

MERSEYSIDE FIRE & RESCUE AUTHORITY

MEETING OF THE:	ANNUAL GENERAL MEETING		
DATE:	11TH JUNE 2020	REPORT NO:	CFO/032/20
PRESENTING OFFICER	ACTING MONITORING OFFICER		
RESPONSIBLE OFFICER:	RIA GROVES	REPORT AUTHOR:	RIA GROVES
OFFICERS CONSULTED:	STRATEGIC LEADERSHIP TEAM		
TITLE OF REPORT:	MERSEYSIDE FIRE & RESCUE AUTHORITY'S CONSTITUTION 2020/21		

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 2020/21.

Recommendation

2. That Members;
 - a) approve the draft amended Constitution for 2020/21 and;
 - b) instruct the Acting Monitoring Officer to the Authority to keep the Constitution under review and;
 - c) in the event of any relevant 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, Rapid Reviews, 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.

8.3. Members will recall that on 4th January 2020 an Urgency Committee approved a change to the Audit Committees terms of reference to incorporate the committee as the Investigating and Disciplinary (IDC) in respect of Relevant Officers.

8.4. The Audit Committee comprises of 5 Members and will continue to include responsibility for Members' standards matters as well as acts as the IDC as appropriate. The Terms of Reference have been amended to reflect as such.

9. Part 4

i) Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.

ii) No 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 the incorporation of the amendment to standing orders and procedure rules for remote meetings are appended to the Constitution to reflect the changes in legislation.

iv) No changes have been made to the Contract Standing Orders.

Part 5

10. 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.

11. The Social Media Service Instruction and the ICT Acceptable Use Policy are both are appended to the Constitution and should be read carefully by Members.

12. There are separate papers on the Agenda for this AGM dealing with the Members Allowance Scheme.
13. In order to save printing costs electronic copies are provided to Members of the draft document.
14. 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

15. 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

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

Legal Implications

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

Financial Implications & Value for Money

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

Risk Management, Health & Safety, and Environmental Implications

19. 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*

20. 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