



**Safest People, Safest Places**

## **Combined Fire Authority**

**13 June 2022**

### **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 2021 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 3 - Committee delegations and referrals**

The number of Members required for each Committee has been added for ease of reference.

#### 4.2 **Section 7 – Scheme of Delegation to Officers**

The following delegated power has been added at paragraph 3.3 of Section 7:

(x) in conjunction with the Treasurer to exercise pension scheme discretions acting as Scheme Manager on behalf of the Authority. Where the discretion is related to the Chief Fire Officer then the relevant decision(s) will be made by the Combined Fire Authority following a recommendation from the Treasurer

#### 4.3 **Section 12 - Contract Procedure Rules**

Paragraph 4.2 of Section 12 has been removed as it references EU law and advertising in the Official Journal of the European Union.

All other references to the OJEU and EU law have been removed throughout the document.

#### 4.4 **Section 14 – Financial Regulations**

The definition of Principal Officers has been amended to exclude the role of Assistant Chief Fire Officer which has been removed from the structure.

References to this role have therefore been removed from through the document, including to the Scheme of Delegation to Officers.

#### 4.5 **Section 17 – Code of Corporate Governance**

In Paragraphs 8, 16 and 17 references to producing an Efficiency Plan have been removed as this is no longer a requirement for the Service.

5. The Service will keep the Constitution under review in light of any relevant forthcoming legislation and any necessary amendments will be recommended to the Authority for approval.

### **Recommendations**

6. 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.