

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY (ANNUAL GENERAL MEETING)		
DATE:	8 JUNE 2023	REPORT NO:	CFO/030/23
PRESENTING OFFICER	RIA GROVES, MONITORING OFFICER		
RESPONSIBLE OFFICER:	RIA GROVES	REPORT AUTHOR:	SHAUNA HEALEY
OFFICERS CONSULTED:	IAN CUMMINS, HYWYN PRITCHARD		
TITLE OF REPORT:	MFRA CONSTITUTION 23/24		

APPENDICES:	APPENDIX A: CONSTITUTION 23/24
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Purpose of Report

1. To request that Members approve the draft amended Constitution for Merseyside Fire and Rescue Authority for 2023/24.

Recommendation

2. It is recommended that Members;
 - a) approve the draft amended Constitution for 2023/24
 - b) instruct the 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.

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, 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.

Part 1 and Part 2

7. Parts 1 and 2 of the Constitution relate to introductory issues and only minimal changes have been made to these Parts namely typographical.

Part 3

8. 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. It is proposed to increase delegated powers in respect of an action constituting the grant of an exemption under Contract Standing Orders, or the award of a Contract with the value of up to and including £300,000, which is an increase from £250,000 to reflect an increase in costs over a period of time and more recently, inflation. Within the Scrutiny Committee, the use of Rapid Reviews has been replaced with Task and Finish Groups to encourage more in depth scrutiny.

Part 4

9. Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.
 - i) No substantial changes have been made to the Financial Procedure Rules; and
 - ii) The Procedural Standing Orders have been reviewed and the minimum threshold for the requirement of two quotes for some goods, services and works has increased from £10,000 to £12,000 (excluding VAT) to reflect the impact of inflation.

Part 5

10. Part 5 consists of Codes and Protocols, which includes the Members Code of Conduct and the Members' Allowance Scheme.
11. The Officer and Member Relations Protocol has been reviewed. Members and Officers are encouraged to read this document carefully.
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 the committees 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.

Contribution to Our Vision: *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

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

MFRS Merseyside Fire and Rescue Service.