

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

22 APRIL 2024

1. SCRUTINY COMMITTEE TERMS OF REFERENCE

Report of the Clerk to the Authority

2. RECOMMENDED

- 2.1. THAT Members approve the proposed changes to the Scrutiny Committee Terms of Reference (summarised in Appendix A) to be submitted to Fire Authority for approval.
- 2.2. That Members approve the change in frequency of reporting of Fire Control performance data from biannual to annual to enable alignment to additional reporting forums for this data.

3. PURPOSE OF REPORT

To review and update as required the Scrutiny Committee Terms of Reference, a process undertaken annually as part of a wider review of the Authority Constitution.

4. BACKGROUND

- 4.1. The Scrutiny Committee, like all Authority Committees, is required to regularly review its Terms of Reference to ensure they remain relevant. A full review of the Authority Constitution was last undertaken in June 2023, after the Scrutiny Committee agreed amendments to the terms of reference in April 2023.
- 4.2. Minor suggested changes are highlighted in red text with the intention of further increasing the clarity and readability of the Terms of Reference.
- 4.3. A specific change is made to paragraph 8.3.6 which will change the review and scrutiny of strategic performance information of the Staffordshire and West Midlands Fire Control from a twice-yearly basis to an annual basis.

5. EQUALITY IMPACT ASSESSMENT

No initial Equality Impact Assessment has been undertaken as none of the proposed changes will impact on the equalities aspects of the Scrutiny Committee's role.

6. LEGAL IMPLICATIONS

There are no legal implications of this report.

7. FINANCIAL IMPLICATIONS

There are no financial implications of this report.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications of this report.

BACKGROUND PAPERS

[WMFRA Constitution](#)

The contact for this report is Karen Gowreesunker, Clerk to the Authority

**Karen Gowreesunker
CLERK TO THE AUTHORITY**

Appendix A

Article 8 – Scrutiny Committee

8.1. In line with expectations set out in the Fire and Rescue National Framework the Authority has established a Scrutiny Committee to support it in achieving its strategic objectives. The committee ensures that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations.

8.2. Effective scrutiny frameworks will be in place for both the scrutiny of strategic policy, as well as performance. Aligned to the role of the Fire Authority and Chief Fire Officer/Chief Executive as set out in Articles 5 and 6 of this constitution, the scrutiny function should scrutinise decisions made or to be made, on the basis of ‘public safety’ aligned to the following definitions:

8.2.1 **Pre scrutiny** enables changes proposed to strategic policy to be scrutinised. These are decisions which if implemented, would change the strategic priorities and outcomes agreed by the Fire Authority.

Pre scrutiny can:

- a) Inform policy development and/or
- b) Hold the Authority to account

8.2.2 **Post scrutiny** enables the Fire Authority to seek assurance around operational decisions already made by the Chief Fire Officer/Chief Executive and other officers in the delivery of strategic priorities and outcomes (for example: training, partnership working). Post scrutiny can:

- a) Scrutinise the performance of specific issues and/or
- b) Hold officers to account

8.3. **Role and Functions**

8.3.1 To carry out scrutiny reviews selected by the Committee, with appropriate consideration of committee and officer capacity and cost. Such reviews will be member-led, and evidence based, and

will produce SMART (specific, measurable, achievable, relevant and timely) recommendations to the Authority.

- 8.3.2 To track and monitor the implementation of review recommendations that are accepted by the Authority.
- 8.3.3 To summon any officer or member of the Authority to give account in respect of reviews or any other relevant matter.
- 8.3.4 To manage, in consultation with the Section 151 Officer, a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews.
- 8.3.5 To receive and scrutinise performance information including progress against the Community Risk Management Plan and WMFS Strategy, objectives and priorities and corporate performance indicators and review performance targets.
- 8.3.6 To review and scrutinise strategic performance information of the Staffordshire and West Midlands Fire Control on a yearly basis.
- 8.3.7 To have responsibility for scrutiny of Diversity, Inclusion, Cohesion and Equality throughout the West Midlands Fire Service and to review policies and monitor performance in relation thereto.
- 8.3.8 To monitor and scrutinise as appropriate the Authority's people policies.
- 8.3.9 To monitor and scrutinise sickness levels, promotion policies and employee exit information.
- 8.3.10 To receive information and statistics on grievance and disciplinary monitoring and to report outcomes to the Joint Consultative Panel.
- 8.3.11 To scrutinise whether Authority is meeting its duties under health & safety and environmental and other relevant legislation.
- 8.3.12 To scrutinise the service's approach to complaints and to receive statistics on complaint numbers and handling.
- 8.3.13 To deal with any matters referred to it by the full Authority or its committees, the Chief Fire Officer/Chief Executive, Clerk, Monitoring Officer or Treasurer, not within its work programme.

8.3.14 To refer any matter for consideration by the Authority, another Committee or an officer where considered appropriate.

8.3.15 To submit its minutes and an Annual Report to the Authority.

8.4. Meetings and quorum

8.4.1 In order to allow for the separation of the Scrutiny and decision-making functions, findings and recommendations of Scrutiny reviews will be presented to the Authority by the Chair of the Scrutiny Committee. Members (excluding substitutes) of the Scrutiny Committee shall not vote on matters arising from Scrutiny reviews.

8.4.2 The Committee will sit in public with minimum exceptions.

8.4.3 In addition to its programmed meetings, the Committee will hold additional meetings, as and when required, in order to efficiently manage its workload.

8.4.4 Three Members who are eligible to vote shall form the quorum of the Committee. No business shall be transacted at any meeting of the Authority unless a quorum is present.