



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority
Policy and Strategy Committee

CONSTITUTIONAL UPDATE

Report of the Chief Fire Officer

Date: 12 November 2021

Purpose of Report:

To seek approval from Members to commence a review of the Authority's Constitutional framework documents to ensure they are able to meet the current and future needs of the Authority. The initial findings of the review will result in a future report to this committee and, if amendments are proposed, ultimately to the full Fire Authority.

Recommendation:

1. That Members approve the commencement of a review of the Authority's Constitutional framework documents.
2. That a working group consisting of the Chair of the Authority (or the Vice Chair in the absence of the Chair), the Chief Fire Officer, the Clerk to the Authority and the Chief Fire Officer's Executive Support Officer be established to undertake the review.
3. That an update report be brought to a future meeting of this committee.

CONTACT OFFICER

Name: John Mills
Executive Support Officer

Tel: 0115 9670880

Email: John.mills@notts-fire.gov.uk

Media Enquiries Contact: Simon Cotton
(0115) 967 0880 simon.cotton@notts-fire.gov.uk

1. BACKGROUND

- 1.1 The Standing Orders of the Authority set out the key guiding principles, definitions and structure of the Authority's governance. These Standings Orders form part of an overarching constitutional governance framework which includes, amongst others items, the Financial Regulations, the Scheme of Delegation and the Member Officer Protocol. The current version of Standing Orders, whilst monitored by the Clerk to the Authority, for its effectiveness was approved by the Authority in February 2012.

2. REPORT

- 2.1 The current version of Standing Orders was last formally reviewed in 2012. This report proposes that a working group consisting of the Chair of the Authority (or the Vice Chair in his absence) , the Chief Fire Officer, the Clerk to the Fire Authority and the Chief Fire Officer's Executive Support Officer be created to review the existing Standing Orders to identify any elements in need of alteration, or amendment. This will include the recent formal incorporation of the Police and Crime Commissioner as a full member of the Authority.
- 2.2 The review will encompass the whole suite of the Constitutional framework documents and will also seek to incorporate the new Fire Standard on the Code of Ethics.
- 2.3 It is envisaged that the working group will seek to draw out initial observations and then put forward proposed amendments and proposals for discussion and consideration. Ultimately the amended suite of documents will be presented to the full Authority for any decision on their adoption. The expectation is that the revised Constitutional framework documents will, as far as possible, be in place for the Annual General Meeting of the Authority in 2022.
- 2.4 The Clerk to the Fire Authority will provide scrutiny to ensure that due process is correctly followed, and in his capacity as Monitoring Officer will ensure that all legislative requirements are met.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no human resources or learning and development implications arising directly from this proposed review.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because this report is not associated with a policy, function or service.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising from this report.

7. LEGAL IMPLICATIONS

The Standing Orders and associated Constitutional framework documents underpin good governance and seek to ensure that the Authority and the Service fulfil its legal obligations under the Local Government Act 1972 (as amended) the Fire Service Act 2004 and other relevant legislation. Reviewing the Constitutional framework documents including the Standing Orders ensures that the Authority's governance arrangements are current and fit for purpose.

8. RISK MANAGEMENT IMPLICATIONS

This review mitigates risk by ensuring that the Constitutional Framework, including the Standing Orders, are fully up to date and fit for purpose.

9. COLLABORATION IMPLICATIONS

A key area of collaboration involves working directly with the Nottinghamshire Police and Crime Commissioner. The review of the Standing Orders will ensure that their presence as a full member of the Authority reflects the flexibility afforded to the Authority within the Police and Crime Act 2017 and associated legislation.

10. RECOMMENDATIONS

That Members:

10.1 That Members approve the commencement of a review of the Authority's Constitutional framework documents..

10.2 That a working group consisting of the Chair of the Authority (or the Vice Chair in the absence of the Chair), the Chief Fire Officer, the Clerk to the Authority and the Chief Fire Officer's Executive Support Officer be established to undertake the review.

10.3 That an update report be brought to a future meeting of this committee.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

John Buckley
CHIEF FIRE OFFICER