



**Safest People, Safest Places**

## **Combined Fire Authority**

**24 July 2020**

### **Review of the Constitution**

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## **Report of the Chief Fire Officer and Clerk to the Authority**

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### **Purpose of Report**

1. The purpose of this report is to seek approval for proposed amendments to the Authority's Constitution.

### **Background**

2. In preparation for the Authority's Annual General Meeting (AGM) a thorough review of the Constitution has taken place. The review has resulted in a number of proposed amendments being put forward. These amendments reflect some of the structural changes that have taken place in the Service since the last full review was undertaken in 2018 and also take account of some legislative changes that affect the publication of documents. A copy of the draft Constitution is attached as Appendix A.

### **Suggested Amendments**

3. There are numerous minor proposed amendments such as replacing 'Assistant Chief Fire Officer' with 'Deputy Chief Fire Officer' where appropriate and Brigade Managers with Principal Officers. There are also some formatting improvements.
4. The more substantive amendments include:
  - Formatting to ensure the Constitution is compliant with accessibility laws.
  - Changing the terminology to be gender neutral.

- Section 3 - changing the Salary Review Group to show that the Chair not the Clerk is to chair the meeting.
- Section 5 - adding the Fire Officers Association to be included as a member of the Joint Consultative Committee.
- Section 6 – adding that the Local Pension Board term of office is to be longer than 12 months where possible and that it is to meet four times per year, which is changed from the previous minimum of twice.
- Section 7 – Scheme of Delegation to The Chief Fire Officer to be updated to include at subsection 3.3: ‘to authorise severance packages up to a limit of £100,000 in consultation with the Treasurer.’ This limit is derived from paragraph 13 of the MHCLG supplementary guidance issued under section 40 of the Localism Act 2011 which reads:

“Taken together, these measures enable greater scrutiny of the money spent by authorities on severance. However, given continuing public concern about the level and frequency of such payments, there is a case for going further to ensure that decisions to spend local taxpayers’ money on large pay-offs are subject to appropriate levels of accountability. Authorities should, therefore, offer full council (or a meeting of members in the case of fire authorities) the opportunity to vote before large severance packages beyond a particular threshold are approved for staff leaving the organisation. As with salaries on appointment, the Secretary of State considers that £100,000 is the right level for that threshold to be set.”

Individuals aged over 55 who are made redundant are eligible to receive their pension benefits unreduced under the terms of the LGPS. The cost of early access to pension which is payable by the Authority to the Pension Fund is often considerable, particularly where the individual has long service. As this cost is included in the overall severance package cost it counts towards the £100K limit.

## **Recommendations**

5. The Authority is requested to:
  - (a) note the contents of the report and the suggested amendments to the Constitution.
  - (b) approve the amended Constitution as outlined at Appendix A.

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