

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY		
DATE:	13 JUNE 2017	REPORT NO:	CFO/032/17
PRESENTING OFFICER	MONITORING OFFICER		
RESPONSIBLE OFFICER:	JANET HENSHAW	REPORT AUTHOR:	JANET HENSHAW
OFFICERS CONSULTED:	HEAD OF PROCUREMENT; TREASURER, CHIEF FIRE OFFICER		
TITLE OF REPORT:	MERSEYSIDE FIRE AND RESCUE AUTHORITY CONSTITUTION 2017/18		

APPENDICES:	APPENDIX A: MFRA CONSTITUTION
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Purpose of Report

1. To request that Members approve the draft amended Constitution for Merseyside Fire and Rescue Authority (the Authority) for 2017/18.

Recommendation

2. That Members;
 - a Approve the draft amended Constitution for 2017/18 and;
 - b Instruct the Monitoring Officer to the Authority to keep the Constitution under review and;
 - c in the light of any changes in legislation to bring a further report to the Authority in these circumstances

Introduction and Background

3. Members are aware that the Authority is required to have Standing Orders in place in relation to committee procedures, contracts and financial regulations under the Local Government Acts 1972, 1985, 1989 and 2000 as well as the Localism Act 2011.
4. Members will also be aware that guidance and Codes of Practice in relation to the Local Government Act 2000 require this document to be contained within one overall Constitution so that this can be easily accessed by the general public.
5. The Authority's Constitution contains a Summary and Information section, an Introduction, Terms of Reference for all the Authority's committees and sub Committees, Procedural Standing Orders, Contract Standing Orders and Financial Regulations. Local and National Protocols and Codes relevant to

Members are also included.

6. The draft now presented for approval by Members proposes the following amendments.

7. **Part 1 and Part 2**

Parts 1 and 2 of the Constitution relate to introductory issues and no substantial changes have been made to these Parts.

8. **Part 3**

Part 3 relates to the roles of Chairs and Members' rights and duties, the functions of each Committee; the Scheme of Delegation and terms of Reference for the proposed Committee structure.

No substantial changes have been made to this Part.

9. **Part 4**

- i) Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.
- ii) No significant changes have been made to the Financial Procedure Rules.
- iii) The Procedural Standing Orders have been reviewed and some minor typographical changes have been made along with confirming the number of local electors who may bring a petition to the Authority.
- iv) Contract Standing Orders have been amended to reflect revised higher thresholds and inclusion of Selection Questionnaire, which is a new process mandated by CCS and is already integrated into the procurement processes bringing the Authority's CSO's up to date.

Thresholds are increased as follows:

All goods, works and services: Officers will be responsible for ensuring best value for contracts under £9,999 (from £5,999 in 16/17)

All goods, works and services: 2 quotes will be required for contracts from £10,000 - £49,999 (previously £6,000 - £29,999)

Goods & services subject to UK tender are now for contracts between £50,000 and £164,175 (Previously £30,000 - £164,175)

Works subject to UK tender are now for contracts between £50,000 and £4,104,393 (previously £30,000 - £4,104,393)

10. These increases should positively impact on all departments' available resources as a relatively disproportionate amount of time is spent on low value tenders where time could be better spent on higher value, high risk projects.
11. The procurement team will need to continue to review the requisitions that come through for anything over £10,000 and will continue to put contracts in place where appropriate.

Part 5

12. Part 5 consists of Codes and Protocols, which includes the Members Code of Conduct and the Members' Allowance Scheme. The Officer and Member Relations Protocol has been reviewed. Members and Officers are encouraged to read this document carefully.
13. There are separate papers on the Agenda for this AGM dealing with the Members Allowance Scheme for 2016/17.
14. In order to save printing costs electronic copies are provided to Members of the draft document. One copy will also be provided in each Group room prior to the AGM.
15. Should the draft changes be approved they will be incorporated into the Constitution and copies of amended pages will be provided to each Member for incorporation into the bound copy of the Constitution which has already been provided to Members. The revised document will also be published on the Authority's website and the internal Portal.

Equality and Diversity Implications

16. The terms of reference for every Committee contain duties for Members to consider the Authority's public equality duties as part of their decision making.

Staff Implications

17. There are no direct staffing implications contained within this report.

Legal Implications

18. The Constitution and its constituent parts are required by Local Government legislation.

Financial Implications & Value for Money

19. The Authority through its Committees must consider the financial implications of decisions and the Constitution reflects this.

Risk Management, Health & Safety, and Environmental Implications

20. The terms of reference for every Committee contain duties for Members to consider the Authority's Health, Safety and Environmental duties as part of their decision making - in order to support its mission to create Safer, Stronger Communities and Safe Effective Firefighters".

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

21. The Constitution provides a transparent mechanism to ensure that the communities of Merseyside can have full confidence in the decision making processes of this Authority.

BACKGROUND PAPERS

NONE

GLOSSARY OF TERMS

- MFRA** Merseyside Fire and Rescue Authority is the physical and legal entity. When writing reports MFRA is the "object".
- MFRS** Merseyside Fire and Rescue Service is the service provided by MFRA. When writing reports MFRS is the "action"
- E.G.** You are employed by the Authority (MFRA). The job you do forms part of the Service (MFRS) provided by the Authority (MFRA). If in doubt use MFRA.