



Essex Police, Fire and Crime Commissioner Fire and Rescue Authority Decision Report

Please ensure all sections below are completed

<p>Report reference number: 101 2017 <i>(Please contact OPFCC for reference number)</i></p>
<p>Government security classification (e.g. Not protectively marked/Official - Sensitive): Not protectively marked</p>
<p>Title of report: Essex Police, Fire and Crime Commissioner Fire and Rescue Authority Constitution</p>
<p>Area of County/Stakeholders affected: Countywide</p>
<p>Report by: Susannah Hancock</p> <p>Date of report: 2nd October 2017</p> <p>Enquiries to: susannah.hancock@essex.pnn.police.uk</p>

1. Purpose of report

The purpose of this report is to obtain approval for the creation of the Constitution of the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority ("the Commissioner").

2. Recommendations

The Commissioner is recommended to approve the attached Constitution.

3. Benefits of Proposal

The Constitution of an organisation sets out how it will work, how decisions will be made, and the procedures that are followed to ensure these are efficient, effective and transparent.

This document has been produced to provide a clear governance framework for the Commissioner to operate within, and provides clarity to employees and the public over how the organisation will operate.

4. Background and proposal

Following the Home Secretary's approval in July 2017, work has been undertaken to prepare for the Police and Crime Commissioner to take on responsibility of the Essex County Fire and Rescue Service from the Essex Fire Authority from the 1st October 2017.

From the 1st October the joint governance of Policing and Fire and Rescue Services will require a new governance framework to be implemented.

The approval of the Constitution is the first step to ensure that the new organisation can operate efficiently and effectively and continue to keep the public of Essex safe.

5. Fire and Rescue Plan

The creation of this new fire and rescue authority will place a new duty on the Commissioner to prepare a Fire and Rescue Plan which will set out the Commissioner's priorities and objectives. The process that must be followed before a plan can be issued or varied is set out in the Constitution.

6. Operational Implications

The approval of this Constitution will ensure that there is clarity over how the new organisation will operate and how decisions will be made. There are not expected to be any operational implications as a result of the new Constitution.

7. Financial Implications

The Constitution contains the Financial and Procurement Regulations which the organisation is expected to operate within.

8. Legal Implications

The creation of a fire and rescue authority under section 4a of the Fire and Rescue Service Act 2004 placed new duties and responsibilities on the Commissioner. These responsibilities have been reflected in the Constitution.

9. Staffing and other resource implications

The Constitution sets out that there is an expectation that the Commissioner, their Deputy and all employees will abide by the seven principles set out in the publication 'Standards in Public Life: First Report of the Committee on Standards in Public Life (known as "The Nolan Principles).

There are no changes to staffing or any other resources as a result of the Constitution.

10. Equality and Diversity implications

The Constitution sets out the governance framework which the new organisation operates within. This Constitution does not have any equality and diversity implications.

11. Risks

There are no significant risks in relation to this decision.

12. Governance Boards

As the Constitution creates the governance framework of the new Essex Police, Fire and Crime Commissioner Fire and Rescue Authority, prior to the approval of this document there are no formal boards of the Authority for its development to be discussed at. To ensure that the document is fit for purpose it was discussed at the Emergency Services Strategic Governance Board which the PCC chairs and the membership includes the Chief Fire Officer, Chief Constable and the outgoing chair of the Essex Fire Authority. The senior leadership team of the Essex County Fire and Rescue Service have also been engaged in the development of the Constitution.

Where practical this constitution also reflects the informal conversations and discussions between the PFCC and ECFRS staff and representative bodies. In particular efforts have been made to clearly set out in the constitution the decision making process and focus on transparency. It is anticipated that further conversations will help to refine and improve these processes over time.

The Police, Fire and Crime Panel have been provided with an opportunity to comment on the draft Constitution. The Constitution will be formally discussed at the meeting of the Police, Fire and Crime Panel in October.

13. Background papers

The Essex Police, Fire and Crime Commissioner Fire and Rescue Authority Constitution has been included as an **Appendix A** to this paper.

Decision Process

Step 1A - Chief Fire Officer Comments

(The Chief Fire Officer is asked in their capacity as the Head of Paid Service to comment on the proposal.)

My team and I have been engaged in the development of the Constitution for the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority and support the proposal in this decision report.

Step 1B – Consultation with representative bodies


(The Chief Fire Officer is to set out the consultation that has been undertaken with the representative bodies)

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Step 2 - Statutory Officer Review

The report will be reviewed by the Essex Police Fire and Crime Commissioner Fire and Rescue Authority's ("the Commissioner") Monitoring Officer and Chief Financial Officer prior to review and sign off by the Commissioner or their Deputy.

Monitoring Officer

Sign: 

Print: S. HANCOCK

Chief Financial Officer

Sign: 

Print: CLAYTON 19/10/17

Step 3 - Publication

Is the report for publication? YES NO

If 'NO', please give reasons for non-publication (state 'none' if applicable)

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If the report is not for publication, the Monitoring Officer will decide if and how the public can be informed of the decision.

