

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**24 JUNE 2013**

1. **THE CONSTITUTION**

Report of the Chief Fire Officer and Clerk and Monitoring Officer

RECOMMENDED

- 1.1 THAT the Authority approve the Constitution of the West Midlands Fire and Rescue Authority.
- 1.2 THAT the Authority affirms the list of matters reserved to the Authority and delegations to Chief Officers as set out in the Appendix to the Constitution.
- 1.3 That the Clerk be authorised to make any consequential amendments to constitutional documents in light of decisions made with regard to governance arrangements for 2013/14.

2. **PURPOSE OF REPORT**

This report sets out work that has been undertaken to draw up a Constitution for the Authority to reflect good practice set out in the CIPFA/SOLACE Framework – Delivering Good Governance in Local Government and asks the Authority to approve the document.

3. **BACKGROUND**

- 3.1 In order to meet the requirements of CIPFA (Chartered Institute of Public Finance and Accountancy)/SOLACE (Society of Local Authority Chief Executives and Senior Managers) Framework – Delivering Good Governance, approval is sought for a formal Constitution which sets out how the Authority operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local citizens. Some of these processes are required by the law, while others are a matter for the Authority to determine. Under the provisions of the Local Government Act 1972, the Authority is required to maintain a list of powers delegated to its Chief Officers and to make it available for public inspection.

3.2 The Authority already has in place governance policies and procedures that are readily available on the Authority's web site and an internal review of governance arrangements against the CIPFA/SOLACE framework revealed good performance against the criteria with the exception of having a formal Constitution which explains how the various elements of governance fit together. Work has been ongoing to prepare this document which is now submitted for the Authority's approval.

3.3 The Constitution sets out how the Authority works and how it makes decisions to:-

- (i) assist members to discharge their role as decision makers efficiently and effectively;
- (ii) ensure that the decision making processes are clearly identifiable to citizens;
- (iii) provide citizens with information about their rights and right to be involved in the process of decision making to encourage their active involvement;
- (iv) provide a means for improving the democratic accountability of the Authority in the delivery of services to the community.

3.4 The Constitution will need to be reviewed periodically and amended as necessary to keep it up to date and fit for purpose.

#### 4. **EQUALITY IMPACT ASSESSMENT**

4.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

#### 5. **LEGAL IMPLICATIONS**

5.1 Authorities which operate executive arrangements are required by law to have a constitution. This duty does not apply to fire authorities, however, it is seen as good practice and is one of the criteria against which authorities measure themselves when assessing the quality of their governance arrangements under the CIPFA (Chartered Institute of Public Finance and Accountancy)/SOLACE (Society of local authority Chief Executives and Senior Managers) Framework for Corporate Governance in Local Government.

6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

VIJ RANDENIYA  
CHIEF FIRE OFFICER

NEERAJ SHARMA  
CLERK AND MONITORING  
OFFICER