part One of the Review covered Sections 1, 2, 5 and 6 of the Constitution. Sections 1 and 5, attached to the report as Appendices 1 and 3 respectively, featured minor changes to simplify text and update arrangements for outside bodies.

Members agreed that Section 2 of the Constitution should be removed due to the key documents referred within the section already being available on the Service's website.

It was also agreed that Section 6 provided an adequate description of a Members' role. However, Members suggested that there should be reference to unitary performance group meetings and budgets within the Section.

RECOMMENDED: That

- [1] Section 1 of the Fire Authority's Constitution, as contained in Appendix 1 to the report, be approved;**
- [2] Section 2 of the Fire Authority's Constitution be removed;**
- [3] Section 5 of the Fire Authority's Constitution, as contained in Appendix 2 to the report, be approved;**
- [4] subject to minor changes, Section 6 of the Fire Authority's Constitution be approved.**

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 **within 21 days of the report being sent to the Authority's members.**
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.

24. This procedure will be reviewed annually by the Treasurer and the Monitoring Officer who may make minor amendments and every three years by Governance and Constitution Committee.

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 8TH NOVEMBER 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: DISPENSATION

Purpose of Report

1. To consider the granting of a fresh dispensation that will enable Members to having a Disclosable Pecuniary Interest to take part in debates and votes upon the approval of the Members' Allowances Scheme (and any changes and/or additions to it).

Recommended: That

- [1] a dispensation be granted to all Members of Cheshire Fire Authority, that have requested it, to enable them to take part in debates and votes concerning the approval of the Members' Allowances Scheme (and any changes and/or additions to it), such dispensation to be effective from 30th January 2024 for four years.

Background

2. The Localism Act 2011 (the Act) states that dispensations must specify the period for which they have effect, which may not exceed four years. Dispensations were last granted to some Members of the Authority for four years on 29th January 2020. As this period is due to expire later this municipal year it would seem appropriate to review the position with a view to granting a dispensation for another four year period.
3. The dispensations granted on 29th January 2020 included the setting of Council Tax Precept as well as the approval of the Members' Allowances Scheme (and any changes and/or additions to it). However, the Local Government Association issued guidance to accompany the Model Council Code of Conduct which essentially made the existing dispensation relating to the Council Tax precept redundant.

Information

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

Members' Allowances Scheme

7. All Members receive an allowance and would appear to have a Statutory Disclosable Interest in the approval of the Members' Allowances Scheme (and any changes and/or additions to it). On disclosing such an interest, if no dispensation existed, a Member would be unable to remain in the meeting and have no opportunity to take part in the debate, or vote.
8. As all Members would need to make such a disclosure when the Members' Allowances Scheme is to be determined, the transacting of business would be impeded (Section 33(2)(a))
9. Accordingly, it would appear to be appropriate to grant a fresh dispensation to those Members that have requested it.

Period of Dispensation

10. The Act states that the dispensation must specify the period for which it has effect, which may not exceed four years. It would seem sensible for the dispensation to be granted for the longest period possible as the situation described above is unlikely to change.

Financial Implications

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

Legal Implications

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

Equality and Diversity Implications

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

Environmental Implications

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

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

TEL [01606] 868804

BACKGROUND PAPERS: NONE

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SECTION 33 OF THE LOCALISM ACT 2011

33 Dispensations from section 31(4)

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

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 8TH NOVEMBER 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: FIRE AUTHORITY CONSTITUTION – REVIEW
(PART TWO)

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 they wish the Fire Authority to consider.

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. This is the second report to be considered by the Committee; the first being dealt with in July.
3. Part Three of the Review should be presented at the next meeting of the Committee. It will deal with the two remaining Sections of the Constitution: Procedural Matters; and the Scheme of Delegation.

Information

4. This report is Part Two of the Review. It covers the following: Section 3, Members' Decision Making Bodies; and Section 7, Protocols. It also summarises the position in relation to: Section 8, Members' Code of Conduct; Section 9, Members' Allowances Scheme; and Section 10, Financial Regulations.

Section 3, Members' Decision Making Bodies

5. Section 3 comprises of a very brief introduction; a table of key information and requirements; a set of responsibilities for each of the decision making bodies; and a list of plans, strategies and policies associated with members' decision making bodies.
6. Two versions of the table are attached to this report as Appendix 1 (the current table and an updated, slightly amended, version).
7. A slightly updated version of the responsibilities is attached to this report as Appendix 2. The responsibilities are presented in a relatively inconsistent format; however, some of these are driven by external guidance, e.g. Pension Board. The main thing is that they accurately reflect the purpose of the respective bodies.
8. The current list, together with an annotated version, is attached to this report as Appendix 3. The latter document is intended to encourage a debate involving Members and officers about the approval of documents. It will need to involve Members outside this Committee.

Section 7, Protocols

9. The Gifts and Hospitality Protocol was approved 24th July 2019 and is attached to this report as Appendix 4. Officers have had a brief look across similar documents that are in place across the constituent authorities. The documents do not appear to contain any additional matters that are worthy of adoption and the Fire Authority's Protocol compares favourably due to the simple, accessible tabular format. It does, however, mean that most offers of gifts and hospitality are politely declined.
10. The Protocol on Member and Officer Relations has been in place for some time and has not been amended. This attached to this report as Appendix 5. It contains similar 'ingredients' and sentiments to documents of the same nature that exist across the constituent authorities. There are a number of elements that contain wording that is comparable to parts of the Members' Code of Conduct. However, this level of repetition does not appear to be problematic. Indeed, the Protocol might be a useful document to base a conversation around to head off issues that could lead to a breach of the Code.

Section 8, Members' Code of Conduct

11. This was reviewed in April 2023.

Section 9, Members' Allowances Scheme

12. This was reviewed during the Municipal Year 2020-21. A separate report on the Agenda considers the approach to a new review during 2024-25.

Section 10, Financial Regulations

13. These were reviewed in late 2022. Officers are authorised to make minor changes and have recently updated the Regulations to reflect the fact that the Finance function is no longer a joint Fire/Police service – references to the Head of Finance have been removed and replaced with Treasurer. The Regulations will be further reviewed by the new Treasurer during 2024, hopefully prior to the June 2024 Fire Authority meeting.

Financial Implications

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

Legal Implications

15. 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

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

Environmental Implications

17. 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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Appendix 1 to Item 3
Governance and Constitution Committee
8th November 2023

BODY	NUMBER OF ELECTED MEMBERS	APPOINTMENT	QUORUM	OTHER REQUIREMENTS				NO OF MEETINGS
FIRE AUTHORITY	23	By Constituent Authorities allocated seats in ratio of electors in each of the areas covered by Fire Authority. Constituent Authorities appoint in political proportion.	One third and All Constituent Authorities must be represented.	Police and Crime Commissioner attends as non-elected, non-voting member.				6
PERFORMANCE AND OVERVIEW COMMITTEE	8	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee	Any three elected Members.	One independent non-elected member attends in advisory capacity.		Independent non-elected members to agree which one sits on this Committee. If agreement can't be reached the Fire Authority will decide.	Act as Closure of Accounts Committee.	4
GOVERNANCE AND CONSTITUTION COMMITTEE	7	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.	Two independent non-elected members attend in advisory capacity.		An independent audit committee member and four elected members appointed from the membership of the Governance and Constitution Committee sit on the Audit Committee.	Complaints about Members' conduct will involve an independent person that is not a member of this committee.	4
AUDIT COMMITTEE	4	By the Governance and Constitution Committee in political proportion. Appoints Chair of Committee.	Any three Members.	One Independent Audit Committee Member attend in a co-opted capacity.	Members from Audit Committee required to undertake mandatory audit training.			4
BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE	7	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.					3
STAFFING COMMITTEE	7	No appointments required.	Any three elected Members.		Members from Brigade Managers' Pay and Performance Committee act as this committee.			2
ESTATES AND PROPERTY COMMITTEE	7	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.	One independent non-elected member attends in advisory capacity.	To include, wherever possible, Lead Members and the Procurement and Environment Member Champions.	Independent non-elected members to agree which one sits on this Committee. If agreement can't be reached the Fire Authority will decide.		Ad Hoc

TABLE OF KEY INFORMATION AND REQUIREMENTS

JOINT CONSULTATIVE COMMITTEE	<p style="text-align: center;">4</p>	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.	Union Officials attend. Up to 3 FBU, 1 from FOA, 1 from Unison, as necessary.				<p style="text-align: center;">Ad Hoc</p>
BUSINESS CONTINUITY COMMITTEE	<p style="text-align: center;">Varies</p>	By virtue of role.	Any three elected Members.		Chair, Deputy Chair, Group Spokespersons, Lead Members.			<p style="text-align: center;">Ad Hoc</p>

TABLE OF KEY INFORMATION AND REQUIREMENTS

BODY	NUMBER OF ELECTED MEMBERS	APPOINTMENT	QUORUM	OTHER REQUIREMENTS		NO OF MEETINGS
FIRE AUTHORITY	23	By Constituent Authorities allocated seats in ratio of electors in each of the areas covered by Fire Authority. Constituent Authorities appoint in political proportion.	One third and All Constituent Authorities must be represented.	Police and Crime Commissioner can attend as non-elected, non-voting member.		5
PERFORMANCE AND OVERVIEW COMMITTEE	8	By Fire Authority: Appoints in political proportion. Appoints Chair and Deputy Chair of Committee	Any three elected Members.	One independent non-elected member attends in advisory capacity.		4
GOVERNANCE AND CONSTITUTION COMMITTEE	7	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.	One independent non-elected member attends in advisory capacity.		4
AUDIT COMMITTEE	4 *	By the Governance and Constitution Committee in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three Members.	*An Independent Audit Committee Member has been co-opted and is therefore a full member of the Committee.	Fulfils role of Closure of Accounts Committee.	4 / 5
BRIGADE MANAGERS' PAY AND	7	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.			4

TABLE OF KEY INFORMATION AND REQUIREMENTS

PERFORMANCE COMMITTEE						
STAFFING COMMITTEE	7	No appointments required.	Any three elected Members.	Members from Brigade Managers' Pay and Performance Committee act as this committee.		4
ESTATES AND PROPERTY COMMITTEE	8	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.	One independent non-elected member attends in advisory capacity.	To include, wherever possible, Lead Members and the Procurement and Environment Member Champions.	Ad Hoc
JOINT CONSULTATIVE COMMITTEE	4	By Fire Authority. Appoints in political proportion. Appoints Chair and Deputy Chair of Committee.	Any three elected Members.			Ad Hoc
BUSINESS CONTINUITY COMMITTEE	Varies	By virtue of role.	Any three elected Members.		Chair, Deputy Chair, Group Spokespersons, Lead Members.	Ad Hoc

RESPONSIBILITIES OF THE FIRE AUTHORITY

- 3.1 Makes all Member decisions that are not delegated to other Member Decision-Making Bodies.
- 3.2 Makes key decisions, including but not limited to:
 - Approval of the budget (including capital and revenue proposals)
 - Setting the precept
 - Approval of the annual accounts
 - Approval of the Annual Statement of Assurance
- 3.3 Approves key/significant plans (and considers associated documentation, e.g. annual reports).
- 3.4 Approves key/significant strategies (and considers associated documentation, e.g. annual reports).
- 3.5 Approves key/significant policies (and considers associated documentation, e.g. annual reports).
- 3.6 Establishes and determines the responsibilities, and composition of, and appointments to all Members' Decision-Making Bodies and determines Member Roles and makes appointments to all outside bodies.
- 3.7 Adopts the Members' Codes of Conduct.
- 3.8 Approves the Members' Allowances Scheme.
- 3.9 Considers and determines any matters referred to it by any of the Members' decision-making bodies.
- 3.10 Receives key external reports and determines appropriate actions e.g. ~~Operational Assessment and~~ HMICFRS.
- 3.11 Appoints the Chief Fire Officer and Chief Executive.
- 3.12 Approves the creation of any new post with a salary package in excess of £100,000 such decisions involving a vote at a meeting of the Fire Authority.
- 3.13 Agrees ~~overall~~ Scheme of Delegation.
- 3.14 Agrees any transfer of functions and/or powers and/or major changes to service delivery (including the establishment of a trading company etc.).
- 3.15 Settles responses to key consultations.
- 3.16 Agrees to buy or sell land and/or buildings.
- 3.17 Agrees to enter into key and/or long-term contractual commitments.

- 3.18 Approves statutory statements e.g. Annual Pay Policy Statement.
- 3.19 Approves annual report.
- 3.20 Considers External Auditor's Annual Report.
- 3.21 Approves the Constitution and any amendments to it.
- 3.22 Acts as duty holder for matters relating to health and safety.
- 3.23 Takes the leading role in respect of risk management (with the support of the Audit Committee).

IF IN DOUBT TREAT THE MATTER AS 'KEY/SIGNIFICANT' AND REPORT THE MATTER TO THE FIRE AUTHORITY.

RESPONSIBILITIES PERFORMANCE AND OVERVIEW COMMITTEE

The Performance and Overview Committee:

- 3.24 Assists the Authority in the development, review and monitoring of plans (~~e.g. Integrated Risk Management Plan~~), strategies and policies (~~e.g. Health and Safety Management Policy, receiving the Annual Health and Safety report~~), making recommendations and offering advice, as appropriate.
- 3.25 Monitors performance (financial and non-financial) with a view to securing efficiency, effectiveness and value for money, making recommendations and offering advice, as appropriate.
- 3.26 Reviews the implementation of decisions by the Authority, making recommendations and offering advice, as appropriate.
- 3.27 Monitors delivery of the Authority's programmes and projects, making recommendations and offering advice, as appropriate.
- 3.28 Monitors arrangements with third parties, e.g. partners and contractors, making recommendations and offering advice, as appropriate.
- 3.29 Refers matters to the Authority for consideration/determination when it believes that matters should be brought to its/their attention.
- 3.30 In order to fulfil these responsibilities the Committee may establish task and finish groups if specific issues require in-depth examination.
- 3.31 The Committee may request officers and/or Members to attend a meeting to provide information and answer questions about a matter that is before the Committee.

RESPONSIBILITIES OF GOVERNANCE AND CONSTITUTION COMMITTEE

The Governance and Constitution Committee:

- 3.32 Discharges the requirements of Chapter 7 of Localism Act 2011.
- 3.33 Assists the Fire Authority in the promotion and maintenance of high standards.
- 3.34 Recommends the Members' Code of Conduct to the Fire Authority (and updates/amendments).
- 3.35 Secures applications for the role of Independent Person and makes recommendations to the Fire Authority.
- 3.36 Manages the relationship with the Independent Persons.
- 3.37 Considers requests for dispensation and grants them (where appropriate).
- 3.38 Ensures delivery of training for Members on standards issues.
- 3.39 Issues advice to Members on standards issues.
- 3.40 Approves the format of the register of Members' interests and monitors completion.
- 3.41 Agrees arrangements for investigation and decision-making in relation to allegations of breaches of the Members' Code of Conduct.
- 3.42 Monitors Member attendance and recommends action where appropriate. ~~to the Fire Authority.~~
- 3.43 Arranges for the review of Members' allowances and makes recommendations to the Fire Authority.
- 3.44 Secures appropriate corporate governance arrangements (with the assistance of Audit Committee) and monitors them.
- 3.45 Monitors compliments and complaints (including ombudsman matters).
- 3.46 Reviews the Fire Authority's Constitution and makes recommendations to the Fire Authority.
- 3.47 Provides support to the Monitoring Officer and Section 151 Officer (Local Government Act 1972).
- 3.48 Considers and act upon developments related to standards in its broadest sense.
- 3.49 Agrees any indemnity afforded to Members and/or officers.
- 3.50 Settles the terms of any Member/officer protocol.

- 3.51 Monitors the effectiveness of Member/officer relationships.
- 3.52 Determines the Authority's approach to the transparency agenda and monitors compliance with information-related legislative requirements.
- 3.53 Considers matters referred by Performance and Overview Committee.

RESPONSIBILITIES OF MEMBERS' CODE OF CONDUCT SUB-COMMITTEE

MEMBERSHIP

- 3.54 The Sub-Committee will consist of three Members drawn from the Governance and Constitution Committee.
- 3.55 It will fulfil the role(s) identified in the Fire Authority's Procedure for Dealing with Complaints about a Breach of the Members' Code of Conduct.

RESPONSIBILITIES OF ESTATES AND PROPERTY COMMITTEE

- 3.56 To ensure that the Fire Authority's property management arrangements are appropriate, providing guidance to officers as necessary.
- 3.57 To provide guidance to officers and the Fire Authority in relation to property transactions.
- 3.58 To provide guidance to officers and the Fire Authority in relation to the sharing of its sites/premises with third parties.
- 3.59 To assist in the co-ordination of and agreeing the prioritisation of property-related projects/programmes.
- 3.60 To assist in the co-ordination of and agreeing the prioritisation of environmental projects/programmes and supporting officers and the Fire Authority in the delivery of matters that further the Authority's **environmental agenda**.
Environmental Strategy.
- 3.61 To engage in key procurement issues as necessary.

~~3.62 To oversee the arrangements for Safety Central.~~

RESPONSIBILITIES OF JOINT CONSULTATIVE COMMITTEE (JCC)

- 3.63 To apply due consideration to an issue when there has been a failure to agree, with a view to determining an outcome.

RESPONSIBILITIES OF BRIGADE MANAGERS' PAY & PERFORMANCE COMMITTEE

- 3.64 To determine and undertake the appointment process for the posts of Chief Fire Officer and Chief Executive, Deputy Chief Fire Officer and Assistant Chief Fire Officer.
- 3.65 **To recommend the appointment of the Chief Fire Officer and Chief Executive to the Fire Authority.**
- 3.66 To appraise the Chief Fire Officer and Chief Executive.
- 3.67 To determine the remuneration of the Chief Fire Officer and Chief Executive.
- 3.68 To appoint to the roles of Deputy Chief Fire Officer and Assistant Chief Fire Officer.
- 3.69 To review the appraisal of the Deputy Chief Fire Officer and Assistant Chief Fire Officer.
- 3.70 To determine (in accordance with the relevant policies and procedures) HR/IR matters concerning/affecting the Chief Fire Officer and Chief Executive, Deputy Chief Fire Officer and Assistant Chief Fire Officer.

RESPONSIBILITIES OF STAFFING COMMITTEE

- 3.71 To appoint Area Managers and roles of equivalent standing.
- 3.72 To determine HR/IR matters (not delegated to officers or handled by JCC).
- 3.73 To determine pension matters.
- 3.74 To oversee key staff engagement and staff-related transformation activities.
- 3.75 To oversee discipline, grievance, employment claims etc.
- 3.76 To oversee relationships with representative bodies.
- 3.77 To approve the re-engagement of staff who have been retired or made redundant (excluding on call).
- 3.78 To approve policies concerned with human resources, industrial relations and pensions.

RESPONSIBILITIES OF BUSINESS CONTINUITY COMMITTEE

MEMBERSHIP

- 3.79 The committee comprises of the Chair, Deputy Chair, Group Spokesperson(s) and Lead Member(s).

RESPONSIBILITIES

- 3.80 To introduce, monitor and review contingency planning arrangements in the event of disruptions to the delivery of the service.
- 3.81 To provide guidance on issues arising in relation to business continuity events.

RESPONSIBILITIES OF AUDIT COMMITTEE

PURPOSE

3.82 To provide an independent high-level focus on the adequacy of governance, risk and control arrangements.

RESPONSIBILITIES

3.83 The core functions of the audit committee are to provide oversight of a range of core governance and accountability arrangements, responses to the recommendation of assurance providers and helping to ensure robust arrangements are maintained. The specific responsibilities include:

3.84 Maintenance of governance, risk and control arrangements

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

3.85 Financial and governance reporting

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

3.86 Establishing appropriate and effective arrangements for audit and assurance

- Consider the arrangements in place to secure adequate assurance across the body's full range of operations and collaborations with other entities.

- In relation to the authority's internal audit functions:
 - i. Oversee its independence, objectivity, performance and conformance to professional standards
 - ii. Support effective arrangements for internal audit
 - iii. Promote the effective use of internal audit within the assurance framework.
- Consider the opinion, reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control, and monitor management action in response to the issues raised by external audit.
- Contribute to the operation of efficient and effective external audit arrangements, supporting the independence of auditors and promoting audit quality.
- Support effective relationships between all providers of assurance, audits an inspections, and the organisation, encouraging openness to challenge, review and accountability.

MEMBERSHIP

- 3.87 Four elected Members drawn from the membership of the Governance and Constitution Committee and appointed in political proportion. One co-opted Independent Audit Committee Member.
- 3.88 The Chair of the Audit Committee will be one of the four elected Members. NB – Substitutes are not allowed.

QUORUM

- 3.89 Three of the five members of the Committee must be in attendance for the meeting to be quorate.

ATTENDEES

- 3.90 In addition to the Audit Committee members, the individuals fulfilling the following roles will normally be expected to attend each meeting of the Audit Committee:
- Chief Fire Officer and Chief Executive, or Deputy Chief Fire Officer, or Assistant Chief Fire Officer
 - Treasurer/Section 151 Officer and/or Head of Finance (or similar role(s))
 - Monitoring Officer

- Internal Audit representative
- External Audit representative
- Officer responsible for risk management

3.91 Other officers can be required to attend upon request from the Committee.

TRAINING

3.92 All members of the Audit Committee are expected to undertake training. The Treasurer/Section 151 Officer will, in consultation with the External Auditor and Internal Auditor, prepare a training plan which will be approved by the Audit Committee. The Treasurer/Section 151 Officer will secure delivery of the training plan.

MEETING FREQUENCY AND OUTPUT

3.93 The Audit Committee must meet regularly and in any event no less than four times a year. The timing of meetings will be coordinated taking into account various reporting requirements.

3.94 The Audit Committee must prepare an annual report which will include an evaluation of its impact.

MEMBER TRAINING AND DEVELOPMENT GROUP

MEMBERSHIP

3.95 The group comprises of 4 Members and 1 independent (non-elected) member and appointments are made by the Fire Authority.

RESPONSIBILITIES

3.96 To advise on the development, monitoring and evaluation of a Member Training and Development Programme to ensure that Members' training needs are being met.

3.97 To develop, monitor and review the Member Development Strategy and ensure that the Member Development Programme is developed in line with the strategy and to meet individual Member development needs.

PHOENIX BOXING CLUB BOARD

MEMBERSHIP

3.98 The Governance Board includes two elected Members (drawn from Warrington Members) to represent Cheshire Fire Authority and the appointments are made by the Fire Authority.

RESPONSIBILITIES

3.99 The main role of the Governance Board is to make decisions regarding the facilities and to promote and support the club.

3.100 The Board will hold at least two general meetings a year.

HEALTHY HEART RUNCORN TRAINING GYM BOARD

MEMBERSHIP

3.101 The Governance Board includes one elected Member (drawn from Halton Members) to represent Cheshire Fire Authority and the appointment is made by the Fire Authority.

RESPONSIBILITIES

3.102 The main role of the Governance Board is to make decisions regarding the facilities and to promote and support the club.

UNITARY PERFORMANCE MANAGEMENT GROUPS

MEMBERSHIP

3.103 The Unitary Performance Area Groups are the performance delivery groups in each of the Unitary Performance Areas and are chaired by the local Unitary Performance Manager, and attended by the local Members for that area.

3.104 The Unitary Performance Groups are able to engage with constituents about key issues affecting their area in circumstances where normal consultation processes and performance reporting are deemed insufficient.

FUNCTIONS

3.105 The group is multi functional and is responsible for the effective delivery of the Service IRMP objectives in that Unitary Performance Area.

3.106 The boundary of each group's responsibilities coincides with the political and administrative boundaries of the Unitary Area in which it meets.

- 3.107 The meetings are an opportunity for local Members to scrutinise local officers on Service Performance and highlight issues of concern raised by the local community.
- 3.108 The Authority has provided a budget for each area to support Service and joint initiatives and is aimed at allowing the Unitary Performance Groups to address local safety concerns and issues. The decisions are made at local level within an agreed financial framework. These arrangements allow the Authority to provide opportunities for the democratic engagement where councillors can meet their constituents face to face and place councillors at the heart of well supported area and neighbourhood structures. It will also allow a greater degree of interaction for councillors and the public and closer scrutiny of Service activities.

PENSION BOARD – FIREFIGHTERS’ PENSION SCHEMES **TERMS OF REFERENCE AND ASSOCIATED RULES**

RESPONSIBILITIES

3.109 The Pension Board will assist the Scheme Manager (the Fire Authority) to:

- (a) Secure compliance with:-
 - (i) The Firefighters’ Pension Scheme (England) Regulations 2014 – which create the Firefighters’ Pension Scheme 2015 (the 2015 Scheme)
 - (ii) Any other legislation relating to the governance and administration of the 2015 Scheme and any connected scheme, and
 - (iii) Any requirements imposed by the Pensions Regulator in relation to the 2015 Scheme and any connected scheme; and
- (b) Ensure the effective and efficient governance and administration of the 2015 Scheme and any connected scheme.

MEMBERSHIP OF THE BOARD

3.110 Pension Member representatives

- (i) Two pension member representatives shall be appointed to the Board.
- (ii) Pension member representatives shall be members of the scheme administered by Cheshire Fire Authority.
- (iii) Pension member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

3.111 Employer representatives

- (iv) Two employer representatives shall be appointed to the Board.
- (v) One Member of the Fire Authority will be appointed to act as an employer representative together with an officer of the Authority.
- (vi) Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

APPOINTMENT OF CHAIR

3.112 The Fire Authority Member appointed to the Board as an employer representative will act as Chair to the Board.

3.113 If the Chair is unable to attend a meeting of the Board the other employer representative will act as chair at that meeting.

3.114 The Chair of the Board shall:

- (i) ensure the Board fulfils it's responsibilities as set out in these Terms of Reference
- (ii) ensure that meetings are productive and effective and that opportunity is given for the views of all Board members to be expressed and considered and
- (iii) Seek to reach consensus and ensure that decisions are properly put to a vote when consensus cannot be reached.

CONFLICTS OF INTEREST

3.115 All members of the Board must declare to Cheshire Fire Authority on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.

3.116 On appointments to the Board and following any subsequent declaration of potential conflict Cheshire Fire Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of Cheshire Fire Authority and the requirements of the Pensions Regulators Codes of Practice on conflict of interest for Board members.

CAPACITY (INCLUDING TRAINING)

3.117 Board members must have the capacity to devote sufficient time and energy to this role. In particular Board members shall attend and participate in training.

BOARD ADMINISTRATION

3.118 Meetings will be arranged by the Democratic Services team, who will issue agendas and supporting papers at least seven working days in advance of

meetings. The Democratic Services team will ensure the availability of all Board members before setting a date for a Board meeting.

3.119 The Democratic Services team will also be responsible for taking minutes of the meetings.

TERM OF OFFICE

3.120 Members of the Board will be appointed initially for a four year term of office which may be extended for a further four year term subject to re-nomination and re-selection.

3.121 Board membership may be terminated prior to the end of the term of office due to:

- (i) A member representative appointed on the basis of their membership of the scheme no longer being a member of the scheme or an employee of Cheshire Fire Authority.
- (ii) An employer representative no longer holding office or employment with, or being a Member of, Cheshire Fire Authority.
- (iii) The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.

MEETINGS

3.122 The Board is expected to meet four times per year.

3.123 The Chair of the Board may call additional meetings.

QUORUM

3.124 A meeting is only quorate when at least three Board members are present.

VOTING

3.125 Each member of the Board will have one vote.

3.126 Where an equal number of votes are cast the Chair (or in his or her absence the chair of the meeting) will have a casting vote.

Existing Table - List of Plans, Strategies and Policies associated with Members' Decision Making Bodies

Fire Authority	
Key Plans	Integrated Risk Management Plan
	Medium Term Financial Plan
	Crisis Management Plan
Key Strategies:	Five Year Strategy
	Member Development Strategy (and Programme)
	Treasury Management Strategy
	People Strategy
Key Policies:	Heritage Policy
	Unwanted Fire Signals Policy
Significant Plans:	
Significant Strategies:	Asset Management Strategy
	Children and Young People Strategy
	CFP Business Liaison Strategy
	Consultation and Engagement Strategy
	Corporate Communications Strategy
	Corporate Equalities and Inclusion Strategy
	Risk Management Strategy
Significant Policies:	Adult Safeguarding Policy
	Health and Safety Management Policy
	ICT and Information Security Policy
	Partnership Policy
	Pay and Recognition Policy
	Pension Abatement and Re-employment Policy
	Re-organisation and Redeployment Policy
	Retirement Policy
	Sprinkler Policy
	Pay Policy Statement

Documents		Commentary
Key Plans	Integrated Risk Management Plan	Superseded by the Community Risk Management Plan which is due to reported at the next Fire Authority meeting?
	Medium Term Financial Plan	Reported annually to Cheshire Fire Authority at its November meeting. Last submitted: 7 th December 2022, Cheshire Fire Authority.
	Crisis Management Plan	Reviewed annually by officers and was taken to the former Risk Management Board for assurance by Members. Last submitted to Members: 14 th March 2023, Risk Management Board.
Key Strategies:	Five Year Strategy	Superseded by the Community Risk Management Plan which is due to reported at the next Fire Authority meeting?
	Member Development Strategy (and Programme)	The Strategy is reviewed bi-annually, covering a two-year period. The Programme is reviewed annually. Both documents are submitted to the Member Training and Development Group for comments. The member Training and Development Group will make a recommendation to the Fire Authority for the Strategy and Programme to be approved/ adopted.
	Treasury Management Strategy	Submitted annually to the Fire Authority at its December meeting. Last submitted to Members: 15 th February 2023, Cheshire Fire Authority.
	People Strategy	At the Fire Authority meeting on 18 th September 2019, the Fire Authority agreed it would have responsibility for the approval of the People strategy, but Staffing Committee would be consulted. The Strategy covers a three-year period. Last submitted: 27 th April 2022, Cheshire Fire Authority.
Key Policies:	Heritage Policy	The Policy is reviewed regularly by the Protection department. It was last submitted to Members on 15 th September 2010, Cheshire Fire Authority.

	Unwanted Fire Signals Policy	The Policy is reviewed regularly by the Protection department. It was last submitted to Members on 7 th December 2016, Cheshire Fire Authority.
Significant Plans:		
Significant Strategies:	Asset Management Strategy	Last submitted to Members: 3 rd April 2003, Cheshire Fire Authority.
	Children and Young People Strategy	The Strategy is reviewed regularly by officers. There is no record of this being submitted to Members.
	CFP Business Liaison Strategy	Last submitted to Members: 17 th June 2009.
	Consultation and Engagement Strategy	These strategies were last submitted to Members on 21 st September 2016, before Blue Light Collaboration. Since the Communications and Engagement team were brought back in house, it was decided that these strategies have been combined and superseded by the Communications and Engagement Strategy.
	Corporate Communications Strategy	
	Corporate Equalities and Inclusion Strategy	This has been superseded by the Equality, Diversity and Inclusion Strategy. It covers a three-year period and was last submitted to Member at the Fire Authority meeting on 29 th September 2021.
	Risk Management Strategy	It is anticipated that the Strategy will be submitted to the Audit Committee.
Significant Policies:	Adult Safeguarding Policy	Last submitted to Members: 17 th June 2009, Cheshire Fire Authority
	Health and Safety Management Policy	There is this policy is reviewed by officers and submitted to the Joint Health, Safety and Wellbeing Committee. The Health and Safety Member Champion sits on this Committee.
	ICT and Information Security Policy	There is no record of this policy being submitted to Members.
	Partnership Policy	The policy is regularly reviewed by officers. Last submitted to Members: 14 th April 2010, Cheshire Fire Authority.

		An annual report on the performance of the prevention department's Partnerships portfolio is submitted to the Performance and Overview Committee annually.
	Pay and Recognition Policy	At the Fire Authority meeting on 18 th September 2019, the Fire Authority agreed that the Pay and Recognition Policy, Re-employment and Pension Abatement Policy, Re-organisation and Redeployment Policy and Retirement Policy would sit with Staffing Committee.
	Pension Abatement and Re-employment Policy	
	Re-organisation and Redeployment Policy	
	Retirement Policy	
	Sprinkler Policy	There is no record of this policy being submitted to Members. It is reviewed regularly by officers.
	Pay Policy Statement	At the Fire Authority meeting on 18 th September 2019, the Fire Authority agreed it would have responsibility for the approval of the Pay Policy Statement. Last submitted to Members: 15 th February 2023, Cheshire Fire Authority.

GIFTS AND HOSPITALITY GUIDANCE

Purpose

To ensure that the integrity of Members and employees is not called into question by the acceptance of the offer of gifts or hospitality in the performance of their duties where to do compromises their impartiality or where the public would perceive this to be the case.

The guidance that follows is to ensure that Members and employees are aware of their obligations to declare offers of gifts and hospitality and to seek approval to accept them where necessary.

If in doubt, consult the Monitoring Officer: Andrew Leadbetter. andrew.leadbetter@cheshirefire.gov.uk Tel: 01606 868456

Scope

This policy applies to all Members (including non elected Independent Members) and employees.

Reporting to the Monitoring Officer

This must be done within 28 days of the offer and by completion of an online form (copy attached) to be emailed to the Monitoring Officer

Register of Gifts and Hospitality

Information from the online form will be entered on the Register of Gifts and Hospitality and published on the CFRS website and maintained and reviewed on a quarterly basis by the Monitoring Officer.

NB: All gifts and hospitality over the value of £50 must be declared and entered on the register.

SECTION 7 – PROTOCOLS

Bribery Act 2010

The offer of a gift or of hospitality in return for the award of a benefit, such as the award of a contract, will constitute a criminal offence under the Bribery Act 2010. It is also a criminal offence to request, agree to receive or accept a bribe.

Breach of the guidance

Where a breach is reported this will be investigated as a misconduct matter either under the Investigation of Complaints Procedure for Members or the disciplinary procedure for employees. Where a criminal offence is suspected this will be reported to the police.

Type of gift or hospitality	Value	Accept or decline	Report to Monitoring Officer	Approval of Monitoring Officer	Enter on Register
Gifts and hospitality which can be accepted without approval Hospitality and gifts distributed at courses and conferences <ul style="list-style-type: none"> • Modest working lunch • Token gifts /promotional items such as pens and calendars • Prizes and souvenirs 	Low in value	Can accept	No	No	No
Gifts and hospitality which must be reported to, and/or approved by the Monitoring Officer	Below £50	Can accept	Yes	No	No

SECTION 7 – PROTOCOLS

Type of gift or hospitality	Value	Accept or decline	Report to Monitoring Officer	Approval of Monitoring Officer	Enter on Register
<p>Invitation to a conference or trade event where a general invitation has been issued to other fire services or local authorities</p> <p>NB: This does not apply to training events and courses</p>	Over £50	Can accept	Yes	Yes	Yes
<p>Attendance at an official function to represent the Service/Authority or share information</p> <p>NB: This only applies to functions organised by external providers, not events arranged by the Service such as awards ceremonies or Prince's Trust events.</p>	<p>Below £50</p> <p>Over £50</p>	<p>Can accept</p> <p>Can accept</p>	<p>Yes</p> <p>Yes</p>	<p>No</p> <p>Yes</p>	<p>No</p> <p>Yes</p>
<p>Social, cultural or sporting event organised by one of our partners and which is for Service related purposes for example tickets to the Cheshire Show or a Warrington Wolves match.</p>	Below £50	Yes	Yes	Yes	No

SECTION 7 – PROTOCOLS

Type of gift or hospitality	Value	Accept or decline	Report to Monitoring Officer	Approval of Monitoring Officer	Enter on Register
	Over £50	Yes	Yes	Yes	Yes
Where to decline would cause offence or damage the working relationship with the giver.	Below £50	May accept on behalf of CFRS or donate to charity	Yes	Yes	No
	Over £50	As above	Yes	Yes	Yes
Gifts and hospitality which cannot be accepted Any kind of offer from an organisation providing a service or supplying goods to CFRS or seeking to do so, or an organisation receiving a service from CFRS.	Any value	Decline	Yes	N/A	Yes

SECTION 7 – PROTOCOLS

Type of gift or hospitality	Value	Accept or decline	Report to Monitoring Officer	Approval of Monitoring Officer	Enter on Register
Cash	Any value	Decline	Yes	N/A	Yes
Personal gift or offer of hospitality	Any value	Decline	Yes	N/A	Yes
Gifts or hospitality offered to family or friends	Any value	Decline	Yes	N/A	Yes
Travel or accommodation	Any value	Decline	Yes	N/A	Yes
Tickets to a social, cultural or sporting event which has not been organised by one of our partners and which is not for Service related purposes for example tickets to a Liverpool football match or the RHS flower show.	Any value	Decline	Yes	N/A	Yes
Expensive meals	Over £50	Decline	Yes	N/A	Yes

PROTOCOL ON MEMBER AND OFFICER RELATIONS

“Every Local Authority should have its own written statement or protocol governing relations between Members and Officers” (Third report of the Committee on Standards in Public Life, the Nolan Committee)

Introduction

- 7.1 The relationship between the Elected Members and the Officers of the Fire Authority has always been and continues to be one of the main organisational strengths. However, the Authority accepts it is required to have a formal protocol which covers the relationship between Elected Members and Officers. This protocol is prepared to meet those requirements but against a background of a good working partnership which is well established widely accepted and benefits everyone who serves or is employed in the Authority. It will provide a safeguard to help ensure that current good practice continues.
- 7.2 The Fire Authority recognises that a strong, constructive and trusting relationship between Members and Officers is essential to the effective and efficient working of the organisation. Members and Officers should work in partnership in developing the policies of the Authority and in ensuring the delivery of services to the people of Cheshire, Warrington and Halton.
- 7.3 This protocol takes into account the respective and different roles of Members and Officers and does not seek to change or influence these roles. The intention is to build on the good relationship which already exists.
- 7.4 It is accepted that from time to time issues do arise which need to be addressed from both sides. This protocol will be used as appropriate to help in addressing any such matters.
- 7.5 It is recognised that the Authority is a corporate entity but that in terms of its political structure there is an administration and opposition dimension which involves both Members and Officers operating in a politically sensitive climate. Officers have an obligation to serve the Authority as a corporate body.
- 7.6 This protocol forms a key part of the Authority’s approach to corporate governance and its commitment to uphold standards of conduct in public life. The Authority supports also the wider aims of protecting and enhancing the integrity and reputation of public services and the highest standards of personal conduct.

Operation of this protocol

- 7.7 This protocol will be applied having regard to the requirements of the Members’ Code of Conduct and the Officers’ Code of Conduct, as set out in the Authority’s Constitution, and relevant Authority policies,

procedures and processes. Members and Officers must at all times observe this protocol.

- 7.8 Where there is a conflict or discrepancy between this protocol and those codes and policies referred to in paragraph 7.25 above, then those codes and policies shall have precedence. Account will also be taken of any conventions in the case of conflict or discrepancy.
- 7.9 This protocol does not affect or interfere with any rights of or protection which a person may have in law.

Responsibility for the protocol

- 7.10 The Chief Fire Officer and Chief Executive is responsible for the operation of this protocol and will ensure that it is reviewed from time to time.
- 7.11 He or she will rule on the interpretation and / or the application of the protocol in matters of dispute and such rulings will be final. Where such a matter is relevant to or involves the Chief Fire Officer and Chief Executive then the Monitoring Officer shall be the appropriate Officer under this paragraph.
- 7.12 The Fire Authority is responsible for approving any amendments or additions to the protocol following consultation with Member and Officer representatives and the Governance and Constitution Committee where appropriate.

Member and Officer Roles

- 7.13 This protocol recognises that Members are elected and Officers are appointed to serve the people of the districts of Cheshire East, Cheshire West and Chester, Halton and Warrington and that their roles are distinct.
- 7.14 The Members are accountable to the electorate who determine the people they wish to represent them on various unitary authorities. These four Authorities then nominate Elected Members to sit on the Fire Authority.
- 7.15 Officers are accountable to the people of the districts of Cheshire East, Cheshire West and Chester, Warrington and Halton through the full Fire Authority.
- 7.16 Councillors are mainly responsible for:
- The political direction and leadership of the Authority.
 - The determination of policies, plans and strategies and deciding matters to give effect to or implement those policies, plans and strategies, particularly in service delivery terms.

- Performing the Authority's regulatory functions.
- Monitoring and reviewing, primarily through the Policy Committee and the Performance and Overview Committee functions, the Authority's performance in implementing its plans and strategies and in delivering its services.
- Participation in partnership working.
- Representing the Authority on national, regional and local bodies and organisations.
- Representing the views of their communities and individual constituents in respect of the work of the Fire Authority.

7.17 Members should not involve themselves in the day to day management of the Authority's services as the responsibility rests with the Chief Fire Officer and Chief Executive and Senior Managers and there are clearly defined lines of accountability to Members. However, applying this part of the protocol, it has to be recognised that Members do have specific responsibilities under the Authority's Performance and Overview Committee function as set out in paragraphs 7.54 to 7.58 of this document.

7.18 Under the Authority's Constitution some Members have additional responsibility at Member level, for example being Chair of a committee, panel, or as lead, or champion Member for a specific area of the Service. The holding of these offices will involve a different relationship with certain Officers in areas where the Member has a particular role and responsibility. Also, the relationships will be more complex and expectations will be different from other Members.

7.19 It is important that Members of the Authority:

- Respect the impartiality of Officers and do not undermine their role in carrying out their duties.
- Do not ask Officers to undertake work or to act in a way which seeks to support or benefit a particular political party or gives rise to the officer being criticised for operating in a party political manner.
- Do not ask Officers to exceed their authority where that authority is given to them in law, by the Authority or by their managers.

7.20 This protocol recognises the role of opposition groups in the Fire Authority acting individually or jointly, and that relationships will be again different and complex. Members in opposition have the same rights and obligations in their relationships with Officers and should be treated equally. Where opposition groups, individually or collectively, appoint their Members to perform shadow or spokesperson roles, then the requirement of paragraph 7.36 will apply.

- 7.21 It is however envisaged that all Members will work co operatively to ensure that the Fire Authority meets its statutory obligations and provides an effective and efficient Fire and Rescue Service to the people of Cheshire.
- 7.22 The primary role of Officers is to advise, inform and support all Members and to implement the lawfully agreed policies of the Fire Authority.
- 7.23 In performing this role, Officers will act professionally, impartially and with political neutrality. Whilst Officers will report a Member's view on an issue, the Officer should not be influenced or pressured to make comments or recommendations which are contrary to his or her professional judgement or views.
- 7.24 The Chief Fire Officer and Chief Executive, the Monitoring Officer and the Treasurer (Section 151 Officer) have specific responsibilities placed on them by law. These responsibilities go beyond their obligations as employees of the Fire Authority. Where an Officer is discharging his or her responsibilities under any statutory office, a Member or Members shall not:-
- Interfere with or obstruct the Officer in exercising those responsibilities.
 - Victimise any Officer who is discharging or has discharged his or her responsibilities of the statutory office.
- 7.25 Both Members and Officers will, regardless of their role, always act in accordance with the Core Values of the Fire Authority, which are attached to this Protocol.

Member/Officer Obligations and Expectations

- 7.26 Members will require and expect Officers:-
- To be committed to the Authority as a whole and not to any political group or individual.
 - To work in partnership with Members in an impartial and professional manner.
 - To understand and support the respective roles of Members and the associated workloads and pressures.
 - To implement decisions of the Fire Authority and its subordinate committees which are lawful, have been properly approved in accordance with the law and the Authority's Constitution and formally recorded.
 - To respond to enquiries and complaints in accordance with the Fire Authority's standards.

- To provide professional advice, which is not influenced by political views or preferences, and which does not comprise the political neutrality of Officers.
- To provide information as agreed on matters that can reasonably be considered appropriate and relevant to their needs, taking into account the Members' individual responsibilities and position and the requirements on Members' access to documents and information, subject to specific exclusions, e.g. personal interests and confidentiality.
- To be aware of and sensitive to the internal and external political environment.
- To act with honesty, respect, dignity and courtesy at all times.
- To provide support and learning and development opportunities for Members to help them in performing their various roles.
- To act with integrity and appropriate confidentiality.
- Not to raise issues of a personal nature outside agreed procedures.
- Not to use their relationship with Members to advance their personal interests or to influence decisions improperly.
- To comply at all times with the Officer Code of Conduct and such other policies or procedures approved by the Fire Authority.
- To support the role of Councillors with any policy or procedure agreed by the Fire Authority.
- Not to support Members in any role other than that of a Fire Authority Member and not to undertake any actions which are not compatible with this Protocol.

7.27 Officers can expect Councillors:-

- To act within the policies, practices, processes and conventions established by the Fire Authority.
- To work constructively in partnership with Officers, acknowledging their separate and distinct roles and responsibilities.
- To understand and support the respective roles and responsibilities of Officers and their associated workloads, pressures and reporting lines.
- To give political leadership and direction and to seek to further their agreed policies and objectives with the understanding that

Members have the right to take the final decision and issues based on advice.

- To treat them fairly and with respect, dignity and courtesy.
- To act with integrity, to give support and to recognise appropriate confidentiality.
- To recognise that Officers work to the instructions of their senior officers and not to individual Members.
- Not to subject them to intimidation, harassment or put them under pressure. Councillors will have regard to the seniority of Officers in determining what are reasonable requests, having regard to the relationship between with Councillor and officer and the potential vulnerability of Officers, particularly at junior levels.
- Not to request them to exercise discretion which involves acting outside the Fire Authority's policies and procedures.
- Not to authorise, initiate or certify any financial transactions or enter into any contract, agreement or undertaking on behalf of the Fire Authority, or in their role as Member of the Fire Authority without proper and lawful authority.
- Not to use their position or relationship with Officers to advance their personal interest or those of others, or to influence decisions improperly.
- To comply at all times with the Members Code of Conduct, the law, the Constitution and such other Policies, Procedures, Protocols and Conventions agreed by the Fire Authority.

Behaviour Limitations

7.28 The different roles of Members and Officers require particular limitations upon behaviour. Both Members and Officers need to ensure that their working relationship is appropriate to their respective role and that they do not act in any way which would lead to their behaviour being questioned. It is not possible to provide a list of circumstances where behavioural issues might be of concern. The main examples below help to illustrate the point.

- A close personal relationship between a Member and an Officer can confuse their separate roles and influence the proper discharge of the Authority's functions, not least in creating a perception that a Councillor or Officer may be securing advantageous treatment.
- The need to maintain the separation of roles means that there are limits to those matters on which a Member may seek the advice

of an Officer, both in relation to personal matters and party political issues.

- Relationships with a particular individual or party group should not be such as to create public suspicion that an employee favours one Councillor or group above the others.

Political Groups

- 7.29 It is in the interests of the Authority to support to some degree the effective operation of all its political groups and not one particular group. The operation of Political Groups may, however, pose particular issues for officers in terms of their impartiality.
- 7.30 A political group may request the Chief Fire Officer and Chief Executive or a senior manager to prepare a written report on a matter or matters relating to the Authority for consideration by the Group.
- 7.31 An Officer report to a political group will be restricted to a statement of material facts and identification of options and the merits or otherwise of such options for the Authority. Such reports will not cover any political implications on the matter or any opinion. Such reports will not include any recommendations.
- 7.32 The release of such reports to other political groups shall be dealt with in accordance with any conventions in existence at the time.
- 7.33 A political group may request the Chief Fire Officer and Chief Executive or a senior manager to attend a meeting of the group to advise on particular matter relating to the Authority. The Chief Fire Officer and Chief Executive or senior manager may arrange for the attendance of the representative on his or her behalf, or may decline to attend or send a representative where he or she is of the opinion that the particular issue is of such a political nature that it would be inappropriate to attend.
- 7.34 Officer advice at a meeting of a political group will be restricted to a statement of material facts and identification of options and the merits or otherwise of such options for the Authority. The advice will not cover any political implications of any matter or any opinion.
- 7.35 All Officers will respect the confidentiality of any matter which they hear in the course of attending any political group meeting or in respect of any requests for advice and the giving of that advice.

Attendance of Officers at Performance and Overview Committee

- 7.36 It is accepted that in carrying out its role, the Performance and Overview Committee may require an Officer to attend to answer questions or to discuss issues. In requiring an Officer to attend, the Committee will consider the seniority of the Officer it would be appropriate to invite. There is a presumption against inviting Officers outside the senior

Officers range to attend in this capacity. Requests for Officer attendance shall also have regard to workloads of Officers.

- 7.37 Where an officer attends such a meeting his or her contributions should be confined to matters of fact and explanation. However, an Officer may be asked to explain and justify advice which he or she has given prior to a decision having been made, including decisions taken by him or her using their delegated powers.
- 7.38 Officers should not be drawn into discussions of a political nature which would be inconsistent with the political neutrality requirement, nor should any questioning of an officer be reasonably interpreted as constituting harassment.
- 7.39 In Performance and Overview proceedings the capability or competence of Officers must not be questioned. The distinction needs to be drawn between reviewing the policies, performance and decisions of the Authority and its services and the appraisal of officers' individual performance. The latter is not a function of the Performance and Overview Committee.
- 7.40 In applying this part of the Protocol, account will be taken of any guidance agreed by Performance and Overview Committee provided that guidance is consistent with the principles of this Protocol.

Breaches of the Protocol

- 7.41 Where a Member is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the appropriate Brigade Manager. Where the Officer concerned is a Brigade Manager, the matter should be raised with the Chief Fire Officer and Chief Executive. Where the employee concerned is the Chief Fire Officer and Chief Executive, the matter should be raised with the Monitoring Officer.
- 7.42 On the Member's side, where the relationship between Councillors and Officers breaks down or becomes strained, every effort will be made to resolve matters informally, through conciliation by an appropriate senior manager or Councillors. Officers will also have recourse to the Grievance Procedure or to the Authority's Monitoring Officer as appropriate, in certain circumstances. In the event of a Grievance or Complaint being upheld, the matter will be referred to the Chief Fire Officer who, having advised the Chair of the Authority and the other appropriate party spokespersons, will decide on the course of action to be taken, following consultation with the Governance and Constitution Committee if appropriate.
- 7.43 Breaches of the Protocol by a Member may result in a complaint to the Governance and Constitution Committee and in the case of Officers may lead to disciplinary action.

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 8 NOVEMBER 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: MEMBERS' ALLOWANCES SCHEME:
UPLIFT 2023-24; 2024-25; AND REVIEW

Purpose of Report

1. To enable Members to consider the uplift to the Members' Allowances Scheme 2023-24 and determine whether they are able to make a recommendation to the Fire Authority;
2. To make a recommendation to the Fire Authority about the Members' Allowances Scheme for 2024-25; and
3. To agree the process for the upcoming review of the Members' Allowances Scheme which is due to take place during the 2024-25 Municipal Year.

Recommended: That Members

- [1] Consider whether they are able to make a recommendation to the Fire Authority about the uplift to be applied to the Members' Allowances Scheme for 2023-24;
- [2] Recommend to the Fire Authority that the Members' Allowances Scheme for 2024-25 (which covers 1st April 2024 to 31st March 2025) be based on the 2023-24 Scheme once the uplift has been applied; and
- [3] Consider how they envisage the review of the Members' Allowances Scheme taking place during the 2024-25 Municipal Year.

Background

The Law

4. The provisions governing Members' allowances are contained in the Local Authorities (Members' Allowances) (England) Regulations 2003 [the Regulations]. The Regulations do not apply to the Fire Authority in full.
5. Part 2 of the Regulations prescribes the allowances that may be paid and rules relating to such allowances. Part 3 of the Regulations sets out the requirements for members' allowances schemes, e.g. the potential to apply an index for annual adjustments to schemes (which can be relied upon for no longer than a

period of four years). Part 4 of the Regulations is concerned with the role of the independent remuneration panel [IRP]. Local authorities (e.g. district, county and London boroughs) must have regard to recommendations of an IRP before they make or amend their scheme. A fire authority has a different obligation: it must have regard to the recommendations made by the IRPs of local authorities that appoint its Members (i.e. the constituent authorities). By virtue of this distinction it is clear that the Fire Authority is not required to have its own IRP.

6. The Members' Allowances Scheme must be approved each year by the Fire Authority. However, this should be a formality as an index (uplift) has been approved that is intended to determine the annual uplift that should be applied.
7. According to the Regulations the index (uplift) can only apply for four years.

The 2020 Review

8. The Members' Allowances Scheme was reviewed with the assistance of an Independent Reviewer and approved by the Fire Authority on 10th February 2021. The approved Scheme applies up to 31st March 2025 – this is essentially the latest date that the index (uplift) can apply until.

Information

Members' Allowances Scheme 2023-24

9. The Members' Allowances Scheme 2023-24 states that:

The Basic and Special Responsibility Allowances in this scheme shall be increased by the same percentage increase as the NJC pay award for Local Government employees (Green Book).

The increases shall apply from the same date as the pay increases take effect and will be backdated, if necessary.

10. By agreeing the Scheme at the Fire Authority meeting held on 7th December 2022 Members agreed to uplift the Scheme in accordance with the pay award. However, the National Joint Council (NJC) pay award for 2023-24 is still being negotiated. As it stands it would be appear that the pay award is likely to be expressed as a figure/sum, rather than a percentage.
11. It is worth reminding Members about how they handled the situation last year. The pay award for 2022-23 was not expressed as the usual percentage increase; instead, £1,925 was applied to all pay points of the Green Book pay scale, which worked out as a 10.5% increase for staff on the lowest pay point and 4% for staff on the highest pay point. Therefore, there was no fixed percentage which could be directly applied to the Members' Allowance Scheme for 2023-24.

12. Members agreed at the Fire Authority meeting held on 7th December 2022 that an uplift of 5% be applied to the 2022-23 Scheme. This was decided in the context of the ongoing pay dispute for Grey Book staff. An offer of 5% had been declined in October 2022 and there was potential for industrial action. However, ultimately a pay settlement of 7% for 2022-23 and 5% for 2023-24 was agreed in March 2023.
13. Officers are hopeful that there will be further clarity about the NJC pay award by the time of the meeting, which would allow Members to consider how to approach the uplift to the Members' Allowances Scheme 2023-24 and make a recommendation to the Fire Authority.

Members' Allowances Scheme 2024-25

14. A draft of the Members' Allowances Scheme for 2024-25 cannot be prepared at this point as it needs to reflect the figures that were contained in the Members' Allowances Scheme 2023-24, which has, obviously, not been finalised. However, it is possible for Members to recommend to the Fire Authority that it approves the format of the Members' Allowances Scheme 2024-25 and that it should be finalised by officers taking into account the uplift that will ultimately be applied to the Members' Allowances Scheme 2023-24.
15. For information, the Scheme for 2023-24 is attached as Appendix 1 to this report.

Review of the Members' Allowances Scheme

16. A review of the Members' Allowances Scheme is due to take place during the 2024-25 Municipal Year. The previous two reviews of the Scheme did not involve the engagement of an Independent Remuneration Panel. A single member of the Panel for Cheshire East (the Independent Reviewer) assisted in the review and Members seemed to be satisfied that she provided a sufficient degree of independence.
17. The following activities were conducted during the last review:
 - Gathering information on:
 - The Members' Allowances Schemes of the constituent authorities
 - The Members' Allowances Schemes of a range of fire and rescue authorities
 - The views and expectations of Members and independent members for the review.
 - Meetings with the following stakeholders:
 - Officers and the Independent Reviewer to present information
 - Independent Reviewer and Members
 - A report of the Independent Reviewer was prepared and presented to the Governance and Constitution Committee along with a draft Members' Allowances Scheme.

- A report was then presented to the Fire Authority based on the recommendations of the Governance and Constitution Committee.

18. Members are asked to consider whether they are happy to follow the same process for the upcoming review.

Financial Implications

19. The annual increase for 2023-24 should be capable of being funded from the Authority's existing budget for Members' allowances. Any increase for 2024-25 should also be capable of being funded from the Authority's existing budget for Members' allowances.

Legal Implications

20. The legal implications are covered within the report.

Equality and Diversity Implications

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

Environmental Implications

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

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

TEL [01606] 868804

BACKGROUND PAPERS: NONE

Introduction

- 9.1 Local authorities are required to introduce a scheme dealing with Member remuneration complying with the provisions contained in the Local Authorities (Members Allowances) (England) Regulations 2003 (and amendments thereto).
- 9.2 Local authorities must establish and maintain an Independent Remuneration Panel to make recommendations on their schemes. Whilst the Regulations do not require a fire authority to have its own Independent Remuneration Panel, it must have regard to the recommendations made by Panels of the local authorities that appoint its Members (i.e. the constituent authorities).
- 9.3 The amounts payable under the Regulations are for individual authorities to decide, taking into account local circumstances, ways of working and the make up of individual decision making arrangements.
- 9.4 Authorities determine the amount of each allowance within the scheme on an annual basis.
- 9.4 The Regulations enable authorities to make provision for the annual adjustment of allowances by reference to an index which may apply for no longer than four years. Cheshire Fire Authority undertakes a review of the scheme every four years with the assistance of a member of an Independent Remuneration Panel operated by a constituent authority.
- 9.5 Schemes must include a Basic Allowance payable to all Members of the Authority and payment of Special Responsibility Allowances. Travel and subsistence are discretionary. The current Scheme of Members' Allowances is attached as **Appendix 1**.

BASIC AND SPECIAL RESPONSIBILITY ALLOWANCES

- 9.6 Each Member is paid a basic allowance which is the same for each Member. The allowance recognises the time commitment of all Members including attending meetings and working within their locality.
- 9.7. A special responsibility allowance is payable to those Members who have significant responsibilities e.g. the Chair and Deputy Chair of the Authority.

TRAVEL AND SUBSISTENCE

- 9.8. The Authority has made provision in its scheme for reimbursing Members for the cost of travel and subsistence in performing their duties. The allowances can only be claimed in respect of meetings and duties as prescribed in the Scheme.

FURTHER DETAILS

SECTION 9 – MEMBERS’ ALLOWANCE SCHEME

- 9.9. Further information on the Scheme can be obtained from the Governance and Corporate Planning Manager, Fire Service HQ, Winsford, Cheshire.

Members' Allowance Scheme 2023-24

Basic Allowance

- 1 Each Member of the Fire Authority shall receive a sum of **£4,566.95** (2023/24) per annum in the form of a Basic Allowance from 1st April 2023. Payment of this Allowance shall be monthly in arrears.

Special Responsibility Allowance

- 2 The following roles shall attract the amounts specified as Special Responsibility Allowances:

Office	2023/24 Entitlement £
Chair of the CFA	15,024.41
Deputy Chair of the CFA	7,513.36
Chair of Performance and Overview Committee	3,005.34
Chair of Governance and Constitution Committee	1,733.85
Chair of Estates and Property Committee	1,733.85
Chair of Audit Committee	1,733.85
Chair of Local Pension Board	1,733.85
Business Continuity Leads (Group Spokespersons and Lead Members – Constituent Authorities)	1,155.90
Member Champions (includes Chair of Member Training & Development Group)	577.94

- 3 Only one SRA shall be paid to an individual Member. Where a Member holds two or more positions which attract an SRA only the highest amount will be paid. This excludes regional appointments.

Regional Appointments

- 4 Members appointed to the North West Fire Forum will receive a payment of **£35** per meeting attended.

Independent (non-elected) members

- 5 Independent (non-elected) members will receive an annual allowance of **£1,337.87**.

Independent Audit Committee member

- 6 Independent Audit Committee member will receive an annual allowance of **£1,312.50**.

Independent Persons

- 7 Independent Persons will receive a payment of **£35** per meeting attended and re-imbusement of expenses incurred (travel/subsistence).

Travel, Subsistence and Other Allowances

(a) Travel

- 8 Members may claim travel expenses for mileage to and from meetings/ events associated with the Fire Authority at the prevailing HMRC rate (currently 45p per mile).

(b) Subsistence

- 9 As a general rule lunch and other refreshments for meetings held at Fire Service HQ and other Service establishments are provided free of charge and, therefore, no claim for any allowance or reimbursement can be made. This may also include meals/refreshments provided at conferences/ seminars/meetings free of charge at other non Service venues.

- 10 For meetings where refreshments are not provided and Members are required to pay for meals, the actual expenditure will be reimbursed up to a maximum rate. At present these rates are as follows:-

Breakfast	£7
Lunch	£9
Dinner	£15
Dinner (London)	£20

If it is unavoidable and Members need to book their own accommodation the following rates are the maximum that will be paid:

Hotel	£100
Hotel (London)	£120

(c) Dependants' Carers' Allowance

- 11 A Dependants' Carers' allowance is payable to Members where actual costs are incurred for the care of dependent relatives whilst discharging their approved duties for the Fire Authority.

The Dependants' Carers' Allowance will be paid up to a maximum of £3000 per annum and in reimbursement of incurred expenditure upon submission of receipts.

Annual Increase

- 12 The Basic and Special Responsibility Allowances in this scheme shall be increased by the same percentage increase as the NJC pay award for Local Government employees (Green Book).

The increases shall apply from the same date as the pay increases take effect and will be backdated, if necessary.

This index shall apply for four years (up to 31st March 2025) unless the Scheme is amended.

CHESHIRE FIRE AUTHORITY: LIST OF APPROVED DUTIES

- Attendance at meetings of the Fire Authority, Committees, Sub-Committees, Special Committees, Panels, Boards, Forums and Working/Task Groups
- Authorised briefings for Committees/Sub-Committees including all meetings which are called by officers e.g. Members Planning Days and pre-meeting briefings
- All approved conferences and seminars
- Regional Bodies - North West Fire Forum, NW Fire Control Ltd Board of Directors and associated working groups
- National Bodies – LGA Fire Commission and associated working groups
- Member Learning and Development Events (including induction and attendance at cluster exercises)

In addition to the above, the Chair or his nominee, attend other functions on behalf of the Fire Authority and in these circumstances these are regarded as approved duties for the purpose of the Members' Allowance Scheme.

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