

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 19TH APRIL 2023
REPORT OF: DIRECTOR OF GOVERNANCE
AUTHOR: ANDREW LEADBETTER

SUBJECT: REVIEW OF MEMBERS' CODE OF CONDUCT

Purpose of Report

1. To allow Members to consider whether there should be any changes to the Members' Code of Conduct (the Code).

Recommended: That Members

- [1] Consider the Members' Code of Conduct and determine whether any changes need to be recommended to the Fire Authority.

Background

2. The Code was adopted by the Fire Authority in December 2021. It is almost entirely based on the Local Government Association's Model Councillor Code of Conduct 2020 (the Model Code).
3. The constituent authorities have all adopted Members' codes of conduct that are closely based on the Model Code. This provides a consistency of approach that was missing before the Model Code was created in 2020.

Information

4. The Code is attached to this report as Appendix 1.
5. As it is now nearly 18 months since the Code was adopted it seems appropriate to consider whether it needs to be updated/changed.
6. The Model Code has not been updated since it was published. Nor has any further guidance been issued by the Local Government Association since the Code was adopted by the Fire Authority. In addition, it does not appear that the constituent authorities have made changes to their Members' codes since they were adopted.
7. There have been no complaints about Members since the Code was adopted.

8. In light of the above, officers believe that the Code is fit for purpose and does not require any substantive change at this point. However, if the Independent Audit Committee Member becomes a co-opted member of the Audit Committee, a minor change to the 'Definitions' section of the Code should be made.

9. Members can see the current wording in Appendix 1. It is suggested that the Note under paragraph 1) is altered so that it reads:

The Fire Authority has a co-opted member (the Independent Audit Committee Member) and an independent non-elected member who has an advisory role and is not co-opted. The co-opted member is subject to this Code. The independent non-elected member is expected to act within the spirit of this Code.

10. The legal definition of co-opted member appears in the Legal Implications section.

Financial Implications

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

Legal Implications

12. A co-opted member is defined in the Section 27(4) of the Localism Act as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee."

Equality and Diversity Implications

13. There are none.

Environmental Implications

14. There are none.

CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD

TEL [01606] 868804

BACKGROUND PAPERS: NONE