



**MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on 26 September 2012 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 3 August 2012, be confirmed as a correct record.**

**MATTERS ARISING:**

The Monitoring Officer advised Members that Councillors Mundry, Biggin and Leather would be meeting on the rise of this Committee meeting, to discuss the applications received for the appointment of the Independent Persons.

**ITEMS REQUIRING DISCUSSION / DECISION**

**2 DRAFT REVISED MEMBERS' CODE OF CONDUCT**

The Head of Legal and Democratic Services introduced this report which included a draft of a revised Members' Code of Conduct. This provided Members with the opportunity to comment and debate the content and format prior to the revised Code being presented to the Fire Authority at their meeting in December 2012.

He provided Members with two handouts, which gave examples of differing approaches that had been taken by other Authorities. He explained he felt it was important that Members viewed the differing approaches and took some time to consider them. They included a 'light touch' approach and a lengthier approach which seemed to have 'bolted' the old and new standards regimes together.

The Head of Legal and Democratic Services explained he had considered that it was important that the Code was proportionate, clear and complied with the law.

Members discussed the differing approaches, in addition to the proposed version, and they requested clarification on the process for dispensations, which was explained by the Head of Legal and Democratic Services.

It was also suggested that when a Member declared a Disclosable Pecuniary Interest, that the time allowed for a short statement to be made at the beginning of the agenda not be specified (it was proposed that the time be no longer than three minutes), and be at the Chair's discretion. The wording regarding the declaration by Members was also discussed and changes suggested.

It was felt that the proposed version was well drafted and satisfactory, subject to the minor changes being incorporated, and this should be the approach taken by the Service, and be reviewed after 12 months.

Members felt that the proposed content of the new Code should be provided to all Fire Authority Members, possibly as a briefing session as part of a Planning Day, with any significant differences between the Service's and the Constituent Authority Codes being highlighted. It would be the responsibility of each Member to ensure they fully understood the new Code and additional training would be available, if required. It was agreed that the new Code should be incorporated as a mandatory element of the induction training programme delivered to all new Members of the Fire Authority.

Members discussed the availability of the new Code once finalised. It was suggested it be produced in a leaflet or booklet style, with the addition of some examples/scenarios added for Members reference. Additionally an electronic copy should be made available on the Service's Internet for members of the public to access for transparency, and as part of the proposed new Members' page on the Intranet.

**RESOLVED: That**

- [1] the Head of Legal and Democratic Services finalise the revised Members' Code of Conduct to present to the Fire Authority taking into account the issues raised by the Committee.**

### **3 COMPLIMENTS, COMPLAINTS AND COMMENTS – ANNUAL REPORT 2011 - 12**

The Head of Legal and Democratic Services introduced this report which provided Members with statistics related to Compliments, Complaints and Comments made to the Authority for the period 1<sup>st</sup> April 2011 to 31<sup>st</sup> March 2012. He advised that not all the complaints detailed were directly about the Service, but had been received and logged as part of the Service's standard procedures.

Members commented that it was pleasing to review the compliments received, although it was noted that the majority of compliments reported were from South Cheshire rather than North Cheshire.

#### **RESOLVED: That**

- [1] the information be noted regarding Compliments, Complaints and Comments for the period 1<sup>st</sup> April 2011 to 31<sup>st</sup> March 2012.**

### **4 SUMMARY OF MEMBERS ATTENDANCE JUNE 2011 – MAY 2012**

The Head of Legal and Democratic Services introduced this report which provided a summary of Members' attendance at meetings of the Fire Authority, Policy, Governance and Constitution and Performance and Overview Committees from June 2011 to May 2012.

He advised that it had been agreed at a previous meeting of the Standards Committee held in April 2008, that an acceptable attendance figure was deemed to be 70%, and this had been achieved.

Members looked at how the report could be improved and a number of suggestions were made, such as whether the number of other meetings attended on behalf of the Service should be included, and whether to include the reasons for absence.

It was agreed that a different approach for reporting attendance should be considered for future reports, to ensure that the attendance levels reported provided a fair view of the commitment of Members.

To illustrate this point Councillor Biggin stated that he was required to attend the highest number of Authority Committee meetings for this period, as well as attending the Fire Commission and Fire Service Management Committee meetings on behalf of the Service.

#### **RESOLVED: That**

- [1] the summary of Members attendance at meetings of the Authority and its three main Committees for 2011 – 2012 be noted, and as the acceptable standard had been met no further action was necessary.**