



MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 29 July 2020 - Remote Meeting via Skype at 10.00 am

PRESENT: Councillors Steve Wright (Chair), Rob Polhill, Mike Biggin, David Brown, Martyn Delaney, Nick Mannion and Michael Beanland and independent (non-elected) member Derek Barnett

1 PROCEDURAL MATTERS

A Recording of Meeting

Members were reminded that the meeting would be audio-recorded and broadcasted live to enable public viewing.

B Apologies for Absence

Apologies for absence were received from Councillor Rachel Bailey and independent (non-elected) member Lesley Thomson. Councillor Michael Beanland attended the meeting as a substitute for Councillor Rachel Bailey.

C Membership of Committee

Members noted the membership of the Governance and Constitution Committee for 2020-21, as agreed by the Fire Authority on 1st July 2020.

Councillors:

- S Wright – Chair
- R Polhill – Deputy Chair
- R Bailey
- M Biggin
- D Brown
- M Delaney
- N Mannion

Substitutes:

- M Beanland
- D Edwardes
- P Wheeler

Independent (non-elected) Members:

- D Barnett
- L Thomson

D Declarations of Members' Interests

There were no declarations of Members' interest.

E Minutes of the Governance and Constitution Committee

RESOLVED:

That the minutes of the Governance and Constitution Committee held on Wednesday 29th January 2020 be confirmed as a correct record.

2 DISPENSATIONS

The Director of Governance and Commissioning introduced the report which asked Members to extend the benefit of the existing dispensations to a new Member of the Fire Authority. This would allow them to take part in debates and votes on the setting of the council tax precept and approval of the Members' Allowance Scheme (and any changes and/or additions to it).

Appendix 1 to the report contained a copy of the legislation and Appendix 2 to the report contained an extract which explained the rationale for the granting of the original dispensations.

The Director of Governance and Commissioning informed the Committee that Cllr Jill Houlbrook had requested that the dispensations be extended so that she could benefit from them.

RESOLVED: That

[1] the dispensations granted to Fire Authority Members on 29th January 2020 be extended to benefit Councillor Jill Houlbrook, thereby allowing her to take part in debates and votes on the setting of the Council Tax precept and the approval of the Members' Allowance Scheme (and any changes and/or additions to it).

3 WHISTLEBLOWING ANNUAL REPORT 2019-20

The Director of Governance and Commissioning introduced the report which provided information about whistleblowing for 2019-20.

The Director of Governance and Commissioning informed Members that the Authority had not been contacted by Safecall during 2019-20. He suggested to Members that this was likely to be a result of staff being comfortable raising their concerns with managers informally, with Safecall being considered a last resort.

A Member queried how regularly the Service reminded staff of the whistleblowing process, particularly as more staff were working from home. The Director of Governance and Commissioning assured Members that the Safecall arrangements was publicised around the Service's property. However, he agreed to review the prominence of recent publicity.

RESOLVED: That

[1] the Whistleblowing Annual Report 2019-20 be noted.

4 COMPLIMENTS AND COMPLAINTS ANNUAL REPORT 2019-20

The Director of Governance and Commissioning introduced the report which provided information regarding compliments and complaints received about the Service during the period 1st April 2019 to 31st March 2020.

The Director provided an overview of the figures for the past five reporting periods which were presented within a table in the report. He explained that although the figures had fluctuated, there was no obvious trend, or pattern. Compared to the previous year, the Service had seen an increase in the number of informal complaints received. The number of formal complaints was the same.

Members acknowledged the work staff had done since the implementation of the lockdown period due to Covid-19 and praised staff for their continued work. It was noted that praise had been given to staff by a variety of external bodies that would not normally be recorded on the compliments register.

RESOLVED: That

[1] the information regarding compliments and complaints made during the period 1st April 2019 and 31st March 2020 be noted.

5 SUMMARY OF MEMBER ATTENDANCE 2019-20

The Director of Governance and Commissioning 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 and its three main committees: Estates and Property Committee, Governance and Constitution Committee and Performance and Overview Committee. Appendix 2 to the report contained details of the planning days and additional meetings attended, as well as conferences and events attended.

The Director highlighted that substitutes were recorded this year as they were used more frequently than previous years. Members discussed the figures and emphasised the need for Members to arrange a substitute if they know in advance that they are unable to attend a meeting. Members agreed that no action was necessary.

RESOLVED: That

[1] the summary of Member attendance at meetings of the Authority and its three main committees for 2019-20 be noted.

6 DRAFT STATEMENT OF ASSURANCE 2019-20

The Director of Governance and Commissioning introduced the report which allowed Members the opportunity to review the draft Statement of Assurance 2019-20.

He reminded Members that the Fire and Rescue National Framework for England required the publication of the Statement of Assurance to provide assurance on financial, governance and operational matters. The final version of the document was due to be submitted to the next Fire Authority meeting for approval.

Members' attentions was drawn to sections 6 and 7 concerned with compliance with the National Framework and the outcomes from the inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services, respectively.

The Director informed Members that the Inspectorate visit that should have taken place in March had been postponed to March/April 2021.

RESOLVED: That

[1] the draft Statement of Assurance 2019-20 be approved and presented to the Fire Authority for approval in due course.

7 ALLOCATION OF SEATS ON CHESHIRE FIRE AUTHORITY

The Director of Governance and Commissioning introduced a report which required Members to consider how to deal with requests from Warrington Borough Council concerned with the allocation of seats on the Fire Authority. He explained the current process for the allocation of seats and requirements contained in paragraphs 11 and 12 of the Cheshire Fire Service's (Combination Scheme). He advised that changing the approach to seat allocation could require secondary legislation. The Director gave an example of how different total seat numbers impacted upon seat allocations.

A Member queried why the current total number of seats was 23. The Director of Governance and Commissioning advised that the Fire Authority had been made up of 23 seats since local government reorganisation in 2009. The Combination Scheme did not state a specific total number of seats. However, it was drafted in such a way that suggested that having more than 25 seats would be exceptional.

Members were reminded that a few fire authorities had reduced their total seat numbers and that the current model for fire governance involving Police and Crime Commissioners was being reviewed.

Members agreed that the Director of Governance and Commissioning should take into account the requests by Warrington Borough Council during the review. They stated that it was important to consult all of the constituent authorities at the appropriate time.

RESOLVED: That

- [1] the Director of Governance and Commissioning proceed with the review and report back in due course.**

8 LOCAL GOVERNMENT ASSOCIATION CONSULTATION ON MODEL MEMBER CODE OF CONDUCT

The Director of Governance and Commissioning introduced a report which allowed Members to consider their response to the Model Member Code of Conduct Consultation from the Local Government Association (LGA).

Members considered the questions to the consultation as attached at Appendix 2 to the report and decided that all Members should consider sending individual responses to the Consultation.

RESOLVED: That

- [1] the Model Member Code of Conduct Consultation questions be circulated to all Members to allow them to respond individually.**