

CHESHIRE FIRE AUTHORITY

MEETING OF : **GOVERNANCE & CONSITUTION COMMITTEE**
DATE : **16 DECEMBER 2015**
REPORT OF : **HEAD OF LEGAL AND DEMOCRATIC**
SERVICES
AUTHOR : **ANDREW LEADBETTER**

SUBJECT: INDEPENDENT (NON-ELECTED) MEMBERS

Purpose of Report

1. To ask Members to determine how they wish to deal with the introduction of a term of office for independent (non-elected) members (IMs).

Recommended: That Members

- [1] review the information contained in the report and determine how they wish to proceed in relation to the introduction of a term of office for independent (non-elected) members.

Background

2. Under the old standards regime there was a requirement for independent members to be involved in standards committees (with one of them chairing the committee). There was also an obligation for the replacement of such members from time to time.
3. When the current arrangements were introduced in 2012 Members confirmed that they wished to retain the role of IMs who would act in an advisory capacity. Both the then Standards Committee and more recently the Independent Remuneration Panel (when it was considering Members' allowances) suggested that it was appropriate to assess whether IMs should serve a term of office.

Information

4. This report is predicated on the assumption that the Fire Authority wishes to continue to have IMs.
5. The current IMs have been involved with the Fire Authority for a considerable time:

Mr. Ravenscroft
Mr. Garner
Mr. McBride

appointed July 2001
appointed May 2002
appointed January 2010

6. The role of the IMs is not defined in detail in the Authority's Constitution. They are simply said to have an 'advisory role'. All three IMs sit on Governance and Constitution Committee and different IMs sit on Performance and Overview Committee and the Member Training and Development Group respectively. All IMs are invited to the Members' Planning Days. The IMs receive an allowance, currently £1,194.72.
7. There is no requirement to have IMs involved in the Fire Authority. Accordingly, there are no specific legal rights or obligations associated with the IMs, e.g. about their role and whether they should serve for a limited term.
8. There appear to be a number of questions that Members should consider:

Q1 Should a term of office be introduced for IMs?

The following comments might help inform Members' discussion:

Under the old standards regime there was concern that relationships might become too comfortable;

New IMs could provide a fresh perspective and may bring a different challenge;

It will take time for new IMs to gain a worthwhile understanding of the fire and rescue context;

Recruitment of new IMs will take time and it isn't guaranteed to deliver new IMs of the standard of the current IMs.

If Members believe that a term of office should be increased the following questions need to be considered:

Q2 What should the term be? Should the terms of the new IMs end on different dates?

Q3 Should the IMs be able to reapply at the end of a term? If so should there be a maximum term?

Q4 Should the terms of the existing IMs end on the same date? If not, which order should existing IMs be replaced?

9. The recruitment of new IMs would require an advert, person specification and application form. Thereafter, the applications would need to be considered by Members. The documents used when Mr. McBride was recruited are attached as Appendix 1 to this report. Whilst they require some updating, they appear to be a good starting point. It would seem appropriate to appoint a small group of Members to carry out the recruitment work on behalf of the Fire Authority.

Financial Implications

10. There is a small cost of having IMs. This is adequately covered in the budget.

Legal Implications

11. The involvement of IMs is not a legal requirement. The Fire Authority is required to uphold high standards and the role of IMs is associated with this and may provide members of the public with greater confidence about standards and decision making generally.

Equality and Diversity and Environmental Implications

12. There are no equality and diversity or environmental implications associated with this report.

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