



MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 10 November 2021 at Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.00 am

PRESENT: Councillors Rob Polhill (Chair), Rachel Bailey, Mike Biggin, David Brown, Brian Gallagher, Nick Mannion and independent (non-elected) member Derek Barnett

1 PROCEDURAL MATTERS

A Recording of Meeting

Members were reminded that the meeting would be audio-recorded.

B Apologies for Absence

Apologies for absence were received from Councillor Martyn Delaney.

C Declarations of Members' Interests

There were no declarations of Members' interest.

D Notes of the Informal Meeting of Members of the Governance and Constitution Committee

RESOLVED:

That the notes of the informal meeting of Members of the Governance and Constitution Committee held on Wednesday 14th July 2021 be noted.

2 NEW MEMBERS' CODE OF CONDUCT

The Director of Governance and Commissioning introduced a report which allowed Members to determine whether the Fire Authority should be recommended to adopt the draft New Members' Code of Conduct. The New Members' Code of Conduct was attached as Appendix 4 to the report.

The Director of Governance and Commissioning explained how the New Members' Code of Conduct differed from the Local Government Association's Model Code of Conduct. It was noted that most local authorities were adopting the Model Code of Conduct. Members advised that they preferred the New Members' Code of Conduct. They found it provided clarity.

A Member raised concerns about bullying and harassment. The Director of Governance and Commissioning advised that the Local Government Association provided additional guidance which made reference to separate documents

concerned with bullying and harassment. He agreed to research the topic and give Members the opportunity to discuss the issues.

RESOLVED: That

[1] the New Members' Code of Conduct report be noted; and

RECOMMENDED: That

[2] the New Members' Code of Code be adopted by to the Fire Authority.

3 REVIEW OF MEMBER CHAMPION ROLES

The Director of Governance and Commissioning introduced the report which allowed Members to determine the process and indicative timeline for the review of the Member Champion roles.

Members welcomed the review and felt there was a need to further define the Member Champion roles. Members also discussed their own experiences within their respective Member Champion appointments.

RESOLVED: That

[1] the process and indicative timeline within the Review of the Member Champion Roles report be agreed.

4 DISPENSATIONS

The Director of Governance and Commissioning introduced the report which asked Members to extend the benefit of the existing dispensations to the new Members of the Fire Authority. Members had considered this item at the previous informal meeting and noted that requests to extend dispensations were received from Councillors Phil Eastty, Brian Gallagher and Rob Moreton.

RESOLVED: That

[1] the dispensations granted to Fire Authority Members on 29th January 2020 be extended to benefit Councillors Phil Eastty, Brian Gallagher and Rob Moreton, thereby allowing them to take part in debates and votes on the setting of the Council Tax precept and the approval of the Members' Allowances Scheme (and any changes and/or additions to it).

5 MEMBERS' ALLOWANCES SCHEME 2022-23

The Director of Governance and Commissioning introduced the report which enabled Members to make a recommendation to the Fire Authority in respect of the Members' Allowances Scheme (the Scheme) for 2022-23.

RECOMMENDED: That

- [1] the Members' Allowance Scheme for 2022-23 be approved by the Fire Authority.**

6 INDEPENDENT (NON-ELECTED) MEMBER - FURTHER TERM OF OFFICE

The Director of Governance and Commissioning introduced the report which enabled Members to decide whether to recommend a further term of office for independent (non-elected) member, Derek Barnett.

Members praised Derek's meeting attendance record and noted the additional work he undertook following the departure the other independent (non-elected) member.

A Member queried when the recruitment for the second independent (non-elected) member would begin. The Director of Governance and Commissioning explained he had consulted the Group Leaders, and that the intention was to await the publication of the White Paper on Fire Reform before determining whether to appoint a second independent (non-elected) member.

RECOMMENDED: That

- [1] a further term of office be agreed by the Fire Authority for Derek Barnett to act as an independent (non-elected) member.**

7 REVIEW OF COMPLIMENTS AND COMPLAINTS PROCEDURE

The Director of Governance and Commissioning introduced the report which provided Members with details of the recent review of the Compliments and Complaints Procedure. He advised that officers had conducted the review and they believed that no amendments to the current Procedure were necessary.

A Member expressed concern about persistent complainants and the impact that they could have. The Director of Governance and Commissioning assured Members that there were low numbers of complaints and that it would be very unusual for there to be a consistent complainant. A Member asked whether the procedure should include a level of Member involvement. The Director responded by saying that there were occasions when some Members were informed about a particular complaint, e.g. because it involved something in their area, but that they were not directly involved as part of the process for handling the complaint. That said, on occasion, complainants would write directly to one, or more (sometimes all) Members. Those kinds of complaints were normally handled with some Member input. Officers would consider whether the procedure could be improved with additional text about Member involvement. However, it may be that this would sit outside the procedure.

RESOLVED: that

- [1] the Compliments and Complaints procedure be approved.**