

MERSEYSIDE FIRE & RESCUE AUTHORITY

MEETING OF THE:	ANNUAL GENERAL MEETING		
DATE:	13 TH JUNE 2019	REPORT NO:	CFO/034/19
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 & RESCUE AUTHORITY CONSTITUTION 2019/20		

APPENDICES: APPENDIX A: MFRA CONSTITUTION

Purpose of Report

1. To request that Members approve the draft amended Constitution for Merseyside Fire and Rescue Authority (the Authority) for 2019/20.

Recommendation

2. That Members;
 - a) approve the draft amended Constitution for 2019/20 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.
 - d) note the Member/Officer Protocol, which forms part of the Constitution

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

- 8.1 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.

- 8.2. The only changes to this Part is to some terms of reference where these are concerned with changes in legislation or already covered by the Scheme of Delegation along with some changes to the Scrutiny Committee which will continue to have nine Members as well as an independent member. It is now proposed to have two Scrutiny Lead Members. The Integrated Risk Management Plan (IRMP) will continue to form the basis of scrutiny activity however it is recommended that the Committee follows a forward work plan which would incorporate some Rapid Reviews.

- 8.4. The Audit Committee will comprise 5 Members and continue to include responsibility for Members' standards matters.

9. Part 4

- i) Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.
 - ii) Some minor 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.
 - iv) Contract Standing Orders have been amended to reflect revised exemption procedures in the case of National Resilience.
10. This change to exemptions should positively impact on available resources as National Resilience training is low spend and current procedures do not reflect this.

Part 5

11. 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.
12. The revised Protocol for Reporting at Meetings, which was approved by the Authority in October 2018 is now attached to the Constitution.
13. All Service Instructions relating to the use of ICT are listed in the ICT Acceptable Use Policy. These Service Instructions include use of social media and acceptable ESafety and should be read carefully. If Members require hard copies of any of these Service Instructions, they can be supplied.
14. There are separate papers on the Agenda for this AGM dealing with the Members Allowance Scheme.
15. In order to save printing costs electronic copies are provided to Members of the draft document. One copy will also be provided in each Political Group prior to the AGM.
16. 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

17. 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

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

Legal Implications

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

Financial Implications & Value for Money

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

Risk Management, Health & Safety, and Environmental Implications

21. 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*

22. 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