



**MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on 30 March 2016 at Fire Service HQ at 1.00pm.**

**PRESENT:** Councillors S Wright (Chair), M Biggin, R Daniels, D Marren, L Morgan, and R Polhill.

Independent members: Mr R Garner, Mr M McBride and 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 APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**C DECLARATION OF MEMBERS' INTERESTS**

The independent members declared an interest in Item 4 on the agenda – Update on Recruitment of Independent (non-elected) Members and agreed to leave the meeting when this item was discussed.

**D MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE**

**RESOLVED: That**

**[1] the minutes of the meeting of the Governance and Constitution Committee held on Wednesday 16<sup>th</sup> December 2015 be confirmed as a correct record.**

It was noted that the meeting scheduled for 3<sup>rd</sup> February 2016 was cancelled.

**ITEMS REQUIRING DISCUSSION / DECISION**

**2 PREPARATION OF STATEMENT OF ASSURANCE 2015-16**

The Head of Planning, Performance and Communications explained that this report reminded Members of the details of the timelines and process for the development and preparation of the Statement of Assurance 2015-16.

The Head of Planning, Performance and Communications provided some background to the report, explaining that one of the requirements of the Fire and Rescue National Framework for England (2012) was the publication of an Annual Statement of Assurance which provided assurance on financial, governance and operational matters. He advised that the Statement of Assurance brought this information together into a 'single annual document' which was accessible and easily understood. Additionally, he reminded Members that, in 2013, the Committee had approved a refreshed 'Local Code of Corporate Governance Framework' which provided a simple structure for monitoring compliance and assurance using six principles. He confirmed that the same process had been adopted for monitoring compliance with the Fire and Rescue National Framework requirements and was presented within the local code as principle seven.

He drew Members attention to the Appendix to the report which detailed Principles 1 – 7 from the local code and confirmed that the process for evaluating and reviewing the principles and providing evidence had commenced and the key steps and timelines for the development and production of the Statement of Assurance 2015-16 were detailed within the report. He explained that, prior to the presentation of the Statement of Assurance 2015-16 to the Closure of Accounts Committee in June 2016, a draft copy could be provided for Members of this Committee for consideration and comment, if Members indicated they wished to receive it.

The Head of Planning, Performance and Communications concluded by advising Members that following formal sign-off of the Statement of Assurance 2015-16 by the Fire Authority at its meeting in September 2016, it would be published on the Service's website as a key document for members of the public to access.

Members queried how often this information was accessed by members of the public via the website. The Head of Planning, Performance and Communications confirmed that it was not one of the most frequently accessed page on the website, however the information and links were on occasion used to respond to freedom of information requests.

A member referred to principle 5 of the local code and commented that the high standard of member development provided should be reflected within the evidence detailed for this principle.

**RESOLVED: That**

- [1] the timelines and process for the preparation of the Statement of Assurance be noted; and**
- [2] a copy of the draft Statement of Assurance be received by Members of the Governance and Constitution Committee for consideration and comment before it is presented to the Closure of Accounts Committee in June.**

### 3 REVIEW OF FINANCIAL REGULATIONS

The Head of Finance advised Members that the Authority's Financial Regulations (the Regulations) were reviewed on an annual basis and this report detailed the proposed changes/additions to the Regulations for the Committee's consideration.

The Head of Finance referred Members to Appendix 1 of the report which contained a copy of the Regulations with the proposed changes highlighted in red. He summarised the proposed changes as follows:

- Reference to Budget Management Board meetings had been removed as consideration of all significant financial matters now took place as part of the Service Management Team meetings
- Reference to temporary in-year virements which were reported to the Performance and Overview Committee and upon which the Authority's revised budget were based had been included
- Overspending on capital schemes would need approval if it reached 10% of the approved sum or £100k (whichever was the lower) – an increase from 10% / £50k

The Head of Finance reassured Members that the financial position on all capital projects was reported to Performance and Overview Committee on a quarterly basis so Members would be fully aware of any overspends which might occur and how officers were dealing with them. He concluded that the Regulations required a comprehensive refresh to bring them in line with the latest opinions about best practice. Careful consideration was also required in future so that the Regulations reflected the impact of Blue Light Collaboration, as services would be delivered differently. As a consequence a completely refreshed version would need to be considered by this Committee and subsequently approved by the Fire Authority in due course.

A Member queried whether the temporary in-year virement was necessary as any overspend or underspend was reported quarterly to the Performance and Overview Committee and this did not result in an increase in the budgeted expenditure overall. The Head of Finance advised that the reference to temporary in-year virements within the Regulations was intended to make a clear distinction that it was not a permanent virement taking place in year.

Members discussed the increase to 10% or £100k for funding a project which was overspent and agreed that a certain amount of flexibility was required for officers. Reporting of overspends in capital programmes to Members of the Performance and Overview Committee on a quarterly basis was important to provide clarity.

#### **RECOMMENDED: That**

- [1] the proposed changes/additions to the Financial Regulations be submitted to the Fire Authority for approval.**

#### **4 UPDATE ON RECRUITMENT OF INDEPENDENT (NON-ELECTED) MEMBERS**

The independent members left the meeting, following their declaration of an interest in this agenda item.

The Democratic Services Manager introduced this report which provided Members with an update on the recruitment process and proposed timelines in respect of the independent (non-elected) members (IMs) to ensure that appointments were made in time for the annual meeting of the Fire Authority in June 2016.

The Democratic Services Manager referred Members to their previous meeting on 16<sup>th</sup> December 2015 where it was agreed that a term of office for IMs of 4 years be introduced and the numbers of IMs appointed be reduced from 3 to 2. She explained that following the Committee's decision for a small working group of Committee Members to be set up to progress the recruitment process, the group had met on 29<sup>th</sup> February and had reviewed the recruitment documents required and agreed timelines for the process.

She drew Members attention to Appendix 1 to the report which included an Independent (non-elected) Member Person Specification which she explained had been discussed by the group. The role involved being a 'critical friend'. Additionally she advised that within the eligibility criteria a requirement had been added in relation to declaring criminal convictions. A Member had also asked that there be a requirement in relation to bankruptcy: 'the applicant must not be disqualified as a company director'. The Democratic Services Manager confirmed that this would be added.

The Democratic Services Manager summarised the other areas discussed by the group which included no change to the remuneration as this would be reviewed as part of the Members Allowance Scheme annually and would be included in the next comprehensive review of allowances which was due to commence in Autumn 2016. She concluded by drawing Members attention to the timelines for the recruitment process to ensure the new appointments took place at the annual meeting of the Fire Authority in June 2016.

A Member noted the progress made at the small working group meeting and agreed that all items discussed were comprehensively reflected within the report presented to the Committee.

#### **RESOLVED: That**

- [1] the information contained in the report be noted.**