

## COMMITTEE STRUCTURE AND COMPOSITION 2015/16

### SUMMARY

1. By way of background for new Members, during 2012 the Authority approved a new Constitution which took into account the matters arising from the third review of corporate governance – principally that the Fire Authority should be the sole decision making body. A new Committee was formed called the Governance, Audit and Scrutiny Committee. The Authority agreed that the Committee should comprise only Independent Co-opted Members and that the Committee shall have no decision making powers. In these circumstances the rules regarding political proportionality in relation to appointments to this Committee do not apply. In 2014/15 the GAS Committee comprised 8 Independent Co-opted Members but following the recent retirement of Mrs. G Hardy there is currently 1 vacancy. Following discussion with the Chairperson of the GAS Committee it is considered that the Committee can continue to operate effectively with just 7 members going forward.
2. Other than the Governance, Audit and Scrutiny Committee the Constitution provides that should the need arise the Authority will establish an Appointments Committee (to deal with the appointment of Senior Officers and make recommendations to the Authority), and an Appeals Committee (to hear any appeal against dismissal under the current Conduct and Performance Procedure). In respect to these Committees regard shall be had to the rules on political proportionality.
3. The Fire Authority at its meeting on 16 March 2015 received a report regarding the requirement under the The Firefighters' Pension Scheme (Amendment) (Governance) Regulations 2015 to establish a Pension Board from 1 April 2015 to oversee compliance in the operation of the Firefighter Pension Scheme (FPS). The Authority agreed that initially the Pension Board should be comprised as follows:

Employer representatives (2):

- 1 Elected Member (to be appointed at this meeting)
- 1 Officer (Director of Public Safety)

Scheme Member representatives (2):

- 1 representative nominated by the representative bodies via discussion and agreement at the Joint Consultative Committee (Mr R Vaux nominated)
- 1 representative selected from expressions of interest by individual HFRS FPS members or those eligible to be HFRS FPS members (Corporate Management Team has recommended that Mr D Riggall be appointed)

(All members of the Pension Board must satisfy the applicable criteria.)

The inaugural meeting of the Pension Board will be held on Friday, 17 July 2015 at 10.30am.

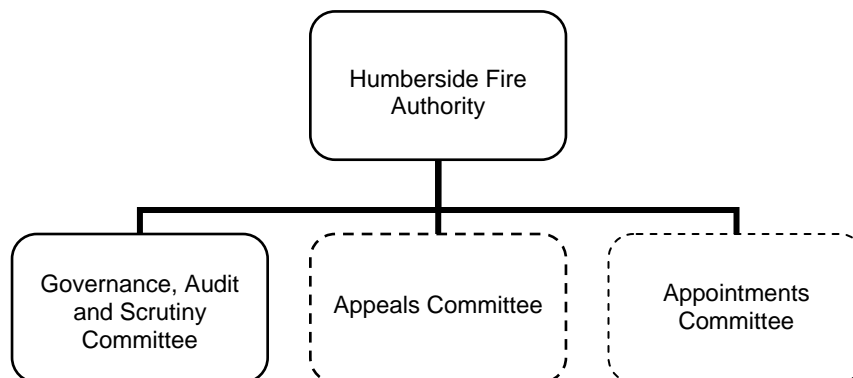
4. The Authority should confirm the structure of its Committees (proposed as currently adopted and set out in the Constitution) and then consider the size of each Committee. Where the rules of proportionality apply to the allocation of the seats, Group Secretaries will then confirm with the Monitoring Officer/Secretary the nominations to fill the allocated seats.

#### RECOMMENDATIONS

5. (a) That the Authority approves the Committee structure.
- (b) That the Authority determines the size of its Committees.
- (c) That the Authority determines the allocation of seats on Committees referred to in this report.
- (d) That the Authority appoints one Elected Member to serve on the Pensions Board having regard to the criteria for such appointments set out in the Constitution and approves the other appointments set out in paragraph 3.
- (e) That the respective Group Secretaries consider the appointment of Members to each Committee (except the Governance, Audit and Scrutiny Committee) by their Groups and submit details at the Annual Meeting or as soon as possible thereafter to the Monitoring Officer/Secretary.

#### COMMITTEE STRUCTURE

6. The current Committee Structure (excluding the Pensions Board) is as follows:



7. The terms of reference of each Committee are set out in the Constitution.

#### LOCAL GOVERNMENT HOUSING ACT 1989 – POLITICAL BALANCE PROVISIONS

8. Members are reminded that the political balance provisions of the Local Government and Housing Act 1989 applies to the appointment of Committees of the Fire Authority provided that the Authority may, where there is no dissent, make whatever Committee membership arrangements it wishes. The provisions do not apply to the appointment of Independent Co-opted Members of the Governance, Audit and Scrutiny Committee.
9. The Fire Authority's membership is divided into political groups and the composition of the respective groups expressed as a proportion of the Fire Authority overall was in 2014/15 as follows:

<u>Political Group</u>	<u>Members</u>	<u>As a % of 22 Members</u>
Conservative	11	50.00
Labour	8	36.36
Liberal Democrats	2	9.09
Others (Independent)	1	4.55

For 2015/16 the situation is as follows:

<u>Political Group</u>	<u>Members</u>	<u>As a % of 22 Members</u>
Conservative	10	45.45
Labour	8	36.36
Liberal Democrats	2	9.09
UKIP	1	4.55
Others (Independent)	1	4.55

10. Section 15(5) of the Act lays down four principles to be followed when applying political proportionality to the membership of committees as follows:
- (i) that not all the seats on a Committee are allocated to the same political group;
  - (ii) that the majority of seats on a Committee are allocated to the group having a majority of seats on the Fire Authority **(as no political group has a majority of seats on the Authority this provision does not apply)**;
  - (iii) that subject to (i) and (ii) above the number of seats on the ordinary committees of the Fire Authority allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the Authority as is borne by the number of Members of that group to the membership of the Authority (see paragraph 9 above);
  - (iv) that subject to (i) to (iii) above the number of seats on a Committee allocated to each political group bears the same proportion to the number of all the seats on that Committee as is borne by the Members of that group to the membership of the Authority
11. Members are first asked to consider the appropriate size of each Committee to be effective, and from a decision on size will flow the allocation of seats according to the rules of political proportionality (except in respect to the Governance, Audit and Scrutiny Committee).
12. With regard to the Governance, Audit and Scrutiny Committee, it is proposed as outlined in paragraph 1 above that the Committee should now comprise 7 rather than 8 Independent Co-opted Members. As the Authority has agreed that the Committee shall not comprise any Elected Members the Committee is not subject to the rules of political proportionality.
13. In respect to the Appointments Committee, the seats allocated in 2014/15 was 7 seats. It is recommended that the same size be approved for 2015/16. Similarly it is recommended that the Appeals Committee should comprise 3 Members. The allocation of seats as between the respective political groups is set out below.

Committee	Total Seats	Allocation of Seats		
		Conservative	Labour	Liberal Democrats
Appointments Committee	7	3.18	2.542	0.637
		3	3	1
Appeals Committee	3	1.36	1.091	0.273
		1	1	1
Initial allocation	10	4	4	2
Overall entitlement		4,54	3.636	0.91
Adjustment necessary		<b>+ 1</b>	<b>-</b>	<b>- 1</b>

14. With regard to the adjustment, the Fire Authority could simply agree the Committee allocations with no adjustments.
15. Provided the Authority approves Recommendations 2(a) and 2(b), then if the Group Secretaries are in a position to make nominations to the Committees, then the composition of the Fire Authority's Committees can be determined at the Annual General Meeting. The Committee Chairpersons are elected at the first meeting of the relevant Committee.

#### STRATEGIC PLAN COMPATIBILITY

16. Not directly relevant.

#### FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

17. None arising directly.

#### LEGAL IMPLICATIONS

18. None arising directly.

#### EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

19. No direct actions required.

#### CORPORATE RISK MANAGEMENT IMPLICATIONS

20. An effective committee structure supports leadership and good governance.

#### HEALTH AND SAFETY IMPLICATIONS

21. None arising directly.

#### COMMUNICATION ACTIONS ARISING

22. The structure will be published.

#### DETAILS OF CONSULTATION

23. None.

#### BACKGROUND PAPERS AVAILABLE FOR ACCESS

24. None.

#### RECOMMENDATIONS RESTATED

25.
  - (a) That the Authority approves the Committee structure.
  - (b) That the Authority determines the size of its Committees.
  - (c) That the Authority determines the allocation of seats on Committees referred to in this report.
  - (d) That the Authority appoints one Elected Member to serve on the Pensions Board having regard to the criteria for such appointments set out in the Constitution and approves the other appointments set out in paragraph 3.

- (e) That the respective Group Secretaries consider the appointment of Members to each Committee (except the Governance, Audit and Scrutiny Committee) by their Groups and submit details at the Annual Meeting or as soon as possible thereafter to the Monitoring Officer/Secretary.

**M BUCKLEY**

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JS  
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