



MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on 2 April 2014 at Fire Service HQ at 10:00 am.

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

Independent Members: Mr R Garner, Mr M McBride and Mr W Ravenscroft

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

A APOLOGIES FOR ABSENCE

There were no apologies for absence.

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 Thursday 27 February 2014 be confirmed as a correct record.

ITEMS REQUIRING DISCUSSION / DECISION

2 LOCAL CODE OF CORPORATE GOVERNANCE ACTION PLAN

The Head of Planning, Performance and Communications presented this report which provided Members with an update on the areas identified as non-compliant in the Service's Local Code of Corporate Governance Action Plan. He reminded Members that, at the meeting in November 2013, they were presented with a refreshed Local Code of Corporate Governance which was approved. Members also agreed that this Committee would receive an update on progress against the action plan twice a year.

He drew Members attention to the Local Code of Corporate Governance Action Plan which was attached as an appendix to this report. He summarised the progress that had been made in each of the identified areas. He highlighted action 1473 which he advised would be compliant by August 2014 as the target

date had been reforecast due to the post of Environmental Officer being vacant for some considerable time. However, he advised that an Environmental, Energy and Engineering Officer had recently been appointed and would review how the environmental aspects were considered by the Service in all its activities to ensure they were consistent.

The Head of Planning, Performance and Communications concluded by explaining that the evidence aligned to each of the six core principles within the Local Code of Corporate Governance would be made available on the Service's website to improve transparency and information available to the public.

A member queried whether the revised 40% carbon reduction target detailed in the action plan was an increased target in comparison to the previous target. The Head of Planning, Performance and Communications responded that the revised target of 40% by 2020 was not comparable to previous targets but he assured Members that the target set was challenging and had been aligned to other organisations. He informed Members that the Service was considering the replacement of the existing boiler at Headquarters with a biomass boiler which would go some way towards the achievement of this target.

Members referred to how the Service evidenced compliance against the Local Code of Corporate Governance and commented that this Committee would require more information to be provided at a future meeting to give them the opportunity to assess compliance. The Head of Planning, Performance and Communications confirmed that this evidence would be presented to the Committee as part of the Statement of Assurance process later this year. He highlighted that some areas of the evidence were operationally sensitive and would need to be summarised when providing Members with greater levels of assurance in relation to operational matters.

RESOLVED: That

- [1] the Local Code of Corporate Governance Action Plan progress report be noted**

3 SCHEME OF DELEGATION UPDATE AND UNITARY PERFORMANCE GROUPS

The Head of Legal and Democratic Services reminded Members that, at the last meeting of this Committee, they accepted the suggested approach to the preparation of the revised Scheme of Delegation, with an interim version to be produced for approval initially and a more developed version to be submitted at a later date.

He advised Members that this report provided an update on progress made since the last meeting on the redrafting of the Scheme of Delegation and the latest version was attached to the report as an appendix. The Head of Legal and Democratic Services handed out a refreshed version of the Scheme of Delegation to the Committee and explained that he had removed all references to generic responsibilities within each of the specific officers roles and instead grouped them as a general list of responsibilities under sub headings (e.g.

financial responsibilities, human resourcing responsibilities etc.) at the end of the document.

Members were asked to approve the interim Scheme whilst noting that work would continue with a final cross reference of statutory and job responsibilities for the roles detailed in the Scheme prior to submission to the Fire Authority for approval.

Members discussed the information provided and a number of comments were made in respect of the revised Scheme. The following comments were noted:

- Could the Scheme be more explicit about the boundaries of the roles of officers and Members particularly in relation to operational matters?
- Reference was made within the original Scheme to Emergency Response and a set of responsibilities. It was queried whether this was reflected in the revised Scheme.
- In order for the Scheme to be accessible and meaningful it was important that it could be changed without too much bureaucracy. Feedback from officers and Members should be encouraged.
- Responsibilities for human resourcing appeared a little confusing with reference to HR set against various officers.
- A number of formatting and general amendments were highlighted which needed to be considered once the final version was completed.

The Head of Legal and Democratic Services noted all the comments and confirmed the following:

- He would take a further look at the distinction between officer and Member decisions. However, the Scheme needed to be read in relation to the responsibilities of the Members' Decision Making Bodies.
- Reference to Emergency Response in the existing Scheme had been replaced with the Service Delivery section in the new Scheme.
- Reference to human resources responsibilities needed to be reviewed to ensure that it was sufficiently clear. However, with the Chief having ultimate responsibility, the Head of People and Development being the lead on policies and procedures and senior officers being responsible for acting in accordance with the budget and relevant policies and procedures, it probably did work in its current format.

Members noted the improvements made to the interim Scheme and agreed that further improvements were required.

The Head of Legal and Democratic Services drew Members attention to the second part of the report which detailed the terms of reference and

arrangements for the operation of the Unitary Performance Groups (UPGs) which this Committee had provided guidance on. Following the last meeting, details about the governance issues had been circulated to key Members and it was felt from the comments received that a full debate was required by Members before changes could be reported to the Fire Authority. The Head of Legal and Democratic Services proposed that a change be made to the existing wording, to reflect the reality of the current situation, until a full debate had been held with all Members to enable the arrangements for the operation of the UPGs to be progressed to a satisfactory conclusion.

He concluded by advising Members that consideration was required in relation to the transparency of the structure of these meetings which may vary across the four unitary areas.

Members discussed the existing structure of the UPG meetings and felt they were beneficial for discussing local initiatives. They were keen not to overcomplicate the structure of the meetings which could have an adverse effect on the practical benefits, mainly in relation to addressing operational issues at a local level. The Head of Legal and Democratic Services was keen to reassure Members that it was not the intention to limit the powers and resources of the UPGs but to gain more clarity around how they operated.

The Head of Planning, Performance and Communications concluded by explaining that public involvement could be incorporated into these meetings without restricting the powers of the UPGs and that he would be presenting some ideas at the Members Planning Day in July for further discussion and consideration by Members.

Members confirmed that they were happy with this approach and agreed that further discussion should take place in July to address any legal requirements without limiting the effectiveness of the UPGs.

RESOLVED: That

- [1] the Head of Legal and Democratic Services be authorised to make further drafting amendments and improvements to the interim Scheme of Delegation, taking into account guidance provided by the Committee, prior to submission to the Fire Authority for approval; and**

RECOMMENDED: That

- [2] the updated wording relating to Unitary Performance Groups be approved for submission to the Fire Authority.**