

**ESSEX POLICE, FIRE AND CRIME COMMISSIONER
FIRE & RESCUE AUTHORITY**
Essex County Fire & Rescue Service



Meeting	Strategic Board	Agenda Item	22
Meeting Date	19 September 2024	Report Number	
Report Author:	Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)		
Presented By	Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)		
Subject	Police, Fire and Crime Commissioner Fire and Rescue Authority (PFCCFRA) Constitution		
Type of Report:	Decision in principle		

RECOMMENDATIONS

- 1) That the Strategic Board approves in principle, or amends as necessary, the changes proposed to the Authority's Constitution (detailed at Appendix 1) prior to its presentation to the Essex Police, Fire and Crime Panel in October 2024.
- 2) Within this, that the Strategic Board approves in principle, or amends as necessary, prior to their adoption by the Authority:
 - The updated Terms of Reference for the Strategic Board attached as Schedule 1 to the Constitution,
 - The updated Scheme of Delegation attached as Schedule 9 to the Constitution,
 - The updated Code of Conduct attached as Schedule 10 to the Constitution, and
 - The updated Financial and Procurement Regulations attached as Schedule 15 to the Constitution.

BACKGROUND

The Authority's Constitution been subjected to its programmed review and updated as necessary to:

- Ensure continued compliance with legislation and regulations relevant to the Authority,
- Reflect guidance on the review and redrafting of constitutions and schemes of delegation published by the Centre for Governance and Scrutiny in April 2023,

- Reflect relevant changes in terminology (e.g. from “Integrated Risk Management Plan (IRMP)” to “Community Risk Management Plan (CRMP)”), and
- Reflect restructuring of the fire and rescue service that has been undertaken since the last review of the Constitution.

The supporting Schedules to the Constitution have simultaneously been reviewed and refreshed as necessary. The Code of Conduct (Schedule 10 to the Constitution) has been updated in line with the Local Government Association’s (LGA’s) Model Councillor Code of Conduct.

The Essex Police, Fire and Crime Panel will be consulted on the updated Constitution at its meeting in October 2024 before it is finalised and formally adopted by the Authority.

BENEFITS AND RISK IMPLICATIONS

The Constitution is a key element of the Authority’s governance framework. Failure to have in place a fit for purpose Constitution could give rise to insufficiently robust governance arrangements that do not meet legislative requirements, and decision-making that is consequently vulnerable to legal challenge.

FINANCIAL IMPLICATIONS

As part of the review of the Constitution, the Authority’s Financial and Procurement Regulations (Schedule 15 to the Constitution) have been reviewed and updated by the Procurement Manager and Chief Financial Officer.

EQUALITY AND DIVERSITY IMPLICATIONS

There are no equality, diversity and inclusion implications arising directly from this report. The Constitution still sets out an expectation that, wherever appropriate, the Authority will develop partnerships to support the delivery of risk reduction services to those identified as being vulnerable, along with commitments to:

- Ensure that all staff in public-facing roles have the necessary skills and training to provide the wide range of roles they undertake, including in relation to people with complex needs and vulnerabilities.
- Have appropriate safeguarding arrangements in place, including ensuring staff have appropriate vetting clearance.
- Adopt a People Strategy that, amongst other elements, addresses:
 - Continuously improving the diversity of the workforce to ensure it represents the community it serves
 - Equality, cultural values and behaviours
 - Flexible working
 - Health and safety, wellbeing, disabilities and support (for both physical and mental health conditions)
 - Tackling bullying, harassment and discrimination
- Make appointments on merit, and in accordance with any legislation relating to equality and diversity in place at the time of the appointment.

WORKFORCE ENGAGEMENT

The Constitution, along with its supporting Schedules, has been reviewed in consultation with the Chief Fire Officer / Chief Executive, Chief Financial Officer, Procurement Manager and Information Governance Manager & Deputy Data Protection Officer. The document attached at Appendix 1 has also been consulted on via the Authority's Statutory Officers Meeting and Service Leadership Team (SLT), the PFCC's Corporate Management Team (CMT) and the PFCC / Chief Fire Officer Performance Meeting.

LEGAL IMPLICATIONS

Amendments and additions have been made to the Constitution to reflect relevant provisions of the Trustee Investments Act 1961, the Fire and Rescue Services (Emergencies) (England) Order 2007, the Police, Crime, Sentencing and Courts Act 2012 and the Building Safety Act 2022. The Constitution has also been updated to reflect guidance on the review and redrafting of constitutions and schemes of delegation published by the Centre for Governance and Scrutiny in April 2023.

HEALTH AND SAFETY IMPLICATIONS

There are no health and safety implications arising for the Authority directly from this report.

As set out above, the Constitution includes a requirement for the Authority to adopt a People Strategy that, amongst other elements, addresses health and safety issues.

BACKGROUND PAPERS

Appendix 1 – PFCCFRA Constitution v3.4 (September 2024)