



**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 28<sup>th</sup> 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 19<sup>th</sup> 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 11<sup>th</sup> 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 1<sup>st</sup> April 2022 to 31<sup>st</sup> 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 1<sup>st</sup> April 2022 and 31<sup>st</sup> 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 18<sup>th</sup> 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.**