



OFFICER REPORT TO COUNCIL

AMENDMENTS TO THE CONSTITUTION

KEY ISSUE/DECISION:

It is the Council's responsibility to approve changes to the Scheme of Delegation regarding non-executive functions, while amendments to executive functions are delegated to the Leader and are brought to County Council to note.

This report seeks Council's approval for the following changes to be made to the Constitution:

- To add new officer delegations to the Scheme of Delegation relating to the Firefighters' Pension Scheme.
- To approve a change to Standing Order 41(g) to permit substitutes on the Surrey Local Firefighters' Pension Board.
- To note that the Coroner's Service now sits within the remit of the Communities, Environment and Highways Select Committee.
- To set out how the Council will meet its requirements to implement a Local Authority member led engagement board for outbreak management in line with Government guidance as a sub-committee of the Health and Wellbeing Board.

These changes are brought to Council in accordance with Articles 4.09, 7.03(g) and 8A of the Council's Constitution.

BACKGROUND:

1. Changes to any non-executive functions require approval by Council. Proposed changes are detailed below.

FUNCTIONS FOR DECISION BY COUNCIL:

Pensions Functions – proposed changes to the Scheme of Delegation

2. As a result of the agreed ownership of the Scheme Manager responsibilities in relation to the Firefighters' Pension Scheme, it is necessary to introduce delegations to the Scheme Manager (Surrey Fire

and Rescue Service) to cover the Firefighters' Pension Scheme and Council are asked to approve the following delegations to be included within the Scheme of Delegation:

| No | Service area | TITLE OF POSTHOLDER | FUNCTIONS DELEGATED |
|-----|-----------------|---|--|
| FR6 | Fire and Rescue | Scheme Manager (SFRS) Chief Fire Officer | To take any decisions necessary (except those covered by FR7 and FR8 or reserved to a committee of the Council) pursuant to the operation of the Firefighters' Pension Scheme 1992 (FPS 1992), New Firefighters Pension Scheme 2006 (NFPS 2006) and Firefighters Pension Scheme 2015 (FPS 2015). |
| FR7 | Fire and Rescue | Chief Fire Officer Chief Executive | In consultation with the Executive Director of Resources or their deputy, to approve the medical discharge of a Firefighter under the terms of the FPS 1992, NFPS 2006 and FPS 2015. |
| FR8 | Fire and Rescue | Scheme Manager (SFRS) Chief Fire Officer | In consultation with the Executive Director of Resources or their deputy, to take decisions relating to the exercise of all discretions and matters under the FPS 1992, NFPS 2006 and FPS 2015, including those in the currently published policy of discretions. |

Local Firefighters' Pension Board Substitutes – proposed changes to Standing Orders

- The Audit and Governance Committee on 17 December 2019, approved the changes to the Terms of Reference of the Local Firefighters' Pension Board permitting the delegation of attendance to substitutes. The Board endorsed those changes amending its Terms of Reference at its meeting on 17 January 2020.

To reflect those changes, Standing Order 41 (g) of the Council's Constitution must be amended removing reference to the Surrey Local Firefighters' Pension Board:

- g) Substitutes are not permitted on the Spelthorne and Woking Joint Committees and the Local Pension Board. ~~and the Surrey Local Firefighters' Pension Board.~~*

Update to select committee remits – Article 7

- Due to structure changes within the organisation the Coroner's Service now sits within the Environment, Transport and Infrastructure directorate. As a result, it is proposed that scrutiny of this service area moves to sit

within the remit of the Communities, Environment and Highways Select Committee and that Article 7 be updated accordingly.

Establishment of a Member-led outbreak engagement board – Surrey Local Outbreak Engagement Board

5. The NHS Test and Trace service is part of the Government's COVID-19 recovery strategy. This strategy requires local authorities to work with partners to build on existing health protection plans to put in place measures to identify and contain outbreaks and protect the public's health.
6. The strategy requires a public-facing board led by council members to communicate openly with the public. Therefore, in line with this strategy the Council has set up the Surrey Local Outbreak and Engagement Board (LOEB). This Board will operate as a sub-committee of the Health and Wellbeing Board and membership will be made up from representatives from Surrey County Council, District and Borough Councils, Surrey Police and Health Partners.
7. The terms of reference for the Surrey Local Outbreak Engagement Board can be found at **Annex A** and Council is asked to note the establishment of this sub-committee of the Health and Wellbeing Board.

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| RECOMMENDATIONS: |
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It is recommended:

- a) that the County Council agrees to approve the new officer delegated functions relating to the Firefighters' Pension Fund.
- b) That the County Council is asked to approve the changes to Standing Order 41 (g), permitting the delegation of attendance to substitutes to the Surrey Local Firefighters' Pension Board.
- c) That scrutiny of the Coroner's Service moves to sit within the remit of the Communities, Environment and Highways Select Committee.
- d) That council note the establishment of the Surrey Local Outbreak Engagement Board and its terms of references as set out in Annex A.
- e) That the Director of Law and Governance be authorised to make the necessary changes to the Council's Scheme of Delegation and the Constitution be updated accordingly.

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Sources/background papers:

The Council's Constitution