

CFA – Proposed Changes to the Constitution

ITEM	PROPOSED AMENDMENT	EXPLANATION
Part 1 – Summary and Explanation	The public can obtain a copy of the CFA Constitution by downloading from the website.	To promote greater use of technology. Currently a charge is made for a paper copy of the Constitution
Article 4 – a) Policy Framework	Delete reference to the Treasury Management Strategy from the Policy Framework and Note that ‘The Budget’ also refers to the Medium Term Financial Strategy.	The Treasury Management Strategy is now incorporated in the Budget report which is approved by the CFA
b) The Budget	Redefine the description of the budget as ‘the CFA’s revenue budget and capital programme including the setting of a precept rate.’	Simplify the current explanation.
Article 9.2 – Statutory Posts Change para 2 to read	The duties of the Monitoring Officer and Chief Finance Officer (apart from the administration of the financial affairs of the CFA) must be carried out personally. If these powers are delegated or carried out by a nominated Deputy accountability will remain with the Monitoring Officer and Chief Finance Officer as appropriate.	To clarify that whilst the powers can be delegated or undertaken by a Deputy accountability rests with the Monitoring Officer and/or Chief Finance Officer.
Article 9.2 – Statutory Posts Change para 3 to read	‘The Treasurer and Monitoring Officer have the right to have access to and take copies of any information held by the CFA in order to discharge their functions. Where such information involves the disclosure of personal information the Chief Fire and Rescue Officer shall be consulted in advance (unless the information concerns the Chief Fire and Rescue Officer) in which case they shall consult the Chairman of the Combined Fire Authority or in his/her absence the Vice-Chairman.	As currently drafted the Monitoring Officer and Treasurer cannot access information to discharge their duties without consulting the CFO. The changes provide a check to ensure that where personal information is requested relates the Chief Fire and Rescue Officer is consulted and where it relates to personal information about the CFO the Chairman or Vice Chairman shall

		be consulted.
Part 3 B – Scheme of Delegation and Part 8 –Specified Amounts - Limitations on Expenditure	<p>Amend 3.1 (a) – (c) to read as follows</p> <p>3.1 Power to incur such expenditure as necessary on the running of the Service provided that such expenditure is within policy and the approved revenue budget and capital programme.</p> <p>3.2 Land Transaction and 3.3 Leases.</p> <p>3.4 Attendances at Conferences and 3.5 Casual or Sessional Hiring .</p>	<p>3.1 - Delete the specified amounts in part 8 and reference to this in Part 3. In exercising the delegation the CFO must work within the policy framework and approved budgets and would need to seek agreement from the CFA for any expenditure outside policy or budget.</p> <p>3.2 Land Transaction and 3.3 Lease – delete references to these as these are now covered in the Finance Procedure Rules.</p> <p>3.4 and 3.5 Delete as this is covered in the general scheme of delegation to the CFO.</p>
Part 4 C – Meeting Procedure Rules Rule 35 – add new para 35.2	<p>‘35.2 Where any urgent actions proposed in 35.1 affect the Chief Fire and Rescue Officer or any of his Deputies/Assistants, the Treasurer and/or Monitoring Officer (the Statutory Officers) shall initiate consultation with the Chairman and Vice-Chairman and take such action as may be required.</p>	<p>To ensure where the Chief Fire and Rescue Officer and/or his Deputies/Assistants are conflicted the other Statutory Officers can exercise urgent powers.</p>
Part 4 E – Officer Employment Procedure Rules Rule 5 – Dismissal of Statutory Officers Amend Rule 5 to read as	<p>‘(1) No action may be taken by the Employment Committee - except for suspension – relating to the dismissal of either the Chief Fire and Rescue Officer, the Monitoring Officer or the Treasurer other than in accordance with The Local Authorities (Standing Order) (England) (Amendment) Regulations 2015) and as set out below.</p> <p>(2) In respect of the proposed dismissal of the Chief Fire and Rescue Officer, the Monitoring Officer or the Treasurer, the Employment Committee may appoint an</p>	<p>Changed to reflect the new legislative requirements</p>

<p>follows:-</p>	<p>Independent Investigating Officer (IIO) to examine the circumstances of the case and to advise the Committee on any action to be taken.</p> <p>(3) Where consideration is being given to the dismissal of the Chief Fire and Rescue Officer, the Monitoring Officer or the Treasurer, a Panel (comprising an Advisory Committee established under section 102(4) of the Local Government Act 1972) will be set up which shall consist of three Independent Persons and which shall meet at least 20 working days before any meeting of the Combined Fire Authority (CFA) at which any proposed dismissal is to be considered.</p> <p>(4) The Employment Committee will, having considered the advice of any Independent Investigating Officer appointed, make a recommendation to the Combined Fire Authority (CFA) for consideration, including any terms for cessation of employment.</p> <p>(5) Where a committee, subcommittee or officer is discharging, on behalf of the Combined Fire Authority (CFA), the function of the dismissal of an officer designated as the Chief Fire and Rescue Officer, as the Treasurer, or as the Monitoring Officer, the Combined Fire Authority (CFA) must approve that dismissal before notice is given to that person.</p> <p>(6) Any proposal to dismiss the Head of the Paid Service, the Monitoring Officer and the Treasurer may only be taken by the Combined Fire Authority (CFA) following consideration of</p> <ul style="list-style-type: none"> a. any advice, views or recommendations from the Panel set up under paragraph 3 above. b. the conclusions of any investigation into the 	
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	<p>proposed dismissal; and</p> <p>c. any representations from the officer concerned.’</p>	
Section F – Financial Procedure Rule	The Section on Financial Procedure Rules and Contract Procedure Rules have been re-written.	Leicester City Council provides the financial services for the CFA and the CPRs and FPRs have been re-written to align with their operating practices.
Part 7 – Management Structure	See revised Part 7 below	Updated to reflect changes in personnel. Will be amended following permanent appointments being made to the relevant posts.
Part 8 – Specified Amounts	Delete Part 8	The CFO and other officers will exercise their delegated powers in accordance with the policies, revenue budget and capital programme agreed by the CFA. Any expenditure outside of policy or budget would need approval of the CFA.

Part 7

The Principal Officers who make up the Senior Management Team and the Statutory Officers are:-

Post	Name
Chief Fire and Rescue Officer Head of Paid Service (non-statutory)	Steve Lunn (until 31/12/2017)
Interim Chief Fire and Rescue Officer	Rick Taylor (commencing 01/01/2018)
Assistant Chief Fire and Rescue Officer – Director of Service Delivery	Andrew Brodie
Assistant Chief Fire and Rescue Officer - Director of Service Support	Rick Taylor (until 31/12/2017)
Treasurer to the CFA	Alison Greenhill
Monitoring Officer	Lauren Haslam