



Safest People, Safest Places

Combined Fire Authority

10 June 2021

Review of the Constitution

Report of the Chief Fire Officer and Clerk

Purpose of Report

1. The purpose of this report is to seek approval for proposed amendments to the Combined Fire Authority's (CFA) Constitution.

Background

2. County Durham and Darlington Fire and Rescue Authority has agreed a Constitution which sets out how the Authority operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others are a matter for the Authority to choose. The Constitution is divided into separate sections, setting out the basic rules governing the running of the Fire and Rescue Service.
3. In preparation for the Authority's Annual General Meeting (AGM) a thorough review of the Constitution has taken place. The review has resulted in some 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 2020 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

4. The substantive amendments are as follows:

4.1 Section 2 – Authority and Committee Structure

A new Committee Structure will be put in place as follows:

The new structure creates a Human Resources (HR) Committee to give a greater emphasis to HR matters which was previously under the remit of the Performance Committee.

The Finance Committee will be merged with the Audit and Risk Committee and membership will be expanded to include the addition of an Independent Person. Having an Independent Person as a member of the Committee is recommended best practice by the Chartered Institute of Public Finance and Accountancy (CIPFA). A report on the appointment process for the Independent Person will be presented to a future meeting of the Authority.

The remit of the Performance Committee is largely unchanged except for the transfer of responsibility for monitoring sickness absence to the HR Committee.

The new structure has been created to improve accountability and reflects Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service's (HMICFRS) three pillars of inspection which focus on Effectiveness (Performance), Efficiency (Audit and Finance) and People.

References to the Committees have been updated throughout the document.

4.2 Section 7 – Scheme of Delegation to Officers

The Integrated Risk Management Plan (IRMP) has been renamed the Community Risk Management Plan (CRMP) to reflect changes to Service documents which will align with the National Fire Chiefs Council's (NFCC) national Community Risk Programme.

4.3 Section 12 – Contract Procedure Rules

Point 7 has been extended to reflect all contracts that must comply with Contract Procedure Rules.

4.5 Section 20 – Code of Conduct for Employees

A reference to the Core Code of Ethics for Fire and Rescue Services has been added.

Recommendations

5. The Authority is requested to:

- i. **note** the contents of the report and the suggested amendments to the Constitution.
- ii. **approve** the amended Constitution as outlined at Appendix A.