



MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on 15 July 2015 at Fire Service HQ at 10:00 am.

PRESENT: Councillors S Wright (Chair), R Daniels, L Morgan, and R Polhill. (Cllr S Parker observing)

Independent members: Mr M McBride, Mr W Ravenscroft

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

A RECORDING OF MEETING

The Chair reminded Members that the meeting was being audio-recorded.

B CHAIR AND MEMBERSHIP OF COMMITTEE 2015/16

Members were asked to note the appointment of a Chair, Deputy Chair and membership of the Committee for 2015/2016, as agreed by the Fire Authority at its annual meeting on 17 June 2015 and listed below:

Councillors:

S Wright – Chair

M Biggin

R Daniels

D Marren

L Morgan

R Polhill – Deputy Chair

Substitute Members:

Cllr D Mahon

Cllr J Mercer

Cllr N Wright

Members were also reminded that Mr R Garner, Mr M McBride and Mr W Ravenscroft attend the Committee in a non-voting advisory capacity.

RESOLVED: That

[1] Membership of the Committee and appointment of Chair and Deputy Chair be noted.

C TERMS OF REFERENCE FOR GOVERNANCE AND CONSTITUTION COMMITTEE

RESOLVED: That

- [1] the Terms of Reference for the Governance and Constitution Committee be noted**

D APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Biggin and D Marren and Independent Member Mr R Garner.
Councillor S Parker attended the meeting at the request of Councillor Marren and observed.

E DECLARATION OF MEMBERS' INTERESTS

There were no declarations of Members' interests.

F MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE

RESOLVED: That

- [1] the minutes of the meeting of the Governance and Constitution Committee held on Wednesday 1st April 2015 be confirmed as a correct record.**

ITEMS REQUIRING DISCUSSION / DECISION

2 COMPLIMENTS AND COMPLAINTS – ANNUAL REPORT 2014-15

The Head of Legal and Democratic Services advised Members that this report provided information regarding Compliments and Complaints made about the Service during the period 1st April 2014 to 31st March 2015. He explained that this report was provided annually to this Committee in this well established format.

The Head of Legal and Democratic Services described the Service's two-tier approach to complaints, which aimed for all complaints to be resolved at initial contact allowing them to be classed as informal. He explained that in the majority of cases the complaint was resolved satisfactorily, however, if the complainant was not satisfied with the initial response provided they were asked to submit a formal complaint.

The Head of Legal and Democratic Services drew Members attention to Appendix 2 to the report which detailed the one recorded formal complaint for the period April 2014 – May 2015. He explained that the complaint related to the Service's rescue of an animal. He advised Members that it was not a statutory requirement for the Service to rescue animals.

RESOLVED: That

- [1] the information regarding Compliments and Complaints made during the period 1st April 2014 to 31st March 2015 be noted.**

3 SUMMARY OF MEMBERS ATTENDANCE JUNE 2014 – MAY 2015

The Head of Legal and Democratic Services advised Members that this report provided information about Member attendance. He explained that the Governance and Constitution Committee were responsible for monitoring Member attendance and to consider any action to be recommended to the Fire Authority.

The Head of Legal and Democratic Services referred Members to Appendix 1 of the report which summarised Member attendance in relation to the Fire Authority and the three main committees for the reporting period. He informed Members that, as previously requested by this Committee, additional information had been provided in Appendix 2 to the report, to more accurately reflected Members' commitment by including details of attendance at additional meetings, conferences and events.

He concluded by confirming that a number of the Members whose attendance had been reported no longer sat on the Fire Authority and that no issues needed to be pursued by this Committee.

Members agreed that the report reflected Members' commitment with the inclusion of information in relation to attendance at additional meetings, conferences and events and noted that if the Head of Legal and Democratic Services had any concerns with any Member's attendance that he would inform the relevant Group Leader.

RECOMMENDED: That

- [1] the summary of Member attendance at meetings of the Authority and its three main Committees for 2014-2015 be noted.**

4 DRAFT ANNUAL STATEMENT OF ASSURANCE 2014-15

The Head of Planning, Performance and Communications introduced this report which he explained allowed the Governance and Constitution Committee the opportunity to review the draft Annual Statement of Assurance 2014-15 prior to its presentation to the Fire Authority in September 2015. He provided Members with some background to this report and advised that one of the requirements of the Fire and Rescue National Framework for England (2012) was the publication of an Annual Statement of Assurance. He explained that the Framework stated that the Statement should provide assurance on financial, governance and operational matters. The Service had developed a streamlined process to

provide evidence of assurance in an open, transparent and easily accessible format. He advised Members that the 'Local Code of Corporate Governance Framework' already provided the Service with a simple structure for monitoring compliance and providing assurance under the six principles of the Code of Corporate Governance and it was decided by this Committee in November 2013 that the same process would be adopted for monitoring compliance with the National Framework requirements by adding a principle 7. He highlighted to Members Appendix 2 of the report which included a full review of evidence for the National Framework, detailed within principle 7 and the Local Code of Corporate Governance framework detailed within principles 1 – 6.

The Head of Planning, Performance and Communications summarised by confirming that the format of the Statement of Assurance document had been considered by the Service's internal auditors, Merseyside Internal Audit Agency (MIAA) who had confirmed that it remained fit for purpose.

A Member referred to the draft Statement of Assurance 2014-15 which was attached as Appendix 1 to the report. He queried the overall internal audit opinion where it mentioned '*some weaknesses*' and that '*recommendations for improvement have been made*' as to where these recommendations had been reported. The Head of Finance advised that the internal audit process was reported to the Performance and Overview Committee on a quarterly basis and included any recommendations highlighted from individual audits carried out. He confirmed that all reported recommendations were subsequently tracked by the Service on its planning system to ensure they were actioned within agreed timescales. Members requested that additional wording be included within the draft Annual Statement of Assurance to provide re-assurance to the overall internal opinion provided.

Members discussed the over the border mutual aid arrangements detailed within the draft Statement of Assurance and queried whether there was an arrangement with Lancashire as they would have expected it to be included within the list of neighbouring services. Members also queried the financial arrangements in place for the over the border mutual aid arrangements. The Head of Planning, Performance and Communications confirmed that the draft Statement of Assurance listed the current formal arrangements in place with neighbouring fire services and that the Service did regularly review incidents that Cheshire had attended over the border. He explained that, following the move of the control function to North West Fire Control, the improved mobilising system used identified the nearest appliance which would be sent to an incident. The Service was currently looking into the implications of this for stations being mobilised near borders to other counties. The Head of Finance confirmed that the formal agreements in place ensured that funds could be recovered for any incidents attended over the border, however, in many instances the net activity was assessed and recompensed accordingly. The Head of Planning, Performance and Communications highlighted that it was important that the formal arrangements were reviewed and the risks assessed in relation to the neighbouring fire and rescue services future plans for stations located near to the borders.

RESOLVED: That

- [1] the draft Annual Statement of Assurance 2014-15 be approved for presentation to the Fire Authority in September 2015, subject to:**
- (i) Additional wording being included under the heading 'Overall Internal Audit Opinion' to provide re-assurance that the recommendations for improvements are being acted upon and reported to Members.**

5 MEMBERS' ALLOWANCE SCHEME

The Head of Legal and Democratic Services introduced this report which sought Members' approval for the timing of the next review of the Fire Authority's Members' Allowance Scheme and to established Members' views in relation to the approach to the next review.

The Head of Legal and Democratic Services provided some background by advising Members that since 2003 the Fire Authority had been required to have a Members' Allowance Scheme following Regulations made by the Government. He explained that following the interim Scheme made in 2003 subsequent Schemes have been recommended by its Independent Remuneration Panel (IRP) which more recently had been formed by 'recruiting' a member from each of the independent remuneration panels of the four constituent authorities.

The Head of Legal and Democratic Services drew Members' attention to the table within the report which provided a view of the timing of the last review which was carried out by the Independent Remuneration Panel in 2013 and 2014. He suggested that, although the Regulations state that a recommendation from an independent panel should be sought every four years or earlier if changes are made in the Interim period, in his view the last review wasn't finalised and reported until February 2014 and was applied in full for 2014-15. He explained it therefore seemed premature to carry out a further review at this time.

The Head of Legal and Democratic Services also referred Members to Appendix 1 of the report which provided a brief summary of the Local Authorities (Members' Allowances)(England) Regulations 2013 and confirmed that a fire authority was not required to engage an Independent Remuneration Panel. He suggested that, given the level of work associated with operating an Independent remuneration panel, he felt it seemed sensible to consider whether to engage an Independent Remuneration Panel when the next review was required. Officers believed that there may be other options that were likely to be more efficient whilst still delivering a similar outcome. He asked Members to indicate whether they were comfortable with a review taking place without engaging an Independent Remuneration Panel.

Members agreed that the timing of the review could be delayed until 2016, however they felt an Independent Remuneration Panel provided Members with

assurance that the review was open and transparent. A member recalled that the last review by the Independent Remuneration Panel was very comprehensive and suggested that such a comprehensive approach would not be required at the next review but felt that an independent element should be retained.

Members agreed that they were satisfied with the officers' suggestion to consider alternatives to the engagement of an independent remuneration panel but with the assurance that an independent element to the review remain.

RESOLVED: That

- [1] a delay of the review of the Members' Allowance Scheme to 2016 (which would take effect 2017-18) be agreed; and**
- [2] alternatives to the engagement of an independent remuneration panel to carry out the next review be pursued by officers, ensuring an independent element is retained in any review.**