



MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on 28 January 2015 at Fire Service HQ at 10:00 am.

PRESENT: Councillors H Mundry (Chair), M Biggin, J Houlbrook, R Polhill and T Sherlock

Independent members: Mr R Garner, Mr W Ravenscroft

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

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

A APOLOGIES FOR ABSENCE

Apologies were received from Councillor B Livesley and independent member Mr M McBride.

B DECLARATION OF MEMBERS' INTERESTS

There were no declarations of Members' interests.

C MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE

RESOLVED: That

the minutes of the meeting of the Governance and Constitution Committee held on Wednesday 8th October 2014 be confirmed as a correct record.

ITEMS REQUIRING DISCUSSION / DECISION

2 PENSION BOARD – FIREFIGHTERS' PENSION SCHEMES

The Head of Legal and Democratic Services introduced this report which informed Members about the requirement to establish pension boards. He explained that reforms concerned with the governance of public service pension schemes were necessary as a result of the Public Service Pensions Act 2013. Resulting amendments to the Firefighters' Pension Scheme (England) Regulations 2014 (the Regulations) meant that a Scheme Manager, Pension Board and Scheme Advisory Board would become responsible for the administration of each public service pension. He advised Members that this report set out the proposed structure of a Pension Board for the firefighters'

pension schemes and sought Members approval to recommend the setting up of a Pension Board.

The Head of Legal and Democratic Services drew Members' attention to the first recommendation within the report that proposed the delegation of responsibility for the role of Scheme Manager to the Service's Head of People and Development. Members confirmed they were satisfied with this recommendation.

A member queried whether Cheshire's firefighters' pension scheme was managed and accounted for separately or if it was part of a larger pension scheme. The Head of Finance confirmed that it was a government scheme but it was managed locally and reported within the Fire Authority's final accounts.

Members asked whether they would be regularly notified by officers of any changes to pensions which were specific to the firefighters' pension scheme as it was felt this was very important for Members to keep up to date with any issues (e.g. fitness of firefighters) which were specific to the local pension scheme. The Head of Legal and Democratic Services confirmed that a report was being presented to the Fire Authority at its meeting in February in relation to firefighter's fitness and how the Service was addressing this locally.

The Head of Legal and Democratic Services referred to the second recommendation within the report which proposed that the Authority established its own Pension Board to assist the Scheme Manager in securing compliance with the Regulations. He drew Members' attention to the responsibilities of the Pension Board and the proposed membership which included two representatives for the employer and two representatives for pension members (e.g. a union official). He described the requirement of all members of the Pension Board to have the capacity and understanding to respectively represent the employer or pension members. He confirmed that training and development of Pension Board members would be essential and compulsory.

Members felt that it was not necessary to require the appointment of a union official as a representative for pension members and suggested that other pension members could be considered. Members felt they didn't wish to stipulate who the representatives for pension members should be and stated that this was a matter for the pension members to decide. However, they agreed that the unions should facilitate the appointments to the Board on the basis of individuals' skills and their ability to commit sufficient time to the role.

A member asked if any thought had been given to the training that the Service would need to provide to enable the members of the Pension Board to carry out their role effectively. The Head of Legal and Democratic Services explained that the extent and source of the training was still being considered as it was not yet clear how much work would be carried out by the Pension Board.

The Head of Legal and Democratic Services concluded by referring to the proposed creation of a new Member Champion role concerned with pensions, who would sit on the Pension Board as the Member representative.

Members confirmed that a Member Champion role appeared to be appropriate and that preference should be given to elected Members of the Fire Authority with experience in this area e.g. who may sit on pension boards, as any prior experience and knowledge would be useful in fulfilling this role.

RESOLVED: That the following recommendations to the Fire Authority be made

- [1] the responsibility for fulfilling the role of Scheme Manager be delegated to the Head of People and Development;**
- [2] a Pension Board be established to assist the Scheme Manager in securing compliance with the Firefighters' Pension Schemes' Regulations and association legislation and guidance, comprising of an elected Member and officer to represent the employer and two additional people to represent the pension members; and**
- [3] a new Member Champion role concerned with pensions be appointed by the Fire Authority, and be the elected Member sitting on the Pension Board.**

3 REVIEW OF ANTI - FRAUD AND CORRUPTION FRAMEWORK

The Head of Finance advised Members that the Authority's Anti-Fraud and Corruption Framework had not been reviewed for some time. He explained that this report included an updated Policy concerned with Anti-Fraud for Members' approval.

He advised Members that the Authority had agreed an Anti-Fraud and Corruption Framework in 2006 which was attached as Appendix 1 to the report. He reminded Members that this Committee had agreed an Anti-Bribery Policy at its meeting on 27th March 2013 and that the Bribery Act 2010 had repealed old law relating to corruption. He explained that the Anti-Bribery Policy would sit alongside the updated Anti-Fraud Policy.

The Head of Finance explained that the purpose of the revised Anti-Fraud Policy was to set out the main principles aimed at countering fraud and referred Members to Appendix 2 of the report which contained the proposed policy. He highlighted sections within the policy which included the definition of fraud and the policy and strategy statement.

He reminded Members that the Authority promoted a zero tolerance to any form of fraud with the provision of policies and procedures which Members and employees were required to comply with (e.g. codes of conduct and Financial Regulations).

RESOLVED: That

- [1] the attached Anti-Fraud Policy be approved.**

4 ETHICS IN INDUCTION

The Head of Legal and Democratic Services introduced this report which informed Members about the recent research which had been carried out by the Committee on Standards in Public Life (CSPL). He explained that the report asked Members to consider the induction and/or training arrangements for new Members of the Fire Authority in relation to ethics. He referred Members to the appendices attached to the report which provided further background information.

The Head of Legal and Democratic Services advised Members that there was an assumption that Members appointed to the Fire Authority had already received an induction and/or training about ethical issues from their respective constituent authorities. He asked the Committee if they felt the induction they received from the Service in relation to ethical issues was adequate.

Members asked the Head of Legal and Democratic Services to briefly explain what he viewed as ethical issues. He replied by referring Members to Appendix 2 of the report which provided examples such as codes of conduct, conflicts of interest and a range of standards issues. He asked the Committee if they felt it would be beneficial to circulate a questionnaire to gain the views of current Members about covering ethical issues on induction at the Fire Authority.

Members agreed that it would be useful to carry out a survey of Members to establish their views and also to find out how long ago they received their induction and/or any training in relation to ethical issues.

A member queried why this paper had not been submitted to the Member Training and Development Group for discussion as they were responsible for Members Induction and had received positive feedback for the Members induction process.

The Chair confirmed that once this Committee had reviewed the outcomes of the Members survey if ethical issues needed to be covered on induction this would be referred to the Member Training and Development Group for consideration.

RESOLVED: That

- [1] the content of the Ethics In Induction report be noted; and**
- [2] officers carry out local research into induction arrangements with a view to informing the Authority's approach to the induction of those Members newly appointed to the Authority.**

5 DISPENSATIONS

At this point in the meeting, Councillor Houlbrook declared a pecuniary interest in this agenda item.

The Head of Legal and Democratic Services explained that this report sought to extend dispensations, granted to all Fire Authority Members in February 2013, to allow Councillor J Houlbrook to take part in debates and votes upon the setting of the Council Tax precept and approval of the Members Allowance Scheme.

RESOLVED: That

- [1] the dispensations granted to Fire Authority Members on 8th February 2013 be extended to include Councillor Jill Houlbrook to allow her to take part in the 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.)**