

## Part 1

### Summary and Explanation

Leicester, Leicestershire and Rutland Combined Fire Authority ("CFA") was established on 20 November 1996 by virtue of the Leicestershire Fire Services (Combination Scheme) Order 1996 and draws its Members from Leicester City Council, Leicestershire County Council and Rutland County Council. This Constitution is subject to the provisions of that Order. Under the provisions of the Order the CFA maintains a fire brigade called the Leicestershire Fire and Rescue Service.

The CFA became a precepting authority on 1 April 2004. Although the CFA is not currently required to have a Constitution, the CFA decided to produce one as a matter of good practice.

The Constitution is divided into 13 Articles which set out the basic Rules for the CFA's business. More detailed procedures and codes of practice are provided in separate Rules and protocols at the end of the document.

#### **WHAT IS IN THE CONSTITUTION?**

Article 1 of the Constitution commits the CFA to provide clear leadership in fire and rescue matters to the residents and communities of Leicester, Leicestershire and Rutland ("Our Area") and to ensure that it operates with transparency, efficiency and accountability.

Articles 2 - 13 explain the rights of members of the public and how the key parts of the CFA operate. These are:

Article 2	Members of the CFA
Article 3	The CFA and the public
Article 4	The full CFA
Article 5	Corporate Governance Committee
Article 6	Employment Committee
Article 7	Pension Board
Article 8	Joint Arrangements
Article 9	Officers
Article 10	Decision Making
Article 11	Finance, Contracts and Legal Matters

Article 12      Review and Revision of the Constitution

Article 13      Suspension, Interpretation and Publication of the Constitution

## **HOW THE CFA OPERATES**

### Members of the CFA

The CFA is composed of 17 Councillors (referred to as "Members" in this Constitution) who are appointed by the CFA's 3 Constituent Authorities: Leicester City Council (5), Leicestershire County Council (11) and Rutland County Council (1) for whatever period those authorities feel is appropriate. The number of appointees is in proportion to the number of local government electors in Our Area. The Councils can replace their Members at their discretion. Unlike in their roles in their appointing Councils, individually Members are not democratically accountable to residents of their electoral wards but they do have a special duty to all the residents and communities of the CFA Area. Collectively, they represent the interests of and have an overriding duty to all those who live and work in the CFA Area. The names of all Members together with membership of political groups, and membership of committees and other details are published on the CFA's website [www.leicestershire-fire.gov.uk](http://www.leicestershire-fire.gov.uk).

### Code of Conduct

The CFA supported by the Monitoring Officer has a duty to promote and maintain high standards of conduct by Members and has adopted a Code of Conduct to facilitate this.

### Full CFA

All Members meet together 5 times a year as the full CFA. These meetings are open to the public, although the public may be excluded when exempt or confidential information is to be discussed. Here Members decide the CFA's overall policies and set the budget (which includes the annual revenue budget and capital programme) each year.

A Member is appointed at the Annual Meeting in May or June each year to act as the Chair of the CFA. He or she presides over the CFA's meetings and is responsible for interpreting the Rules of procedure with the power to control and regulate the course of debate. The Chair has a vote and may have a second or casting vote where this is necessary.

Members of the public may ask questions of the Chair and Committee Chairs. They can also submit petitions.

## **HOW DECISIONS ARE MADE**

The full CFA is the main decision-making body and is supported in doing so by the Corporate Governance Committee and the Employment Committee which have delegated powers as set out in the Articles of this Constitution.

## THE CFA'S OFFICERS

The CFA employs people (known as Officers) to give advice, implement decisions and manage the day-to-day delivery of its services.

Some Officers have a specific duty to ensure that the CFA acts within the law and uses its resources wisely.

Officers may be authorised by the full CFA to take decisions. The scope of these delegated powers is set out in the general scheme of delegation in Part 3 of this Constitution.

## THE PUBLIC

Members of the public have a number of rights in their dealings with the CFA. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the CFA's own processes.

Members of the public have the right (subject to the appropriate fee (where applicable) and any statutory conditions) to:

- contact Members about any matters of concern to them.
- view and obtain a copy of the CFA Constitution by downloading from the website.
- attend meetings of the CFA and its committees except where, for example, confidential matters or exempt information are being discussed.
- inspect agendas, reports, background papers and minutes except where these concern a confidential or exempt matter.
- the following information for all Members: name, political group, and other details (this is available from the CFA's Member Services Section or the Website - [www.leicestershire-fire.gov.uk](http://www.leicestershire-fire.gov.uk)).
- ask questions or submit petitions.
- complain to the CFA under its internal complaints procedure regarding any action by the CFA.
- complain to the Local Government Ombudsman if they think the CFA has not followed its procedures properly. However, they should only do this after using the CFA's own complaints procedure.
- complain to the CFA if they have evidence which they think shows that a Member has not followed the CFA's Code of Conduct.
- inspect the CFA's accounts and make their views known to the external auditor.

