



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

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| REPORT REFERENCE NO. | DSFRA/13/8 |
| MEETING | DEVON & SOMERSET FIRE & RESCUE AUTHORITY (ANNUAL MEETING) |
| DATE OF MEETING | 30 MAY 2013 |
| SUBJECT OF REPORT | REVIEW OF CONSTITUTIONAL GOVERNANCE FRAMEWORK DOCUMENTS |
| LEAD OFFICER | Clerk to the Authority |
| RECOMMENDATIONS | <p>(a) <i>that the constitutional governance framework documents as listed at paragraph 1.1 of this report be endorsed;</i></p> <p>(b) <i>that it be noted that proposals for amendments to the documents may be submitted to future meetings of the Authority as and when required.</i></p> |
| EXECUTIVE SUMMARY | This report sets out information on the most recent review of the Authority's constitutional governance framework documents (Standing Orders, Financial Regulations etc). which, while not a statutory requirement, is nonetheless undertaken at least annually as a matter of good practice. |
| RESOURCE IMPLICATIONS | Nil. |
| EQUALITY RISKS AND BENEFITS ASSESSMENT (ERBA) | N/A |
| APPENDICES | Nil. |
| LIST OF BACKGROUND PAPERS | Nil. |

1. **BACKGROUND**

1.1 At its inaugural meeting on 11 April 2007 the Authority approved a number of “in-principle” decisions previously approved by the Shadow Authority, including its Constitutional Governance Framework documents (Minute DSFRA/5 refers). These documents now include, amongst other things:-

- The Accountabilities, Roles and Responsibilities of Members of the Devon & Somerset Fire & Rescue Authority
- Members’ Code of Conduct;
- Member/Officer Protocol;
- Policy on Gifts and Hospitality;
- Scheme of Members Allowances;
- Standing Orders;
- Financial Regulations;
- Procurement and Contract Regulations;
- Scheme of Delegations;
- Corporate Governance Code;
- Treasury Management Policy;
- Strategy on the Prevention and Detection of Fraud and Corruption; and
- “Whistleblowing” Code (Confidential Reporting Policy).

1.2 The Authority Constitutional Governance Framework documents may be viewed on the Authority’s website by following the link below.

www.dsfire.gov.uk/FireAuthority/ConstitutionalGovernance

The constitutional operation of the Authority also features a Committee structure (with associated terms of reference). This is addressed by a report elsewhere on the agenda for this meeting.

1.3 The documents referred to above were drafted by reference to a number of sources, some statutory; some based upon “models” issued either by central government or by professional bodies (e.g. the Chartered Institute for Public Finance Accountancy – CIPFA); and others best practice. While there is no legal requirement for the documents to be reviewed, it is nonetheless considered best practice to review the documents at least on an annual basis to ensure that they continue to be “fit for purpose”. This clearly does not preclude making revisions at any time to any of the documents where this might be required by changes in legislation or internal structure; or the approval of new documents to enhance the governance framework. Indeed, in practice the documents tend to be “dynamic” and are amended as and when the need arises.

1.4 When undertaking the annual review any of the Authority’s constitutional governance framework documents due regard is taken of:

- any current “best practice” models;
- any existing national guidance and model documents;
- similar documents in use by other combined fire and rescue authorities; and
- similar documents in use by constituent authorities.

- 1.5 Each of the Authority's Constitutional Framework documents have again been subject to review over the last twelve months and will continue to be subject to ongoing review with any further proposed revisions submitted to future meetings of the Authority as required. At this point in time, however, no amendments are being proposed to any of the existing documents as a result of the review.
- 1.6 It should be noted, though, that the Service is undertaking a significant business transformation programme designed to best equip it to meet anticipated challenges over the next few years and to enable it to achieve its stated ambition of being an "excellent" organisation. The outcomes of this work, as it reaches fruition, could, in turn, require consequential amendments to the Authority's constitutional governance framework documents. Proposals for such amendments will be submitted as and when required.

M PEARSON
Clerk to the Authority