



**HAMPSHIRE
FIRE AND
RESCUE
AUTHORITY**

Purpose: Approval

Date: **5 JUNE 2019**

Title: **MINOR AMENDMENTS TO THE CONSTITUTION**

Report of the Clerk

EXECUTIVE SUMMARY

1. This report sets out minor proposed changes to Hampshire Fire and Rescue Authority's (HFRA) Constitution for approval by the Authority.

BACKGROUND

2. The Authority adopted a new Constitution at its meeting in June 2017. A number of minor amendments to the Constitution were agreed by the Authority in June 2018.
3. Some further minor amendments to the Constitution are now proposed. These are set out below, together with an explanation of the reason for the proposed change. Track changed versions of the relevant pages of the Constitution are attached at **Appendix A** to this paper.

PROPOSED CHANGES TO CONSTITUTION

4. The proposed minor changes are as follows:

- (a) A new section has been added to cover the new governance arrangements in respect of 3SFire Ltd and in particular the creation of a Shareholder Committee. The Authority's Terms of Reference have also been amended accordingly. Noting these changes are contingent on the Authority having decided to adopt the new governance arrangements in respect of 3SFire Ltd. (Page 9 of the current version of the constitution and new page 13, as per Appendix A reference).
- (b) The Terms of Reference of Standards & Governance Committee have been amended to reflect the decision to appoint 5 members to the Committee. The proposed amendment gives the Authority freedom to determine the number of members each year at the AGM without having to amend the Constitution. (Page 11 of the current version of the constitution).
- (c) The Terms of reference of the Pension Board have been amended to reflect minor changes to senior management roles. References to the "Director of Professional Services" have been replaced with "Chief of Staff" (Page 13 onwards in the current Constitution. Noting the full terms of reference for the Pension Board, as amended by a previous decision of Standards and Governance Committee, are set out in Appendix A, as these will replace in entirety the version contained in the current constitution at page 13).
- (d) Some further references to the "Director of Professional Services" have been amended in Contract Standing Orders, for consistency (pages 64, 67, 70 and 71 of the current version of the constitution).
- (e) The Members' Allowance Scheme has been amended to reflect changes to relevant rates for 2019/20 (page 79 of the current version of the constitution).

SUPPORTING OUR SERVICE PLAN AND PRIORITIES

5. An effective and up to date Constitution supports efficient and effective decision making which in turn supports the Authority's Service Plan and priorities.

LEGAL IMPLICATIONS

6. The proposed amendments to the Constitution have been developed with input from the Monitoring Officer and Authority's legal adviser. There are not considered to be any significant legal implications.

PEOPLE IMPACT ASSESSMENT

7. The proposed minor variations to the Constitution contained in this report are considered compatible with the provisions of the equality and human rights legislation. No people impacts are anticipated by the proposed changes.

RISK ANALYSIS

8. There are no adverse risks associated with the proposed minor variations to the Constitution. Not amending the Constitution to ensure it properly reflects changes agreed by the Authority does create some risks of weak governance arrangements.

CONCLUSION

9. It is important that the Authority's Constitution is regularly reviewed and amended where this is required. The proposed amendments set out in this report are intended to ensure that the Constitution properly reflects the practices of the Authority and enables effective and efficient decision making and governance.

RECOMMENDATION

10. The Authority approves the amendments to the Constitution at Appendix A; and
11. The Authority delegates authority to the Clerk to finalise a new version of the Constitution containing the amendments at Appendix A and consequential changes to numbering and formatting and to arrange for this to be published on the Authority's website.

APPENDICES ATTACHED

12. **Appendix A** – Extracted amendments to the Constitution

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