

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

26 JUNE 2023

1. ANNUAL REPORT OF THE SCRUTINY COMMITTEE 2022/23

Report of the Chair of the Scrutiny Committee.

RECOMMENDED

- 1.1 THAT the Authority receives the Scrutiny Committee Annual Report 2022/23.
- 1.2 THAT the Authority approve the proposed changes to the Scrutiny Committee Terms of Reference (Appendix 2).

2. PURPOSE OF REPORT

- 2.1 This report is submitted to bring to the attention of the Authority the Annual Report of the Scrutiny Committee 2022/23.

3. BACKGROUND

- 3.1 The Scrutiny Committee was established in line with expectations set out in the Fire and Rescue National Framework. The Committee forms an integral part of the Authority's scrutiny framework, supporting the Authority in achieving its strategic objectives.
- 3.2 The Committee enables the scrutiny of decisions, made or to be made, on the basis of public safety, supporting the principles of pre-decision scrutiny and post-decision scrutiny (defined as 'pre-scrutiny' and 'post-scrutiny' within the associated Terms of Reference). In doing so this further enables:
 - informing of policy development and/or
 - holding the Authority to account
 - scrutinising performance of specific issues and/or
 - holding officers to account.

- 3.3 The Annual Report for 2022/23 is attached as Appendix 1 for consideration by the Authority. The report includes further information on the role of the Committee, Member attendance and the work conducted by the Committee in 2022-2023. The report was agreed by the Scrutiny Committee on 24 April 2023.
- 3.4 The proposed amendments to the Scrutiny Committee Terms of Reference are attached as Appendix 2. The proposals were approved by the Scrutiny Committee on 24 April 2024.

4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 In preparing this report an initial Equality Impact Assessment is not required and has not been carried out because the matters contained in this report do not relate to a policy change.

5. **LEGAL IMPLICATIONS**

- 5.1 There are no particular legal requirements for the Authority to establish a Scrutiny Committee; it is however, considered good practice for authorities to have a means through which monitoring, and review of the Authority's policies and practices can be undertaken.

6. **FINANCIAL IMPLICATIONS**

- 6.1 Advice may be provided internally by Officers at no direct cost to the Authority, supporting the Committee in its work. The Scrutiny Committee can, if required, access resources to be able to engage external professional advice where applicable.

7. **ENVIRONMENTAL IMPLICATIONS**

- 7.1 There are no environmental implications arising from this report.

BACKGROUND PAPERS

[Scrutiny Committee Reports and Minutes](#)

Councillor Sybil Spence
Chair of the Scrutiny Committee (covering 2022-23)

Appendix 1

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

24 APRIL 2023

1. **SCRUTINY COMMITTEE DRAFT ANNUAL REPORT**

Report of the Chair of Scrutiny Committee

RECOMMENDED

- 1.1. THAT Members approve the Draft 2022-23 Scrutiny Committee Annual Report.

2. **PURPOSE OF REPORT**

- 2.1. To provide the Draft 2022-23 Scrutiny Committee Annual Report for member comment and approval.

3. **BACKGROUND**

- 3.1. The Scrutiny Committee is required by its terms of reference to provide an Annual Report covering the key achievements and work of the Committee throughout the year. This report is submitted to the Fire Authority for approval.

4. **EQUALITY IMPACT ASSESSMENT**

- 4.1. No initial Equality Impact Assessment has been undertaken as this report does not involve a change in policy.

5. **LEGAL IMPLICATIONS**

- 5.1. There are no legal implications associated with this report.

6. **FINANCIAL IMPLICATIONS**

- 6.1. There are no financial implications associated with this report.

7. **ENVIRONMENTAL IMPLICATIONS**

7.1. There are no environmental implications associated with this report.

8. **BACKGROUND PAPERS**

- [Scrutiny Committee Terms of Reference – WMFRA Constitution Article 9](#)
- [Scrutiny Review of Safe and Well](#)
- [Scrutiny Review of Business Continuity Arrangements](#)

The contact for this report is Tom Embury, Deputy Clerk to the Authority,
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Councillor Sybil Spence
CHAIR, SCRUTINY COMMITTEE

WEST MIDLANDS FIRE SERVICE

**Annual Report of the
Scrutiny Committee
2022/23**

1. Background

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.

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 (CFO) as set out within the Constitution of the Authority, the scrutiny function should scrutinise decisions made or to be made, on the basis of 'public safety' aligned to the following definitions:

- "Pre scrutiny" enables changes proposed to strategic policy decisions to be scrutinised. These are decisions which if implemented, would change the strategic priorities and outcomes agreed by the Fire Authority (for example, matters contained in Authority 'forward plan' for approval). Pre scrutiny can:
 - i) Inform policy development and/or
 - ii) Hold the Authority to account
- "Post scrutiny" enables the Fire Authority to seek assurance around operational decisions already made by the CFO and other officers in the delivery of strategic priorities and outcomes (for example: training, partnership working). Post scrutiny can:
 - i) Scrutinise performance of specific issues and/or
 - ii) Hold officers to account

The key benefits of the Committee can be seen as:

- Complementing the strategic and policy formulation and development work of the Authority and Service.
- Developing the skills of Members to enable them to investigate below the surface of policies, strategies and processes.
- Providing a useful oversight and an element of 'challenge' to performance improvement processes and continuous improvement.
- Encouraging public involvement in the policy process.

- Supporting the development of an environment that stimulates a more reflective, evaluative, and evidence-based culture within the Authority and Service.

The Terms of Reference for the Committee can be found within Article 9 of the Authority Constitution, published on the [Authority website](#).

2. Meetings

During 2022/23, the Committee met on the following dates:

- 7 November 2022
- 23 January 2023
- 24 April 2023

3. Members & Attendance Record

	07/11/22	23/01/23	24/04/23
Councillor Atwal	✓	✓	✓
Councillor Barrie	✓	✓	✓
Councillor Dehar	✓	✓	✓
Councillor Hussain	✓	✓	X
Councillor Spence	✓	✓	✓
Councillor Waters	✓	✓	✓
Councillor Young	✓	X	X
S Middleton (co-optee)	✓	✓	✓

Officers from the Authority are also present at meetings as appropriate.

Working Groups are also appointed to consider scrutiny reviews. As of February 2023, the limit on the number of Scrutiny Reviews per year has been removed, giving the Committee flexibility to undertake as many reviews as is necessary but also feasible.

4. Business

During 2022/23 the Committee conducted the following business:

- Diversity, Inclusion Cohesion and Equality Updates.
- Dispute Resolution Monitoring.
- Fire Control Performance Reports.
- Scrutiny Review of Safe and Well and including receipt of recommendations.
- Scrutiny review of proposed changes to Business Continuity Arrangements resulting in recommend full Authority to maintain current approach.
- Commissioning of Scrutiny Review into Training and Development starting April 2023 for completion in the 2023/24 municipal year.
- Work programme selection.

5. The Committee's main achievements

The Committee's key achievements during the year include:

- The consideration of performance related information throughout the year, enabling the continued robust monitoring of the Service's performance in the areas of:
 - Diversity, Inclusion, Cohesion and Equality,
 - Workforce profile indicators,
 - Dispute Resolution, Discipline and Grievance,
 - Operational performance of Fire Control.
- The Committee undertook a comprehensive review of the Service's Safe and Well provision, featuring a service wide survey and a number of focused interactive workshops with staff. The review reported to the Committee in November 2022 and identified opportunities for learning across a number of areas including:

- Risk Stratification
- Record Keeping
- Training and Development
- Performance Management
- Culture and Equity

The report also made ten recommendations for improvement and change, and the committee received an update on progress against those recommendations at its April 2023 meeting.

- In November 2022, the Committee considered two proposals for changes to the Service's approach to Business Continuity. This review was commissioned by the Full Authority. The review heard oral evidence from officers, representative bodies and the NFCC National Resilience Assurance Team. The committee concluded that the Authority should maintain its current approach to Business Continuity.
- In January 2023 the Committee commissioned the next scrutiny review, to consider the topic of training and development within the service, and in particular the experience of under-represented groups. A Terms of Reference for this review was agreed by the committee in April 2023. This will feature staff consultation, member-led focus groups with key staff groups and data analysis from both within the service and from other services. It is intended that the review will report in October 2023.

Appendix 2

WEST MIDLANDS FIRE AND RESCUE AUTHORITY
SCRUTINY COMMITTEE

24 APRIL 2023

9. **SCRUTINY COMMITTEE TERMS OF REFERENCE**

Report of the Clerk to the Authority

RECOMMENDED

- 9.1. 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.
- 9.2. THAT Members consider any further changes or additions to the Terms of Reference which could support the Committee to undertake its role of support the Authority to achieve its strategic objectives.

10. **PURPOSE OF REPORT**

- 2.1 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.

11. **BACKGROUND**

- 11.1. The Scrutiny Committee, like all Authority Committees, is required to regularly review its Terms of Reference to ensure they remain relevant.
- 11.2. Minor changes were made as a result of a focused review of the Constitution undertaken in February 2023. These changes are highlighted in blue text within the Terms of Reference in **Appendix A**.
- 11.3. Further changes are suggested in red text with the intention of further increasing the clarity and readability of the Terms of Reference.

12. **EQUALITY IMPACT ASSESSMENT**

- 4.1 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.

13. **LEGAL IMPLICATIONS**

- 5.1 There are no legal implications of this report.

14. **FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications of this report.

15. **ENVIRONMENTAL IMPLICATIONS**

- 7.1 There are no environmental implications of this report.

16. **BACKGROUND PAPERS**

[WMFRA Constitution](#)

The contact for this report is Tom Embury, Deputy Clerk to the Authority

Karen Gowreesunker
CLERK TO THE AUTHORITY

Appendix A

Article 9 - Scrutiny Committee

- 9.1 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.
- 9.2 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** as set out in articles 4 and 5 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:

Pre scrutiny enables changes proposed to strategic policy **decisions** to **be** scrutinised. These are decisions which if implemented, would change the strategic priorities and outcomes agreed by the Fire Authority (for example, matters contained in **the** Authority 'Forward Plan' for approval). Pre scrutiny can:

- i. Inform policy development and/or
- ii. Hold the Authority to account

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

- i. Scrutinise performance of specific issues and/or
- ii. Hold officers to account

9.3 Role and Functions: -

- 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** **attainable**, **relevant** **realistic** and timely) recommendations to the Authority.
- To track and monitor the implementation of review recommendations that are accepted by the Authority.
- To summon any officer or member of the Authority to give account in respect of reviews or any other relevant matter.
- To manage, in consultation with the **Section 151 Officer Strategic-Enabler for Finance and Resources**, a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews.

- To receive and scrutinise performance information including progress against the Community Risk Management Plan and 'The Plan', ~~the~~ objectives and priorities, and corporate performance indicators and review performance targets.
 - To review and scrutinise strategic performance information of ~~the Shared Staffordshire and West Midlands~~ Fire Control on a ~~twice-yearly biannual~~ basis.
 - To have responsibility for scrutiny of Diversity, Inclusion, Cohesion and Equality ~~and diversity~~ throughout the West Midlands Fire Service and to review policies and monitor performance in relation thereto.
 - To monitor and scrutinise as appropriate the Authority's HR policies.
 - To monitor and scrutinise sickness levels, promotion policies and employee exit information.
 - To receive information and statistics on grievance monitoring and to report outcomes to the Joint Consultative Panel.
 - To ~~scrutinise whether the ensure that the~~ Authority is meeting its duties under Health & Safety, ~~and~~ Environmental and other relevant legislation.
 - To deal with any matters referred to it by the full Authority ~~or its committees the Policy Planning Forum~~, the Chief Fire Officer, Clerk, Monitoring Officer or Treasurer, not within its work programme.
 - To refer any matter for consideration by the Authority, another Committee or an officer where considered appropriate.
 - To submit its minutes and an Annual Report to the Authority.
- 9.4 In order to allow for 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.
- 9.5 The Committee will sit in public with minimum exceptions.
- 9.6 In addition to its programmed meetings, the Committee will hold additional meetings, as and when required, in order to efficiently manage its workload.