

| <b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b> |                                                                            |                       |                                       |
|---------------------------------------------|----------------------------------------------------------------------------|-----------------------|---------------------------------------|
| <b>MEETING OF THE:</b>                      | <b>AUTHORITY (ANNUAL GENERAL MEETING)</b>                                  |                       |                                       |
| <b>DATE:</b>                                | <b>12 JUNE 2025</b>                                                        | <b>REPORT NO:</b>     | <b>MO/10/2526</b>                     |
| <b>PRESENTING OFFICER</b>                   | <b>MONITORING OFFICER, RIA GROVES</b>                                      |                       |                                       |
| <b>RESPONSIBLE OFFICER:</b>                 | <b>MONITORING OFFICER, RIA GROVES</b>                                      | <b>REPORT AUTHOR:</b> | <b>MONITORING OFFICER, RIA GROVES</b> |
| <b>OFFICERS CONSULTED:</b>                  | <b>STRATEGIC LEADERSHIP TEAM, DIRECTOR OF FINANCE, HEAD OF PROCUREMENT</b> |                       |                                       |
| <b>TITLE OF REPORT:</b>                     | <b>MFRA CONSTITUTION 25/26</b>                                             |                       |                                       |

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| <b>APPENDICES:</b> | <b>APPENDIX A: CONSTITUTION 2025/26</b> |
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### **Purpose of Report**

1. To request that Members approve the draft amended Constitution for Merseyside Fire and Rescue Authority for 2025/26.

### **Recommendation**

2. It is recommended that Members;
  - a) approve the draft amended Constitution for 2025/26;
  - 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. Only minimal changes have been made to this Part, namely updating the correct references to documents (for example Community Risk Management Plan) and the Task and Finish group which can be convened by the Scrutiny Committee. It is proposed that no changes are required to the scheme of delegation or terms of reference to the committees.

#### Part 4

9. Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.
10. No substantial changes have been made to the Contract Standing Orders further to the amendments reported to the Authority on the 27<sup>th</sup> February 2025 following the introduction of the Procurement Act 2023. A clarification has been added within the governance arrangements for Officers to remain compliant with the Contract Standing Orders under 2.5.7 and the pre-requisites for provision of purchase orders.

#### Part 5

11. Part 5 consists of Codes and Protocols, which includes the Members Code of Conduct and the Members' Allowance Scheme.
12. 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.
14. In order to save printing costs electronic copies are provided to Members of the draft document.
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.

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### **Equality and Diversity Implications**

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16. 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.

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### **Staff Implications**

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17. There are no staffing implications arising from this report.

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### **Legal Implications**

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

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### **Financial Implications & Value for Money**

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

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### **Risk Management and Health & Safety Implications**

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20. The terms of reference for every Committee contain duties for Members to consider the Authority's health and safety duties as part of their decision-making.

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### **Environmental Implications**

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21. The terms of reference for every Committee contain duties for Members to consider the Authority's environmental duties as part of their decision-making.

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**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.*

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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.

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### **BACKGROUND PAPERS**

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NONE

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### **GLOSSARY OF TERMS**

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NONE