



WEST MIDLANDS FIRE AND RESCUE AUTHORITY

Monday, 12 December 2022 at 11:00

**To be held at Fire Service HQ and digitally via
Microsoft Teams**

Distribution of Councillors	
<u>Birmingham</u>	D Barrie Z Iqbal G Atwal S Spence
<u>Coventry</u>	C Miks G Lloyd
<u>Dudley</u>	I Kettle P Miller
<u>Sandwell</u>	Z Hussain R Jalil
<u>Solihull</u>	P Hogarth MBE
<u>Walsall</u>	V Waters A Young
<u>Wolverhampton</u>	G Brackenridge J Dehar
<u>Police & Crime Commissioner</u>	S Foster
<u>Representative - Assistant PCC</u>	Wasim Ali
<u>Co-opted Members</u>	Professor S Brake Sarah Middleton ABCA
<u>Independent Member</u>	Mr M Ager
<u>Observers</u>	M Carter, UNISON
	R Merker, Fire Officer's Association
	S Price-Hunt, Fire Brigades Union

Please note: Meetings of the political groups will be held at 10.00 am.

Fire Authority

You are summoned to attend the meeting of Fire Authority to be held on
Monday, 12 December 2022 at 11:00

At Fire Service Headquarters, 99 Vauxhall Road, Nechells,

Birmingham B7 4HW

and digitally via Microsoft Teams

for the purpose of transacting the following business:

Agenda – Public Session

- 1 To receive apologies for absence (if any)
- 2 Declarations of interests
- 3 Chair's announcements
- 4 Chief Fire Officer Announcements
- 5 Minutes of the previous Fire Authority held on Monday 10 October 2022 5 - 14
- 6 Appointment of Representatives to Serve on Other Bodies 15 - 16
- 7 Business Continuity Arrangements - Scrutiny Review 17 - 30
- 8 Community Risk Management Plan 2023-24 31 - 40
- 9 Analysis of Progress of Quarterly Performance Against The Plan Qtr 2 2022-23 41 - 58
- 10 Monitoring of Finances 59 - 66
- 11 Minutes of Previous Public Committee Meetings 67 - 92

12 **Exclusion of the public and press**

Chair to move:- "That the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Paragraph(s) 1, 2 and 3 of the Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006."

Agenda (not open to public and press)

13 **Planned Procurement Exercise for 2022-2023**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

14 **Brigade Manager Staffing Matters - Report to Follow**

[Report to Follow].

Agenda prepared by Kirsty Tuffin

Strategic Hub, West Midlands Fire Service

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This agenda and supporting documents are also available electronically on the [West Midlands Fire Service Committee Management Information System](#)

This meeting of the West Midlands Fire and Rescue Authority will be held at Fire Service Headquarters. However, please note that although the meeting will be open to the public, there will be limited capacity due to ongoing social distancing measures.

The meeting will also be held digitally via Microsoft Teams allowing observers to access remotely. To access the meeting, please contact a member of the Strategic Hub, West Midlands Fire Service, who will be able to provide login details (please note that Microsoft Teams is not required to join a meeting) or provide guidance if you wish to attend in person at HQ.

Clerk Name:	Karen Gowreesunker
Clerk Telephone:	0121 380 6678
Clerk Email:	Karen.Gowreesunker@wmfs.net

West Midlands Fire and Rescue Authority

10 October 2022 at 1100 hours

Conducted as a public meeting at Headquarters and digitally via
Microsoft Teams

Present: Councillor Brackenridge (Chair),
Councillor Iqbal (Vice Chair),
Councillor Barrie, Councillor Dehar, Councillor Hogarth, Councillor
Hussain, Councillor Jalil, Councillor Kettle, Councillor Miks,
Councillor Spence, Councillor Waters, Councillor Young.

Virtual: Councillor Lloyd, Councillor Miller, Mike Ager – Independent
Member, Professor S Brake - co-opted member, Wasim Ali –
APCC, Maurice Carter – Unison, Sarah Middleton, Co-opted
member.

01/22 **To receive any apologies for absence**

Apologies were received from Councillor Gurdial Atwal Singh, Phil
Loach - Chief Fire Officer, Wayne Brown – Deputy Chief Fire
Officer, Steven Price-Hunt – Fire Brigades Union.

02/22 **Declarations of interest**

The Chair declared a personal non-pecuniary interest due to being
a member of the Firefighters Pension Scheme(s). Councillor
Hogarth and Councillor Kettle declared a non-pecuniary interest due
to a local government pension fund.

03/22 **Chairs Announcements**

The Chair welcomed all attendees to the meeting of the full Fire
Authority, with a special welcome to the new Coventry
representative Cllr Gavin Lloyd who had joined online due to being
on his honeymoon.

The Chair advised that he and the Chief Fire Officer had/would continue to lobby nationally the need for fairer pay for fire fighters. A new pay offer of 5% had been offered by the NJC and would be balloted by Union members. The Home Office had confirmed that unlike other sectors such as the Police service, funding would not be provided to Fire Services to assist with the additional cost of pay rises.

The Chair thanked all members of staff involved in the UKRO Festival. He had been pleased to see the volume of school children involved in the event.

04/22 **Chief Fire Officer's Announcements**

Gary Taylor, Assistant Chief Fire Officer (ACFO), welcomed all attendees to the meeting with a special welcome to Cllr Gavin Lloyd.

The ACFO endorsed the comments of the Chair of the Authority on the success of UKRO. He advised that additional equipment had been sent to Ukraine including a convoy that would be transported by members of staff across Europe over seven days. The volunteers had been Crew Commander Sam Wickett and Firefighters Zoe Taylor and Joshua Stanton along with Watch Commander Shaun Crone.

The ACFO advised that the National Breathing Apparatus Challenge took place on 8 October at the Fire Service College. Congratulations was given to West Midlands Fire Service Foleshill Red and White teams with the team from Foleshill Red Watch coming 2nd overall, with Richard McMenemy winning 1st place in Fire Ground Management, while Dannielle Maisey and Sam Blanche won 1st place BA team.

Congratulations was also given to Deputy Chief Fire Officer Wayne Brown who won the individual 'Senior Leader' award at the Evenfields Black Talent Awards held on 29 September.

05/22 **Minutes of the Fire and Rescue Authority held on 27 June 2022**

Resolved:

1. That the minutes of the Fire Authority meeting held on 27 June 2022 be approved as a correct record.

06/22 **Membership of the Authority 2022-2023, Questions of Discharge and Committee Membership**

Karen Gowreesunker, Clerk to the Authority, presented the Membership of the Authority 2022-2023, Questions of Discharge and Committee Membership report.

The Authority were advised that due to the sad passing of Councillor Seamus Walsh, Councillor Gavin Lloyd had been appointed by Coventry Council as their second representative on the Authority. They had nominated Councillor Miks as their S41 Officer. Due to the change in Membership, changes had been made by the Chair of the Authority to committee memberships as outlined within the report. Congratulations was given to Councillor Miks on her appointment as the S41 Officer.

Resolved:

1. That it be agreed the Membership of the Authority for 2022-23 be noted.
2. That it be agreed that the members, as per the report, be nominated to answer questions on the discharge of functions of the Authority as required by Section 41 of the Local Government Act 1985, be approved.
3. That it be agreed that the changes to the membership of committees for 2022-2023, as per appendix 1, be approved.

07/22 **Portfolio Management (3PT)**

Gary Taylor, Assistant Chief Fire Officer (ACFO), presented the Portfolio Management (3PT) report, that outlined a strategic summary of the progression of the delivery of Portfolio Management through 'Our Plan'.

The Authority were advised that Martin Ward-White formerly Strategic Lead for Organisational Policy, Assurance and Response had moved into a new role, overseeing our operational response function as Area Commander (Strategic Enabler) for Operations.

The key work by the Community Reduction Risk Programme (CRR) during the recent heatwave was highlighted. The Heatwave Plan had been implemented as a result of receiving over 50 incidents over a 30-minute period for two hours or more. The Dynamic Cover Tool (DCT) and Risk Based Crewing (RBC) model had been successful and ensured the services response had been dynamic, resourcing incidents via a people-based mobilisation. Digital enhancements had been implemented and Fire Control were now using Vision 4 mobilising system with an app-based approach to fire safety. Collaboration work had also been underway with transport for West Midlands about use of/access to road network CCTV cameras in the control room. This would allow Fire Control (FC) to utilise cameras to support resourcing incidents.

As part of the prevention work, SPARK visits to schools had now resumed face-to-face. A hybrid approach would continue with the services Safe and Well visits and feedback would continue to be sought following visits. WMFS was now a member of the three new Integrated Care Partnerships (ICP) which would assist with referrals to Safe and Wells.

The Authority were advised that two Fire Engineers had completed their 4-year course and successfully graduated with First Class Honours. The Reward and Recognition (R&R) events had reconvened, following their pause during the pandemic. Members were invited to the 20/30-year recognition ceremony taking place on 15 December. A Mission to Mars Project of recognition to staff was also underway. 100+ nominations for employees recognised for their achievements within each category, had been received. The winners from each category would be announced in due course.

Positive work had been conducted in pushing the boundaries for Breathing Apparatus (BA) sets by pushing the sector to advance technology to take into account facial hair. The current policy on BA

had been reviewed and feedback would be sought. Praise was given to the service on their approach. Following queries around the resumption of cadets in Bloxwich, it was agreed that Gary Taylor would correspond with Pete Wilson and provide an update to Councillor Young.

Resolved:

1. That it be agreed that the Portfolio Management (3PT) report be noted.
2. That it be agreed that Gary Taylor would correspond with Pete Wilson and provide an update to Councillor Young on the resumption of cadets in Bloxwich.

08/22 **Business Continuity Arrangements**

Gary Taylor, Assistant Chief Fire Officer (ACFO), presented the Business Continuity Arrangements report, that outlined the context for uprating Corporate Risk 6.1 to 16 (RED) and potential steps to mitigate the risk.

The Authority were advised that a verbal update had been provided to Audit and Risk Committee in July, followed by an extensive report on 26 September. The Committee had recommended that Fire Authority approve a Scrutiny Review to take place on the current Business Continuity Arrangements, as outlined within the report. A further detailed summary on the cost implications would be covered in item 13 Business Continuity Costs and Considerations private report.

The Authority were advised that Corporate Risk 6.1 had been escalated from 12 to 16 (impact 4, likelihood 4), the highest risk level, as the service felt it did not have the confidence that services could be provided should there be strike action. The Fire and Rescue Service National Framework, Fire and Rescue Authorities were required to assess any risk of emergencies occurring and ensure business continuity. Alongside this, Section 2 of the Civil Contingencies Act 2004 contained contingency/business continuity plans that the Authority had a statutory duty to assess, plan and advise upon. Risks were reported monthly to the Chief Fire Officer

and six monthly via the corporate risk report to Audit and Risk Committee.

Following a Scrutiny Review in October/November 2019, a report was submitted to Fire Authority to greater strengthen business continuity resilience arrangements. The recommendations were rejected, following a report from Scrutiny Committee to continue with existing business continuity arrangements. Given the change in climate as a result of the cost of living, and other sectors already taking industrial action, the service had a duty to advise the Authority that they did not have confidence with the current arrangements of volunteers which was reflected in the escalation of Risk 6.1. A 2% pay award had already been rejected by Grey-Book staff, with a 5% offer currently being voted upon.

A survey commissioned by the Home Office to assess resilience arrangements in the case of industrial action, found that West Midlands Fire Service had limited assurance and would be considered high risk (red RAG rated). The Home Office would confirm the next steps for action to the Chair of the Authority and Chief Fire Officer in due course. The two mitigation options highlighted to the Authority were:

1. Retention of external resilience provider
2. Contingency or resilience contracts for existing employees

The Authority were advised that the use of external providers would provide high assurance and would be implemented relatively quickly but entailed a cost implication that would be covered in item 13 on the agenda. The use of contingency or resilience contracts for existing staff would have a smaller financial impact, however, would take longer to implement due to training required and there had been no guarantee on the numbers of employees that would sign up.

The Clerk and Monitoring Officer emphasised the need for the review to take place within four weeks due to the urgent nature of the issue and the need for representative bodies and Home Office to be involved.

Representative Bodies expressed their disapproval for the mitigation proposals outlined within the report and the impact it would have on industrial relations. The ACFO expressed to members that the service made no judgement on those wishing to strike and knew the impact this would be having on staff; however, the service did have a legal duty to ensure that services could still be provided in the event of strike action. It was agreed that a full Scrutiny Review on the current Business Continuity Arrangements take place in the next four weeks.

Resolved:

1. That the increase in Corporate Risk 6.1 relating to Business Continuity, as reported verbally to Audit and Risk Committee on 18 July 2022 and further discussed at Audit and Risk Committee on 26 September 2022, be noted.
2. That it be agreed that a full Scrutiny Review on the current Business Continuity Arrangements take place in the next four weeks.

09/22 **Monitoring of Finances**

Mike Griffiths presented the Monitoring of Finances report that outlined the finances of the Authority for the current financial year and covered revenue expenditure/capital programme.

The Authority were advised that, as per appendix A of the report, the revenue budget and the actuals were compared up to the 31 August 2022. Actuals spend to August 2022, including commitments, was £44m compared to the projected budget of £43m. this had resulted in an overall adverse variance of £0.4m. This had mainly been a result of an overspend on pay budgets and an increase in utility/fuel costs. As part of the Authority's 2023/24 budget setting process, the current year's budget would be reviewed, and focus would be given to those areas reflecting an overspend. It was highlighted that Appendix A did not reflect the revenue budget pressures anticipated to arise from pay awards in the current year 2022-2023.

Following queries on the continuation of vehicle replacements, Mike advised the Authority that this issue was regularly reviewed and the appropriate time scales for vehicle life continued to be looked at. One CRMP project, for Risk Based Crewing, would potentially have an impact on the number and types of vehicle required. It was acknowledged that Orders for vehicles placed would take around 12-18 months to receive. A review of the Vehicle Replacements Programme, including a review of vehicle life cycles, would take place before February's Budget report.

Resolved:

1. That the Monitoring of Finances report be noted.

10/22 **WMFRA Calendar of Meetings and Member Allowances 2022-2023**

Karen Gowreesunker, Clerk to the Authority, presented the WMFRA Calendar of Meetings and Member Allowances 2022-2023. She advised that as per Appendix 2 of the report, the member allowance scheme was last reviewed by an Independent Review Panel and a report presented to the Authority in November 2018. Despite the outcomes of the review the Authority agreed to maintain its current members' allowance scheme for 2019/20 and 2021/22. This scheme continues for 2022/23.

Resolved:

1. That it be agreed that the calendar of meetings for 2022-2023 as set out in Appendix 1, be approved.
2. That it be agreed that the Members' Allowances Scheme for 2022-2023 as set out in Appendix 2, be approved.

11/22 **Minutes of the Previous Public Committee Meetings**

Resolved:

1. That it be agreed that the minutes of the following committee meetings, be noted:
 - Audit and Risk Committee Monday 6 June 2022 and Monday 18 July 2022

- Collaboration and Transformation Committee - Monday 25 April 2022

12/22 **Exclusion of the public and press**

Resolved:

1. That it be agreed that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Paragraph 3 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

13/22 **Business Continuity Arrangements – Costs and Considerations**

Gary Taylor, Assistant Chief Fire Officer (ACFO), presented the Business Continuity Arrangements – Costs and Considerations report, that outlined the financial implications of potential measures designed to mitigate the impact of Industrial Action.

Following the cost of both options being outlined, the need for the Scrutiny Committee to review any cost implications was emphasised.

Resolved:

1. That it be agreed that Scrutiny Committee consider the cost implications as part of their Scrutiny Review on Business Continuity Arrangements.

14/22 **Pay Award Update and Associated Budgetary Pressures**

Gary Taylor, Assistant Chief Fire Officer (ACFO), advised the Authority that a request by the NJC had been received on 30th September, seeking the views of the authority on potential pay offers and how these would be funded. Due to their deadline of 3 October, a Matter of Urgency had been approved and superseded the report held within the agenda pack.

The Matter of Urgency had determined that the service could support a pay offer of 5% that would be funded by reserves for

2022-2023. It was highlighted that should the 5% offer be accepted; this would reduce the reserves significantly by £2.4m. A review of reserves was conducted regularly, and the impact of this reduction would inevitably reduce commitments in other areas. The use of reserves for 2022-2023 would resolve the issue this year however, the current services and budget would need to be looked at for following years. It was anticipated that the government funding to be provided to the service would be announced in December 2022 which would assist in the preparation for 2023-2024 budget planning.

Members were asked to raise the issues around the lack of funding and the implications this has on the services with their councils and MPs. Councillor Waters advised that she had been corresponding with her MP, the current Chief Whip, on the matter.

Resolved:

1. That it be agreed that the Matter of Urgency report superseding the Pay Award Update and Associated Budgetary Pressures be noted.

15/22 **Planned Procurement Exercise for 2022-2023**

Mike Griffiths, Treasurer/Section 151 Officer, presented the Planned Procurement Exercise for 2022-2023 report that provided the rationale for the planned tender exercises over £250k, as per report.

Resolved:

1. That it be agreed that the following tender exercises for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2022/23 be approved:

1.1 PHASE 2 BUSINESS TRANSFORMATION

1.2 UNIFORM

The meeting ended at 12:22 hours.

<p>Kirsty Tuffin</p> <p>Strategic Hub</p> <p>0121 380 6906</p> <p>Kirsty.tuffin@wmfs.net</p>
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WEST MIDLANDS FIRE AND RESCUE AUTHORITY

12 DECEMBER 2022

1. APPOINTMENT OF REPRESENTATIVES TO SERVE ON OTHER BODIES

Report of the Clerk.

RECOMMENDED

- 1.1 THAT the Authority nominates representatives to serve on the Local Government Association (LGA) – Fire Service Commission set out under 3.3 of this report, for the remainder of the 2022-2023 calendar year, expiring with the Annual Meeting of the Authority in June 2023.

2. PURPOSE

- 2.1 The purpose of the report is to request the Authority to appoint representatives on the LGA – Fire Service Commission for the remainder of the 2022-2023 calendar year, expiring with the Annual Meeting of the Authority in June 2023.

3. REPORT DETAILS

- 3.1 The Authority is requested to appoint representatives to serve on the LGA – Fire Service Commission.
- 3.2 At the Annual General Meeting on Monday 27 June 2022, the Authority approved the appointment for the Chair of the Authority to the LGA – Fire Service Commission.
- 3.3 A further two appointments are required to the outside body that must apply to proportionality rules. Therefore, the Authority is asked to appoint one Labour representative and one Conservative Representative. Correspondence was circulated to all Members to seek any interest in the role in which Councillor Atwal, expressed his desire to be a representative.

4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

5. **LEGAL IMPLICATIONS**

- 5.1 The Local Government and Housing Act 1989 provides that the principles of proportionality apply where the Authority makes more than three appointments to bodies specified in the Act.

6. **FINANCIAL IMPLICATIONS**

- 6.1 Provision has been made in the Authority's budget to meet any costs involved relating to Members' allowances.

7. **ENVIRONMENTAL IMPLICATIONS**

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

BACKGROUND PAPERS

[Fire Authority Report, Appointment to Outside Bodies, 27 June 2022](#)
[Fire Authority Report, Appendix 1 - Appointment to Outside Bodies, 27 June 2022](#)

The contact name for this report is Karen Gowreesunker, telephone 07973810338.

Karen Gowreesunker
Clerk to the Authority

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

12 DECEMBER 2022

1. BUSINESS CONTINUITY ARRANGEMENTS – SCRUTINY REVIEW

Report of the Chair of the Scrutiny Committee

RECOMMENDED

- 1.1 THAT Authority reject Officers' recommendations, made on 10 October 2022, to employ either an External Contractor or Contingency Workers (either internal or external) in the event of Industrial Action.
- 1.2 THAT Officers make further efforts to understand the number of operational staff likely to strike – recognising that staff have no requirement to provide this information.
- 1.3 THAT Officers provide further detail on the training requirements and competencies of external resilience contractors.

2. PURPOSE OF REPORT

- 2.1 To report back the outcome of the Scrutiny Review of Business Continuity Arrangements to Authority, requested on 10 October 2022 and undertaken on 7 November 2022.

3. BACKGROUND

- 3.1 Corporate Risk 6.1, regarding Business Continuity, was first elevated by Officers to 16 (Red) its highest level, in June 2022. A verbal update on this was provided to the Audit and Risk Committee (A&R) on 18 July 2022, and a written report requested by A&R was taken on 26 September 2022. This report "Update on Corporate Risk 6.1 – Business Continuity Arrangements" outlined the reasons why CR6.1 had been elevated, and proposed steps to mitigate this risk were shared with the Committee.
- 3.2 The matter was referred to the full Authority Meeting on 10 October 2022. That report "Business Continuity Arrangements" similarly set out

the reasons for the escalation of CR6.1 and proposals to mitigate the risk by either employing Contingency Contracts or an External Contractor. The employment of an External Contractor, while an operational matter covered by Officer delegations, could incur costs in excess of £250,000 limit requiring authority approval. The report also highlighted the input from the Home Office/National Resilience Assurance Team (NRAT), which had also “Red” rated WMFS’s business continuity arrangements.

- 3.3 Authority referred the matter to the Scrutiny Committee for a review. This mirrored a similar review of similar proposals undertaken in November 2019.
- 3.4 Scrutiny Review invited oral and written evidence from a range of relevant stakeholders including WMFS Officers, Representative Bodies, external contractors, other FRS and the Home Office. The Committee met on 7 November 2022 to consider the written evidence and hear from witnesses. The full minutes of that session can be found in **Appendix 1**. The full terms of reference for the review can be found in **Appendix 2**.

4. **SCRUTINY REVIEW FINDINGS**

- 4.1 Scrutiny Committee questions Wayne Brown, Deputy Chief Fire Officer, on behalf of the service’s Strategic Enabling Team, Steven Price-Hunt, Brigade Secretary, on behalf of the Fire Brigades Union and Paul Hitchen on behalf of the National Resilience Assurance Team (NRAT).
- 4.2 Scrutiny Committee also considered written evidence ([available from CMIS here](#)) from all three parties named above, as well as evidence from other Fire and Rescue Services (FRS) who operate various contingency arrangements either through contingency contracts or external resilience providers.
- 4.3 Following consideration of the evidence, the Scrutiny Committee voted to reject each of the options put forward by officers. It was the view of members that the current approach, relying on volunteers and non-striking staff, is preferable to the options outlined.
- 4.4 Although the options were rejected, Members have requested that officers make further efforts to determine how many staff are likely to take industrial action in the event of a successful ballot, as this is key intelligence in judging the suitability of current requirements. It was

recognised by members, following feedback from both Officers and Representative Bodies, that employees have no requirement to provide such information and that officers must ensure such requests are not regarded as harassing staff.

- 4.5 Members also requested further information be provided to the authority on the training requirements for contingency staff, be their internally employed or provided by an external provider, as this was not provided in evidence.

5. **EQUALITY IMPACT ASSESSMENT**

- 5.1 In preparing this report an initial Equality Impact Assessment is not required and has not been carried out.

6. **LEGAL IMPLICATIONS**

- 6.1 The West Midlands Fire and Rescue Authority (WMFRA) have a legal duty as detailed in Part 2, section 7-9 of the Fire and Rescue Services Act, 2004, the FRA must make provision for responding to fires, road traffic accidents and emergencies.
- 6.2 The Civil Contingencies Act (CCA), 2004 also requires Category 1 responders to maintain business continuity plans to ensure that they can continue to deliver key services in the event of an emergency.
- 6.3 Under the CCA, CFOs have target duties to mitigate community risk and if, having taken all available steps, the arrangements are not satisfactory then CFOs have a legal duty to declare this position via the Local Resilience Forum.

7. **FINANCIAL IMPLICATIONS**

- 7.1 The Options considered by Scrutiny Committee would require additional expenditure if enacted. In the case of the employment of external contractors this would constitute spending above the current £250,000 limit identified under the scheme of delegations as requiring Authority approval.
- 7.2 Any additional costs of implementing potential mitigation measures considered by Scrutiny Committee are not currently included within the agreed service budget for 2022/23, so these costs would be in addition

to existing expenditure plans. As it stands no additional funding is available from central government in the event of strike action.

8. **ENVIRONMENTAL IMPLICATIONS**

- 8.1 In preparing this report an Environmental Impact Assessment is not required and has not been carried out.

BACKGROUND PAPERS

- [Minutes of the Audit and Risk Committee - 18 July 2022](#)
- [A&R Report, Update on Corporate Risk 6.1 - Business Continuity Arrangements, Monday 26 September 2022](#)
- [Fire Authority Report, Business Continuity Arrangements, 10 October 2022](#)

The contact for this report is Tom Embury, Deputy Clerk to the Authority - tom.embury@wmfs.net

Cllr Sybil Spence
Chair of WMFRA Scrutiny Committee

Appendix 1 – Minutes of Business Continuity Scrutiny Review Session, 7 November 2022

Scrutiny Committee Working Group – Business Continuity Arrangements

Tom Embury, Deputy Clerk, provided an overview of the Scrutiny Committee Working Group – Business Continuity Arrangements report. He advised that the matter had been referred to the Committee by Fire Authority on Monday 10 October 2022. Appendix 1 of the report outlined the proposed options taken to Fire Authority. Appendix 2 of the report outlined the Terms of Reference (TOR) for the Review. The Committee were advised that all those listed within the TOR had been invited to provide both written and verbal attendance to the Committee.

WMFS Service Evidence

Wayne Brown, Deputy Chief Fire Officer (DCFO), was invited to present the evidence on behalf of the Service. He advised the Committee that the West Midlands Fire and Rescue Authority (WMFRA) had key responsibilities under the following principles and legal obligations:

- Local Authority Nolan Principles that stated the Community must be at the heart of decision making.
- Fire and Rescue Service Act 2004 and National Framework Document 2019 required Fire and Rescue Authorities to assess any risk of emergencies occurring and ensure business continuity.
- Section 2 of the Civil Contingencies Act 2004 required contingency/business continuity plans that the Authority had a statutory duty to assess, plan and advise upon.
- The Health and Safety at Work Act 1974

The current business continuity arrangements in place were the use of volunteers from non-striking employees, risk management via dynamic cover tool and provision of national resilience capabilities. Corporate Risk 6.1, that was related to Business Continuity and preparedness, had been raised to 16 (RED), as the service did not have confidence in the current arrangements.

Under the current arrangements, the service believed that core functions would not be provided as a result of extensive disruption and the above obligations would not be adhered to unless change was agreed. Failure to comply with the above legislation could result in intervention from the Secretary of State, increased likelihood of harm to the community due to

reduction in services and impact employees due to insufficient resources being available to apply safe systems of work.

As the current arrangements relied upon good will, a letter was circulated by the Chief Fire Officer (CFO) to all 1854 employees that requested a non-obligatory response on their intentions to strike or not. The intention had been to access the number of employees the service may have should a strike take place. 93 responses were received. Of the 93, 65 responded 'yes', they would be willing to work during strike action which totalled 3.5% of the total workforce, 16 responded 'no' and 12 responded 'prefer not to say'.

In July 2022, the National Resilience Assurance Team conducted a survey with Fire and Rescue Services on Business Continuity Arrangements for Industrial Action. As a result of this survey, the West Midlands Fire Services (WMFS) had been rated high risk (RED) due to the lack of re-assurance that 30% of services could be provided under strike action. A meeting with the Chief Fire Officer and Chair of the Authority would take place with the Home Office whereby an explanation would be required as to why WMFS had been rated RED.

A SWOT analysis had been conducted for all options presented and were as follows:

- Current arrangements – low confidence. Due to insufficient staffing levels to provide an emergency response to all incident types.
- Internal Resilience Contracts – medium confidence. Aimed to ensure current employees provided additional emergency cover but the level of staff that would sign up is unknown.
- External Resilience Contracts – medium confidence. WMFS could ensure standards of training be provided but the level of applicants would be unknown and the time to take to introduce would be significant.
- External provider – high confidence. Guaranteed a minimum level of resources would be provided during potential industrial action.

The estimated financial considerations to incorporate the above options was highlighted to members. These included the following:

- Internal resilience contracts: average retainer fee in other Fire Services had been £1000-£2000 per contract, annually.
- External resilience contracts: average annual cost of £140k (without Industrial Action (IA), mobilisation costs based upon 8 days continuous IA average cost was £80k (25 staff).

- External provider: average cost without IA of £164k, mobilisation costs based upon 8 days continuous IA average cost was £464k.

The DCFO advised the Committee that the proposed changes to the current business continuity arrangements made no judgement on those wishing to strike and officers knew the impact this would be having on staff; however, the service did have a legal duty to ensure that services could still be provided in the event of strike action.

Following queries around the methods used to engage with employees and on what had changed to cause 6.1 to be raised, DCFO advised the Committee that the views of the service had not changed since 2019, whereby a report was rejected by Scrutiny Committee to change the business continuity arrangements. It was felt that multiple factors including the cost-of-living crisis impacting upon all employees only emphasised the need to change the current arrangements further. The service did not wish to pressure employees to respond to the CFOs question on their intention to strike as this was deemed inappropriate and may constitute harassment. It was emphasised that employees had a legal right to strike and had no requirement to inform the service of their intention to do so.

Following queries around funding, the DCFO advised the Committee that any funding would need to be incorporated into the current budget and no additional funding would be provided by the Home Office. Following queries by the Chair of the Committee, the DCFO advised the Committee that as current industrial action would likely be a national strike, no additional staff from other areas could be called upon. All areas are responsible for their own business continuity. External provider employees would be trained adequately from a health and safety perspective. It was emphasised that it did not need to be one option and a blended approach could be utilised.

Fire Brigades' Union Evidence

Steven Price-Hunt, West Midlands Brigade Secretary, was invited to present the evidence on behalf of the Fire Brigades Union (FBU). He advised the Committee that the FBU had serious concerns around any potential changes to contingency arrangements as outlined within the report and the damage this would cause to industrial relationships. The rationale behind the changes referenced a requirement under The Fire Services Act 2004 and Civil Contingencies Act 2004. The Fire Services Act sections 7,8 and 9 explained the role of responding to fires and road traffic collisions, and that services needed to make provisions to provide coverage. The Civil Contingencies Act

Section 2 (1) (C) explained 'maintain plans for the purpose of ensuring, so far as is reasonably practicable, that if an emergency occurs that person or body is able to perform his or its functions.' Steven emphasised the wording to be 'so far as is reasonably practicable,'.

There were concerns by the FBU with the costs associated to any changes implemented and expressed the view that these costs would exceed the predicted quarter of a million pounds. The external providers had been advertising for these roles with huge salaries to try and entice people to apply. It was felt this was unfair to employees, given the campaign for better pay as a result of the cost of living, that external companies could pay up to 50% more than that of firefighters.

The FBU did not believe that the external companies would have the capacity to deliver as those contracted would require breaks and annual leave. This would result in an estimated two vehicles being available although, contracted/paid for five vehicles. It was felt that the companies were approaching all services without having the resources ready as they had been in the process of job advertising. The FBU raised concerns around the advertisements from external companies that declared 12 days of training would be provided. They did not feel this was adequate and sufficient enough. Alongside this, the lack of local knowledge and use of safety critical equipment would put employees at risk under the Health and Safety at Work Act. Steven advised the Committee, that should this option be implement and employees felt unsafe working alongside externally contracted, advice would be given to withdraw their services.

The Committee were advised that a recall system had already been in place, should a strike take place. If a reasonable recall to duty process for Fire fighters could be presented, the FBU would sign to provide that a level of assurance if industrial action took place. The FBU had consulted with its members, and they opposed the proposal to change business continuity arrangements. The FBU felt if changes were implemented it would antagonise the workforce and would result in more Firefighters taking industrial action if it took place.

Following questions by the Chair of the Committee, Steven advised the Committee that Unions would not be able to guarantee that 30% of the workforce would be available should there be industrial action. To ensure that, fairer pay would need to be provided to employees. Members expressed the need for the Home Office to be convinced that the required level of resources needed would be provided. Steven advised the Committee that historical

events had shown that firefighters would respond should a major incident be declared. Following queries around FBU members being asked to provide the required 30%, Steven advised the Committee that the 30% of resources had been a request by the Home Office.

National Resilience Assurance Team Evidence

Paul Hitchen was invited to present the evidence on behalf of the Home Office/National Fire Chief Council. He advised the Committee that the business continuity survey was conducted annually with a range of questions. As a result of information not being readily available around the level of cover that could be provided during industrial action, WMFS had been rated high risk (RED). The Chair of the Committee asked that the result be reviewed to take into consideration the good will of firefighters as it was felt employees did not intend to strike.

Following questions around the approach taken to receive responses, Paul Hitchen advised the Committee that all questions were submitted to WMFS for response. All questions had been answered but as the service could not provide a definite number of resources that would be available during industrial action, they were deemed high risk. He highlighted that all services nationally take part in the survey and WMFS had been the only service that could not provide this re-assurance.

The DCFO advised the Committee that the letter from the CFO to employees on their intention to strike had been a result of the survey questions by the National Resilience team. Following questions around legal restrictions and contacting employees on their intentions, the DCFO emphasised that it would not be morally right to push employees for a response as it could be received as harassment/manipulation. The FBU agreed with the DCFO that further correspondence with employees/additional pressure to provide their intentions to strike or not would be inappropriate.

Resolved:

1. That it be agreed that all evidence presented be noted.

23/22 Exclusion of the public and press

Resolved:

1. That the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006."

The Committee agreed a 15-minute adjournment at 14:06.

The Committee re-convened at 14:21.

24/22 Private Workshop for Members

Discussion was opened up to Members to deliberate on all evidence presented during item 8 of the agenda, including written evidence. Members expressed concerns that External Providers had not had the chance to respond to comments made by the FBU around the level of training provided to its employees. Tom Embury assured Members that external companies had been invited to provide evidence but had declined to attend due to capacity. It was agreed that more information be provided on the training provided by external companies. Members desired a different approach to be taken on engagement with staff around their decision to strike or not. Members wished to be provided with data from 2019.

It was agreed that a named vote be conducted on the options outlined as per the report. Members voted as follows:

Option 1a/1b – Internal/External Resilience Contracts/workforce:
Councillor Barrie – For
Councillor Dehar – Against
Councillor Hussain – Against
Councillor Spence – Against
Councillor Waters – Abstain
Councillor Young – Against

Option 2 – External Provider:
Councillor Barrie – For
Councillor Dehar – Against
Councillor Hussain – Against
Councillor Spence – Against
Councillor Waters – Abstain
Councillor Young – Against

It was agreed that a recommendation be presented to Fire Authority to continue with current practice. It was agreed that Tom Embury would draft the report on behalf of Scrutiny Committee and circulate to members for comments/amendments/approval prior to Fire Authority publication.

Resolved:

1. That it be agreed that options 1a, 1b and 2 be rejected following a named vote.
2. That it be agreed that a recommendation be presented to Fire Authority to continue with current practice. That it be agreed that Tom Embury, would draft the report on behalf of Scrutiny Committee and circulate to members for comments/amendments/approval prior to Fire Authority publication.
3. That it be agreed that more information be provided on the training provided by external companies, further consideration made of how the staff could provide information on their intention to strike, and data be provided from 2019.

The meeting finished at 14:59 hours.

Appendix 2 – Terms of Reference of the Business Continuity Scrutiny Review

1. Purpose of the review

To review proposals designed to mitigate Corporate Risk 6.1 by considering appropriate Business Continuity arrangements for West Midlands Fire Service.

2. Background

A similar set of proposals were considered by the Scrutiny Committee in October and November 2019, and ultimately neither option presented at that time was recommended to the authority by the committee. These options have been brought back to the authority as a result of the increased assessed likelihood and impact of industrial action in the short to medium term.

In June 2022, the Strategic Enabling Team increased Corporate Risk 6.1 to 16 from a rating of 12 **(4 likelihood & 4 impact)**, its highest level, as a result of the changing national Industrial Relations environment and ongoing cost-of-living pressures. This indicated a significant risk to the authority being able to fulfil its statutory duties in the event of industrial action.

As a result, a report was presented to the Authority's Audit and Risk Committee on 26 September 2022 outlining the rationale for the increase in CR 6.1, and its potential impacts. It was agreed a report would also be presented to the Fire Authority on 10 October 2022 with proposals to mitigate CR 6.1 and alter the service's Business Continuity arrangements. To support the Fire Authority's consideration of these recommendations it was agreed at the Fire Authority meeting on 10 October that these proposals would be considered by the Authority's Scrutiny Committee, through a 'pre scrutiny' review. This will enable a decision of the recommendations made of the 10 October to be made at the next Fire Authority meeting.

3. Terms of Reference

The Scrutiny Committee are to review two options to provide appropriate business continuity arrangements for the Service, designed to mitigate Corporate Risk 6.1:

- a) Contingency contracts for existing firefighting staff
- b) An external provider

It should be noted that option b) is that recommended by the Chief Fire Officer, as outlined in the report to Fire Authority on 10 October 2022.

Scrutiny Committee are to consider the financial, governance, legal and operational impacts of each option, and produce a report, including recommendations, for decision by the Fire Authority.

4. Scrutiny Process

The Review will be undertaken by the members of the Scrutiny Committee in a public session on 7 November 2022, following the completion of the other business of the Committee.

The Assistant Chief Fire Officer (People) as lead officer for the Committee, the Deputy Clerk and Democratic Services Officer will support the Committee. Only elected Scrutiny Committee members will be entitled to ask questions as part of the review.

All participating stakeholders will be invited to submit written evidence to the committee ahead of their oral evidence session. This will be shared with Scrutiny Committee members ahead of the meeting, although Scrutiny Committee members may choose to ask questions outside of the scope of the submitted written evidence.

Stakeholders providing oral evidence will do so separately, starting with a brief presentation of key points from their written evidence followed by questions from committee members. As the session will be held in public meeting, stakeholders will be entitled to observe the rest of the session but will not be able to raise questions.

If stakeholders wish to provide evidence that is commercially sensitive or should otherwise not be in the public domain, then the Committee will meet in closed session at the end of the oral evidence session to hear such evidence and question stakeholders on those matters.

Upon completion of the oral evidence sessions, Scrutiny Committee will meet privately to consider the evidence presented and formulate recommendations to the Fire Authority.

Following this session, members will be supported to develop a scrutiny report to be presented to the Fire Authority. This will be shared virtually with authority members and formally presented to the December Authority meeting. Any urgent actions that are necessary as a result of the Scrutiny Review report may be addressed under the Arrangement to

Act in Matters of Urgency through the process outlined within the Authority Constitution.

5. Invited Stakeholders

The following stakeholders will be invited to provide both written and verbal evidence to the committee:

- WMFS Officers
- Internal Auditors
- Representative Bodies
- The Home Office – regarding their assessment of WMFS BCP
- Potential External Resilience Providers
- Other fire and rescue services with experience of implementing identified options.

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

Item 8

12 DECEMBER 2022

1. COMMUNITY RISK MANAGEMENT PLAN (CRMP) 2023/24

Report of the Chief Fire Officer

RECOMMENDED

- 1.1 THAT the Authority note the update on the ongoing CRMP process, including 2023/24 risk analysis.
- 1.2 THAT the Authority note the analysis provided of anticipated financial challenges in 2023/24.
- 1.3 THAT the Authority note the analysis of risk produced as part of the current CRMP process
- 1.4 THAT the Authority note the various approaches that it may be necessary for the Chief Fire Officer (CFO) to implement under constitutional delegations to meet the predicted budget shortfall in 2023/24.

2. PURPOSE OF REPORT

- 2.1 To provide an interim update on the Community Risk Management Plan (CRMP) process and in particular the full three-yearly refresh, with accompanying consultation, which will be brought to Fire Authority in February 2023 for approval.
- 2.2 To inform Authority of the expected financial challenges for both “in-year” and in financial year 2023/24 which will likely impact on the proposals brought forward from the latest CRMP process.
- 2.3 To outline the Strategic Enabling Team’s current planning to address expected budget shortfalls in 2023/24, which will be subject to further development following the clarification of the 2023/24 financial settlement.

3. **CRMP PROCESS**

3.1 **Background**

On 14 February 2022, Fire Authority approved the latest iteration of the three-year rolling strategy for 2022-25 and noted the ongoing progress against the evidence based CRMP objectives first approved by Authority in 2021. In 2023/24, the CRMP will be due for its three-yearly refresh and will be subject to public consultation, and work is already underway on this process (see below).

3.2 The service is required by the Fire and Rescue Service National Framework to ensure our CRMP covers “at least a three-year time span and be reviewed and revised as often as it is necessary”. We are also required to ensure that the CRMP “reflect[s] effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners” and is “easily accessible and publicly available”.

3.3 West Midlands Fire Service achieves these requirements by firstly reviewing and updating the CRMP as a risk analysis on an ongoing basis, but also undertaking a three-yearly refresh which includes public consultation. The service publishes our rolling three-yearly strategic plan – known as “Our Plan” – as a means of outlining how we will address the risks identified within the CRMP to the public. For members’ information, a copy of Our Plan can be accessed on the WMFS website here:
<https://www.wmfs.net/our-plan/>.

3.4 **CRMP Principles**

The Service has eight Planning Principles that encompass our approach to CRMP. These are:

- 3.4.1 To continue to evolve our delivery of risk-based services aligned to the needs of local communities.
- 3.4.2 To create opportunities and make the best use of our resources to effectively manage changing risk.
- 3.4.3 To sustain our delivery of risk-based services to local communities.

- 3.4.4 Maintain and enhance our 'outstanding' response services.
- 3.4.5 To enable sustainable and resilient services for now and the future.
- 3.4.6 Maintain and expand our offer to partners and communities, delivering services which are in the communities' interest.
- 3.4.7 Manage Health and Safety considerations within existing arrangements, ensuring safe systems of work.
- 3.4.8 Deliver the most effective CRMP working with our staff.

3.5 **Risk Analysis 2023/24**

WMFS needs to consistently evolve and adapt to meet the ever-changing needs of our communities, therefore the key element of our CRMP process is in reviewing and understanding the risks our community and the service faces.

- 3.6 The Strategic Enabling Team began this process in June of 2022 and expect to bring both the refreshed CRMP and our 2023-26 rolling three-year Strategic Plan to the February 2023 Authority meeting for approval. A further update will be brought to the January Policy Planning Forum. The February Authority report will include an outline of the anticipated three-yearly public consultation process to take place in May-July 2023.
- 3.7 Strategic Enabling Team CRMP workshops during June-Oct 2022 recognised that the high-level outcomes outlined in the review of the CRMP in 2020 are still current and anticipated to continue to rise in frequency and severity. They are:
 - 3.7.1 We spend a large amount of our time over resourcing low risk incidents.
 - 3.7.2 Climate change, the threat of terrorism and developments in infrastructure are influencing the frequency and severity of the type of incidents we attend.

- 3.7.3 There is an opportunity to enhance our Community Risk Reduction (CRR) activities.
- 3.7.4 We can increase our understanding of other key factors that contribute to survivability.
- 3.8 Our six CRMP objectives, approved by Authority in February 2021 and informed by both our CRMP review in 2020 and our public consultation in late 2020, have made significant progress in managing and mitigating the issues outlined above, and will continue delivery through 2023/24. These are:
 - 3.8.1 Risk Based Crewing
 - 3.8.2 Emerging Risks
 - 3.8.3 Dynamic Mobilising
 - 3.8.4 Reducing Health Inequalities
 - 3.8.5 Blended Fleet
 - 3.8.6 Response to Automatic Fire Alarms (AFAs)
- 3.9 In addition to this it is also recognised through the CRMP review that the following areas are potential emerging risks to be considered.
 - 3.9.1 *Business Continuity* – an increase in events such as social disruption, industrial action, protests, malicious attacks, pandemics, severe weather, loss of utilities and international disputes.
 - 3.9.2 *Emerging Technologies* – the drive for sustainability to mitigate climate change is creating emerging technologies such as lithium-ion batteries, hydrogen fuel, large energy storage systems and new construction methodologies in the built environment.
 - 3.9.3 *Cost of Living* – vulnerability is going to continue to rise with the impact of the cost of living, leading to increased community risk and frequency and severity of incidents.

4. **ANTICIPATED FINANCIAL CHALLENGES**

4.1 While the CRMP process timetable is set out above, the service is facing a number of anticipated short-term financial challenges, caused by an unprecedented combination of factors, that dictate earlier consideration of CRMP proposals that may need to be brought to the February 2023 Authority meeting. Some of these may require public consultation before potential implementation in early 2023/24. This is the basis of the remainder of this report.

4.2 The anticipated financial challenges in 2023/24 and potentially beyond, come from multiple sources. Some are already known with certainty, while others can only be estimated. They are summarised under the headings below.

4.3 **Impact of Pay Settlements in 2022/23 and potentially in 2023/24**

4.3.1 On October 10, 2022, the Authority agreed, alongside other FRAs, to offer a 5% pay increase to Grey Book employees through the National Joint Council. However, this is 3% above the budgeted pay offer for 2022/23 of 2% and will be unfunded, drawing on in-year on reserves. This offer has been rejected by the FBU. It is therefore unknown what the unfunded pay costs associated with grey book employees will be for 2022/23, but it can be assumed they will ultimately be above £1.7m (the pay award effective date is 1st July and so the full year additional cost in 2023/24 would be approximately £2.3M). In 2023/24, this cost needs to be incorporated into revenue spending.

4.3.2 A similarly unfunded pay offer for Green Book employees has been accepted by representative bodies, which will be £1,925 at all pay points. This will also be met this year from reserves but will need to be incorporated into revenue spending in future at a cost of £0.7 million.

4.3.3 The consequence of these two settlements means the overall additional funding requirement in 2022/23 would be at least **£2.4M** (£0.7M + £1.7M+) and in 2023/24 would be at least **£3.0M** (£0.7M + £2.3M+).

4.3.4 With inflationary pressures unlikely to abate in the short term, it is reasonable to expect that there will be an expectation of further significant pay increases in 2023/24. These will also likely need to be met from existing revenue budgets as Government has not indicated any willingness to fund inflationary pay increases. There remains significant uncertainty in this regard and the Government may introduce public sector pay restraint as part of its efforts to reduce government borrowing.

4.4 **Wider Inflationary Pressures**

Inflation currently stands at its highest level in over 40 years, driven particularly by increasing energy and fuel costs. There have also been increased costs for equipment and other supplies. All in all, these are estimated to increase the service's costs by approximately £1.7 million over the year 2022/23.

4.5 **Potential Financial Settlement Impacts 2023/24**

HM Treasury have made clear that they anticipate significant financial challenges which will impact on both taxation and public spending as they seek to reduce government borrowing. WMFRA will not know the provisional local government finance settlement until mid-December 2022, with the final settlement not confirmed until February 2023. Indications from the Autumn Statement are that the Government will not immediately make cuts to public spending (although there has so far been no information on FRS funding specifically) but it is expected that most services will absorb inflationary impacts. It is anticipated that it will be possible for the Authority to increase income from precept by at least 2%, which is the current general referendum limit (possibly 3% for 2023/24 based on the indications provided in the Autumn Statement on 17th November 2022) and that greater flexibility may be offered in this regard, as it was in 2022/23.

4.6 **Potential Withdrawal of “one off” Services Grant**

4.6.1 In 2022/23, the Secretary of State announced a “one off” Services Grant, which is not ring-fenced or included within the funding baseline. This was worth approximately **£2.3m** for the Authority in 2022/23 and it remains unknown whether this will be continued in 2023/24 and if so at what level – especially as the increased

National Insurance (NI) contributions by authorities, as a result of the planned increase in the rate of NI, was expected to be drawn from this funding – and that increase has now been reversed.

- 4.6.2 Given the already understood financial pressures in 2023/24 and with further impacts expected, a required budget saving of between **£5m and £10m**, or approximately 5%-10% of the current revenue budget, is felt to be a reasonable planning assumption. It is hoped that £10m is a “worst case scenario” that would be caused by a significant reduction in central government funding and/or ongoing significant pay and price pressures.

4.7 **Potential 2023/24 CRMP Proposals**

The Strategic Enabling Team are considered a wide range of options to achieve the required degree of savings that are discussed in section 4 above, while continuing to deliver against our CRMP and ongoing Strategic Priorities. It should be noted that at this stage these are not firm CRMP proposals as there remains significant uncertainty as to the Authority’s budget position.

4.7.1 **Continuation of our flexible approach to deployment of resources**

The successful Risk Based Crewing (RBC) project has so far helped realise our agreed risk-based approach to the flexible use of our resources. This has also enabled the service to manage our budget in place of the previously Off the Run schedule which has an impact on both staff and resource availability. Officers will explore how this approach can continue to be developed to meet budget reductions while continuing to allow us to enhance our vital prevention, protection and response services to our communities.

4.7.2 **Continuation of our blended fleet approach**

Our previously agreed blended fleet project continues to explore options for using different vehicles and using our existing vehicles differently to better align our resources to risk, deliver budget savings and enable us to achieve more risk reduction activities through prevention, protection and response.

4.7.3 **Management Review**

When seeking to meet budgetary reductions it is only appropriate that managerial roles are reviewed for potential efficiencies. The structure of the Strategic Enabling Team is already reviewed annually by the Chief Fire Officer, but it would be appropriate to review management structures as a whole. In many cases this would be focused on temporary promotions rather than substantive posts. However, this will not recognise significant savings without having a deleterious impact on management, innovation, project delivery and operational cover.

4.7.4 **Enabling Services**

Significant savings have previously been found from enabling services in the period 2010-2022 – the service currently has 35% fewer support staff (Green book) than it did in 2010/11. Each department within the service has already or will undertake a review to determine whether existing structures and roles are fit for purpose, and whether there might be opportunities for collaboration. This will not necessarily identify savings, and indeed some areas, including Data and Digital, and Protection, will be delivering additional services in the near future and have already been recognised as in need of investment.

4.7.5 **Estates Review**

A full estates review may identify opportunities to realise capital receipts through estate sales, collaboration with partners, efficiencies through changes to building usage or income opportunities from renting of space. This could also encompass our work on improving the sustainability of the service and reducing our environmental impact. It is highly unlikely that this review would create meaningful savings in the short term (2023/24), and it is already known that some of our estate could not be sold or utilised differently. These would also be capital receipts which cannot be used as a solution to revenue spending.

4.7.6 **Projects/Earmarked Reserves Review**

The service currently has a number of projects underway (including capital projects funded from Earmarked Reserves) which could be reviewed and if necessary, stopped or altered to reduce overall cost. However, this would likely have impacts in terms of continuous improvement, and our ability to deliver on key priorities such as prevention, protection or digital innovation. Stopping or altering some capital projects would lead to a deterioration in vehicle or building safety and may incur higher costs in the long term.

5. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. However, Equality Impact Assessments would be undertaken should any areas outlined above be taken forward as a proposal.

6. **LEGAL IMPLICATIONS**

The Authority has a legal obligation to consult on its CRMP on a three yearly basis, as set out within the Fire and Rescue Services National Framework section 4.6i.

As a Best Value authority, the Authority is also subject to the Best Value duty to consult when considering changes to its functions, having regard to economy, efficiency and effectiveness. This requires the authority to consult with all precept payers, local businesses and partners that may be impacted by service changes.

7. **FINANCIAL IMPLICATIONS**

Financial Implications are outlined in the main body of the report.

8. **ENVIRONMENTAL IMPLICATIONS**

Each of the options outlined above would need to be assessed for their Environmental Implications if they were to be taken forward.

BACKGROUND PAPERS

Fire and Rescue Service National Framework for England.

The contact for this report is Wayne Brown, Deputy Chief Fire Officer,
0121 380 6907

Phil Loach
CHIEF FIRE OFFICER

WEST MIDLANDS FIRE AND RESCUE AUTHORITY**12 DECEMBER 2022****1. AN ANALYSIS OF PROGRESS OF QUARTERLY PERFORMANCE AGAINST 'OUR PLAN' – QUARTER TWO 2022/23**

Report of the Chief Fire Officer.

RECOMMENDED

- 1.1 THAT the Authority notes the status of the Service's key performance indicators in the second quarter of 2022/23 (Appendix 1).
- 1.2 THAT the Committee note the progress made in delivering the three strategic priorities contained in 'Our Plan' 2022-2025 (Appendix 1).

2. PURPOSE OF REPORT

- 2.1 This report is submitted to provide Members with an analysis of the organisation's performance against 'Our Plan' for 2022-2025.

3. BACKGROUND

- 3.1 The setting of targets against the operational and other performance indicators enables the Service to define in key areas the improvements which contribute to making the West Midlands safer, stronger and healthier, and to manage the resources allocated to this work. The Service continues to improve and meet targets across a range of indicators.
- 3.2 The performance information contained within this report was submitted to and considered by the Strategic Enabling Team in November 2022. It is submitted to Members to support the joined-up method of managing performance and providing assurance around the on-going performance of 'Our Plan'.
- 3.3 It should be noted that the Service continues to adapt its approaches to the delivery of prevention and protection services due to the lasting effects of the COVID 19 pandemic as the Service moves from a position of

business recovery to new established ways of working.

4. **PERFORMANCE INDICATORS**

4.1 Appendix 1 details the performance against our:

- Performance against our programmes of Community Risk Reduction, Enabling Services, and People, covering:
 - Response, Prevention and Protection
 - People
 - Health, Safety and Wellbeing
 - Finance and Resources
- Strategic Objectives as outlined in 'Our Plan'.

Note: due to ongoing issues with data as well as outstanding workbooks, figures reported may be subject to change, although no significant changes are anticipated

4.2 Community Risk Reduction

4.2.1 Response:

- PI 1 – the risk-based attendance standard; performance continues to be positive, with the targets having been met for all four categories of incident type. The performance is rated as over performance against the tolerance levels (blue).
- Average attendance times for Category 1 incidents (the most critical and important of the four categories) were 4 minutes 45 seconds in quarter two.
- Average attendance times for Category 2, 3 and 4 Incident Types remain well within their respective targets:
 - Category 2 Incident Type: 5 minutes 26 seconds (target of 7 minutes)
 - Category 3 Incident Type: 4 minutes 54 seconds (target of 10 minutes)
 - Category 4 Incident Type: 7 minutes 01 seconds (target of 20 minutes)

4.2.2 Prevention:

- The performance indicators for the following areas demonstrate performance is within the tolerance levels (green):
 - PI 2 The number of accidental dwelling fires.
 - PI 3 Injuries from accidental fires in dwellings, taken to hospital for treatment.
 - PI 6 The number of Safe and Well points achieved by the Brigade.
 - PI 8 The number of deliberate fires in dwellings.
 - PI 9 The number of deliberate fires in non-domestic premises.
 - PI 10 The number of deliberate vehicle fires.
- The performance indicators for the following areas demonstrate under performance against the tolerance levels (red):
 - PI 5 The percentage of Safe and Well visits referred by our partners.
 - PI 11 The number of deliberate rubbish fires.
 - PI 12 The number of deliberate fires in derelict buildings.
- The following two performance indicators do not have a performance rating assigned:
 - PI 4 The number of deaths from accidental fires in dwellings.
 - PI 7 The number of people killed or seriously injured in Road Traffic Collisions.

4.2.3 Protection:

- The performance indicator for the following area demonstrates performance is within the tolerance levels (green):
 - PI 13 The number of accidental fires in non-domestic premises.
- The performance indicator for the following area demonstrates under performance against the tolerance levels (red):

- PI 14 – The number of false alarm calls due to fire alarm equipment in dwellings and non-domestic premises.

4.3 People

4.3.1 The performance indicators for the following areas demonstrate performance is within the tolerance levels (green):

- PI 16 – The number of female uniformed staff.
- PI 17 – The percentage of all staff from black and minority ethnic (BAME) communities.
- PI 17a – The percentage of uniformed staff from BAME communities.
- PI 18 – The average number of working days/shifts lost due to sickness – All staff
- PI 19 – The average number of working days/shifts lost due to sickness – Uniformed and Fire Control

4.3.2 The performance indicators for the following areas demonstrate under performance against the tolerance levels (red):

- PI 15 – The percentage of employees that have disclosed their disabled status.
- PI 20 – The average number of working days/shifts lost due to sickness – Non Uniformed.

4.4 People - Health, Safety and Wellbeing

4.4.1 No targets or tolerances are set for the performance indicators for the total number of injuries or the total number of RIDDOR injuries. This is because any injury report is unwanted and the Service encourages an open reporting culture that facilitates learning and improvement.

4.5 Enabling Services - Finance and Resources

4.5.1 The performance indicators for the following areas demonstrate over-performance against the tolerance levels (blue):

- PI 24 – To reduce the gas use of Fire Authority premises.
- PI 25 – To reduce the electricity use of Fire Authority premises.

5. **CORPORATE RISK**

- 5.1 Corporate Risks are those risks that, if realised, would seriously affect the Service's ability to carry out its core functions or deliver key objectives.
- 5.2 In accordance with the Corporate Risk Management Strategy, all risks maintained within the Corporate Risk Register have been reviewed by Senior Risk Owners in order to update the relevant triggers, impacts and control measures and determine a relevant risk score, if appropriate, based on assessment of likelihood and impact.
- 5.3 A report of progress against our Corporate Risks is submitted separately to the Audit and Risk Committee.

6. **EQUALITY IMPACT ASSESSMENT**

In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out. The matters contained within this report will not lead to a policy change.

7. **LEGAL IMPLICATIONS**

The course of action recommended in this report does not raise issues which should be drawn to the attention of the Authority's Monitoring Officer.

8. **FINANCIAL IMPLICATIONS**

The level of response, protection and prevention resources required to achieve the targets for the operational indicators shown in Appendix 1 were considered as part of the Authority's 2022/2023 budget setting process which established a total revised net budget requirement of £108.303 million. As at the end of September 2022 actual expenditure was £53.425 million compared to a profiled budget of £52.783 million resulting in a £0.642 million overspend.

The delivery of services which contribute to the performance achievements comprise of goods such as smoke alarms and staff time. The staff time includes those who are solely engaged in prevention work and watch based staff that provide emergency response as well as prevention services.

The full year budget for smoke alarms and other supporting materials in 2022/2023 is £326,600. Actual expenditure as at the end of September 2022 was £149,200. Expenditure to the second quarter is in line with the profiled budget.

9. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

BACKGROUND PAPERS

- 'Our Plan 2022-25' Strategic Objectives.
- Corporate Action Plan updates.
- Corporate Risk Update Quarter 1 and 2 2022/23 (exception report).

The contact name for this report is Area Commander Richard Stanton, Strategic Enabler – Portfolio, telephone number 07973 810054.

PHIL LOACH
CHIEF FIRE OFFICER

Key Performance Indicators Status – Quarter Two 2022/23

Item 9


Key:	
Blue	Over performance against the tolerance levels
Green	Performance is within the tolerance levels
Red	Under performance against the tolerance levels

Community Risk Reduction

Response

Our response priorities focus on dealing excellently with emergency incidents:



- respond with the resources you need when you need them to protect what matters to you, to save life, reduce harm and protect homes and businesses.
- be ready to respond in an assertive, effective, and safe way to meet our vision and your expectations.
- lead rescue operations, working with others to help make you safer.
- be ready to respond locally, nationally, and internationally.

PI 1		The Risk Based Attendance Standard Target: under 5 minutes Actual: 4 minutes 45 seconds Over performance against the tolerance levels
<p>The median high-risk (Cat 1) attendance time was 4 minutes 45 seconds for Q2. 55.4% of Cat 1 incidents were in target and in high-risk areas this rose to 60.5%. Attendance times for Category 2, 3 & 4 incidents remain significantly below the respective targets:</p> <p>Category 2 – 5 minutes 26 seconds (target of 7 minutes) Category 3 – 4 minutes 54 seconds (target of 10 minutes) Category 4 – 7 minutes 1 seconds (target of 20 minutes)</p>		

Prevention

Our prevention priorities focus on making safer, healthier communities:

- prevent fires, road traffic collisions and other emergencies
- focus on reducing health inequalities for our most vulnerable as a means of reducing risk and vulnerability to fires and other emergencies
- educate the community to reduce their risk and vulnerability to fires and other emergencies
- collaborate and work in partnership with other organisations to reduce the risk and vulnerability to fires and other emergencies.


PI 2		The number of accidental dwelling fires Target YTD: 825 Actual to date: 768 Performance is within the tolerance levels
<p>A total of 380 Accidental Dwelling Fires (ADF) were recorded for Q2 22/23, which is 16 less than the same time last year and 22 fewer than Q2 20/21. Year to date (YTD), ADFs are 57 (6.9%) incidents below target.</p> <p>All command areas and boroughs are either below or within tolerance level for the quarter and YTD.</p> <p>Coventry and Solihull command are below target by 15.2% (-25 incidents); this is the largest percentage difference across the commands.</p> <p>Cooking, electricity supply, other domestic style appliances and smoking remain the top four sources of ignition responsible for ADF.</p> <p>Please note there are still outstanding workbooks for Q2 and some may be ADF incidents.</p>		
PI 3		Injuries from accidental fires in dwellings (taken to hospital for treatment) Target YTD: 26 (23 – 32) Actual to date: 31 Performance is within the tolerance levels
<p>There were a total of 12 injuries from Accidental Dwelling Fires during Q2 22/23; this is within tolerance for the quarter and 2 below the target. YTD, there have been a total of 31 injuries which is above target by +19.2% (+5) but remains within the tolerance levels.</p> <p>The 12 PI injuries were split between 3 in both July and August and 6 during September.</p> <p>The 3 PI injuries for July occurred in, Birmingham South (2) and Birmingham North (1). The 3 PI injuries for August occurred in, Black Country South (2) and Coventry and Solihull (1). The 6 PI injuries occurred in Birmingham South (2), Birmingham North (1) and Black Country South (3).</p>		

Coventry and Wolverhampton are the only boroughs to see no PI injuries during Q2.

All commands other than Birmingham South and Birmingham North are within tolerance level for the year. Birmingham South are 4 above target for the year and Birmingham North are 6 above.


A quarter of the PI injuries for Q2 were due to cooking. The other reasons were either matches, candles etc, smoking, fire spread from secondary location, domestic appliance fire or electric supply fire.

Age ranges were varied with the eldest being 96 and youngest being 10. 8 of the 12 were male and all casualties went to hospital for treatment.

PI 4		The number of deaths from accidental dwelling fires Target YTD: N/A Actual to date: 3
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There has been one fatality in an accidental dwelling fire in Q2 22/23; this occurred in Birmingham South during September 22.

The cause of death was due to a naked flame of a tealight candle coming into contact with combustible materials. Sadly, the 87-year-old female was pronounced dead at the scene.

PI 5		The percentage of Safe and Well visits referred by our partners Target YTD: 45% (45% - 47.25%) Actual to date: 38.9% Under performance against the tolerance levels
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The percentage of Safe & Well visits completed in quarter 2 because of a referral from a partner was 39.1% of the total of 8886 completed Safe & Wells. Whilst this is 5.9% below the expected target of 45% it has increased from 38.6% in quarter 1.



It is slightly lower than the 39.5% achieved during quarter 2 of the 2021/22, as are the number of visits completed as 9,148 visits were completed during quarter 2 last year. However, the average assessment points, the indicator of the risk and vulnerability of those who receive a Safe & Well, has increased from 6.91 in quarter 2 last year to 7.25 in quarter 2 this year.

The priorities and performance measures for Safe & Well were changed at the start of August 2022, with the removal of the measure for 'completing an average of 2 visits per appliance per 24 hours.' The purpose of this change is to enable a focus on quality referral pathway building and nurturing relationships to increase the number of referrals for those who the CRMP identifies as being most at risk and vulnerable to fire. This should also increase the percentage of Safe & Well visits that are completed because of a referral from a partner.

The Prevention Partnerships & Vulnerability team continue to update and increase the resources and training videos available to Operational Crews to support them to engage with and maintain relationships with partners whose service users are at risk and vulnerable to

fire.

Station Prevention Evaluation sessions are continuing with watches by the Prevention Evaluation and Quality Assurance Team. They continue to focus on stations where performance is the lowest and continue to support watches and Station Commanders to create actions for improvement.

PI 6		<p>The number of Safe & Well points achieved by the Brigade Target YTD: 130,000 (117,000 – 136,500) Actual to date: 130,085 Performance is within the tolerance levels</p>
<p>All the Safe & Well visits completed during quarter 2 have been face to face, there have been no remote Safe & Well assessments. The total number of Safe & Well points achieved in quarter 2 was 64,427 against the target of 65,000, This is 573 below target. However, year to date, the total points target has been achieved. The half yearly target is 130,000 and total points at the end of quarter 2 were 130,085. This is because the total points achieved in quarter 1 were above the 65,000 target at 65,657.</p> <p>The quality indicator that helps us demonstrate that we are targeting those that the CRMP identifies as being most at risk and vulnerable in our communities, the average assessment points per visit, was 7.25 in quarter 2, which whilst significantly below the 8.5 expected, has increased from 6.58 in quarter 1. This means that crews are still doing more Safe & Well visits to achieve the total points target, however, they are not always delivering the service to those most at risk.</p> <p>The priorities and performance measures for Safe & Well were changed at the start of August 2022, with the removal of the measure for ‘completing an average of 2 visits per appliance per 24 hours.’ The purpose of this change is to enable a focus on quality referral pathway building and nurturing relationships to increase the number of referrals for those who the CRMP identifies as being most at risk and vulnerable to fire which should increase the average risk points per Safe & Well, meaning that less visits are completed to achieve the points total, and those visits that are completed are for those whose risk and vulnerability is highest.</p> <p>Station Prevention Evaluation sessions are continuing with watches by the Prevention Evaluation and Quality Assurance Team. They continue to focus on stations where performance is the lowest and continue to support watches and Station Commanders to create actions for improvement.</p>		
PI 7		<p>The number of people killed or seriously injured (KSI) in road traffic collisions Target YTD: Not applicable Actual to date: 253</p>


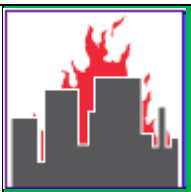
Please note that the following is West Midlands Police data provided by Transport for West Midlands. Due to the nature of RTC incidents and the time they take to be finalised, the figures provided in this report may be subject to revision in future time periods.

The total number of people killed or seriously injured on West Midlands roads for 2022/23 so far is 253, this includes 11 fatalities and 242 seriously injured across 733 incidents. Over the same period last year (April 21 – August 21) there were 388 persons killed or seriously injured across 2,036 incidents.

Although the data for 22/23 has not yet been finalised, the number of incidents has significantly reduced when compared to previous years, even compared with the COVID year; 64.0% compared to the same period last year and 36.9% compared with 2020. I expect to see the figures for this financial year to be more comparable to previous years once the data has been finalised.

Of the 11 fatalities for the year so far, 4 occurred in Birmingham, 2 in Coventry, 2 in Sandwell, 2 in Wolverhampton and 1 in Solihull.

The highest number of fatalities in a month was 4 and this was during April 22. The majority of fatalities were aged between either 16 – 19 years old or 20 – 29 years old and were recorded as being the driver or rider or a vehicle. The top contributing factor for the 11 fatalities was 'Aggressive driving'.


PI 8		The number of deliberate fires in dwellings Target YTD: 94 (84 –99) Actual to date: 93 Performance is within the tolerance levels
<p>There have been 45 deliberate dwelling fires recorded for Q2, 2 below target and 3 less than last year. YTD, deliberate dwelling fires are within tolerance level and 1 below target.</p> <p>Since the increase in May 2022 (21 incidents), deliberate dwelling fires have reduced back to regular figures, ranging between 13 and 16.</p> <p>Black Country South is the only command to be above tolerance level YTD (+26.7%), Black Country North is within, and all other commands are below; this is also the same for the quarter.</p> <p>31.1% of fires in Q2 occurred within Purpose built flat(s) / maisonette(s).</p>		
PI 9		The number of deliberate fires in non-domestic premises Target YTD: 69 (56 – 73) Actual to date: 58 Performance is within the tolerance levels
<p>There were 27 Deliberate Non-Domestic Fires during Q2 (7 below target); 11 in July, 12 in August and 4 in September. September has seen the lowest figure for this financial year and the lowest recorded figure since November 2021 when only 3 Deliberate Non-Domestic Fires were recorded.</p>		

YTD, Deliberate Non-Domestic Fires are currently 11 below target and within the tolerance levels.

All commands are either within or below the tolerance level for the quarter and YTD.

Just one incident was attended at HMP Birmingham during Q3; this was in August.

No trends were highlighted for property types.

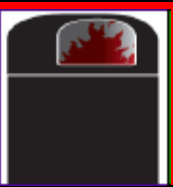
PI 10		The number of deliberate vehicle fires
		Target YTD: 303 (271 –733)
		Actual to date: 274
		Performance is within the tolerance levels

There were 148 Deliberate Vehicle Fires in Q2 22/23, 4 below target for the quarter and 15 more than the same period last year. YTD, Deliberate Vehicle Fires are within the tolerance levels and 29 below target.

Although below target for the year and quarter, August 2022 seen a significant rise in Deliberate Vehicle Fires with 70 incidents for the month; this is the highest figure this year and the highest recorded figure since May 2019.

8 of the 148 incidents occurred within the Kingstanding ward (4 in July and 4 in August); these were repeat locations of Kings Road, Finchley Road Park and Banners Walk. All 8 incidents occurred between 6pm and midnight.

Other than Birmingham North who are +11 above target for the year, all other commands are currently within or below tolerance level.

PI 11		The number of deliberate rubbish fires
		Target YTD: 822 (780 - 838)
		Actual to date: 901
		Under performance against the tolerance levels

There were 412 Deliberate Rubbish Fires during Q2, which is -22 below target for the quarter. So far this year, there have been 901 Deliberate Rubbish Fires, which is +79 (9.6%) above target YTD and above the upper tolerance level.


During August, there was a significant increase in the number of Deliberate Rubbish Fires with 166 incidents; this is the second highest total of the year behind April with 205 incidents. September then seen a reduction with just 105 incidents in the month; this is the lowest figure so far this year and the lowest figure since February 2022 with 67 incidents.

The August increase is likely due to the 6-day UK wide heatwave between 9th and 15th August; 33.7% of Deliberate Rubbish Fires occurred between this time period.

Coventry and Solihull and Birmingham North are the only commands within tolerance level for the year. All other commands are currently above tolerance level with Black Country North being the highest above target with +25.7%, followed by Birmingham South with

+21.9% and Black Country North with +14.3%.

43.9% of Deliberate Rubbish Fires attended in Q2 were due to 'Loose refuse / rubbish'.

PI 12		<p>The number of deliberate fires in derelict buildings</p> <p>Target YTD: 74 (66 –78)</p> <p>Actual to date: 92</p> <p>Under performance against the tolerance levels</p>
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There were 36 Deliberate Derelict Building Fires during Q2 22/23, which is 4 above target but within tolerance level for the quarter. YTD, Deliberate Derelict Building Fires are above tolerance level by 24.3% or +18 incidents.

Other than Black Country South who are within tolerance level and below the YTD target by 7, all other commands are above target YTD and for the quarter. As the figures are relatively low, the percentage against target appears higher, where in fact most commands that are above target are only above by between +2 - +5 incidents.

Black Country North are above YTD target by 53.1% or +17 incidents, this is the largest figure above target across the commands.



July 2022, seen the second highest number of Deliberate Derelict Building Fires in a month with 15 fires, this was behind April who has so far had the highest with 23.

Over half of the fires in Q2 occurred in Black Country North, specifically in the Walsall borough and Bloxwich West ward; this is the case for most months and is due to the large number of Derelict Buildings found within this area.





Protection




Our protection priorities focus on protecting life and property to make businesses stronger and communities safer:

- protect you and your property by targeting high-risk buildings and vulnerable businesses
- make our communities safer by implementing the learning from independent and sector-led reviews
- improve community safety by developing innovative and smarter approaches to help keep your business in business
- promote economic growth through the development of sustainable solutions and education to support businesses
- reduce disruption to businesses and communities of the West Midlands


PI 13		<p>The number of accidental fires in non-domestic premises</p> <p>Target YTD: 201 (190 – 205)</p> <p>Actual to date: 195</p> <p>Performance is within the tolerance levels</p>
<p>There were 94 Accidental Fires in Non-Domestic premises during Q2 22/23, which is within tolerance level and below target by 10 for the quarter. Accidental Fires in Non-Domestic premises are currently below the YTD target by 3.0% or -6 incidents.</p> <p>Birmingham North is the only command above target for the year with +21.7% or +10 incidents. All other commands are either below or within target.</p> <p>Although still within target, July seen the highest number of Accidental Fires in Non-Domestic premises for the year with 36 incidents.</p> <p>Across all commands, Accidental Fires in Non-Domestic premises occur largely at retail premises and were caused mainly by 'Faults in system or appliance'.</p>		
PI 14	 <p>Fire alarm</p>	<p>The number of false alarm calls due to fire alarm equipment in dwellings and non-domestic premises</p> <p>Target YTD: 2992 (2842 – 3051)</p> <p>Actual to date: 3272</p> <p>Under performance against the tolerance levels</p>
<p>There were 1,715 false alarm calls due to equipment (FAE) in Q2 22/23, this is 91 below target for the quarter and 56 more than this time last year. YTD, False alarms due to equipment are 9.4% above target or +280 incidents.</p> <p>FAEs exceeded the monthly target in July and September by +67 and +20 incidents, respectively. July seen the highest number of alarms in a month for this year so far with 592 alarms; this is the highest monthly figure since November 2014 when there were 611 alarms.</p> <p>Birmingham North and Black Country South are currently above target for the year, while the commands are either below or within tolerance level. Birmingham North is currently +220 incidents for year and Black Country South is +99 above target.</p> <p>Almost 5% of alarms in the quarter occurred within the Ladywood ward. Without further investigation and data cleansing, repeat properties are difficult to identify.</p> <p>Dwellings account for 80.0% of incidents, cooking/burnt toast the was most likely reason for the false alarm, followed by faulty equipment. Health premises are the second most attended property type after dwellings with the large hospitals having multiple visits throughout the quarter.</p> <p>Fire Control call management continues to enable a positive call challenging approach. Only 35% of all calls received resulted in the attendance of the Service, and just 11% of calls received from Alarm Receiving Centres (ARC).</p>		

People


PI 15		<p>The percentage of employees that have disclosed their disabled status</p> <p>Target: 100% (95% - 100%)</p> <p>Actual to date: 90.2%</p> <p>Under performance against the tolerance levels</p>
<p>Declaration rates remain high with 90% of all employees having made a declaration regarding disability. 4% have stated that they have a disability.</p> <p>A previous dip in performance had been attributed to new entrants coming through the Oracle system and this has been addressed through PSS.</p>		
PI 16		<p>The number of female uniformed staff</p> <p>Target: 180 (171 – 189)</p> <p>Actual to date: 172</p> <p>Performance is within the tolerance levels</p>
<p>Between April 2022 and October 2022 WMFS employed 52 new entrant firefighters of which 16 (31%) are women. The percentage of women candidates being successful in the recruitment process was adversely impacted during the Covid pandemic. This highlighted the impact that face to face positive action has upon the diversity of trainee firefighters. Now that restrictions are lifted, a programme of events has been built into the current recruitment process that offers focussed support. A new social media campaign has been developed and our careers pages have a fresh new look. A range of videos have been developed with members of our stakeholder groups to support our positive action activity.</p>		
PI 17		<p>The percentage of all staff from BAME communities</p> <p>Target: 14.4% (13.7% – 15.2%)</p> <p>Actual to date: 14%</p> <p>Performance is within the tolerance levels</p>
<p>Between April 2022 and October 2022 WMFS employed 52 new entrant firefighters of which 13 (25%) are BAME. Recruitment programme for BAME applicants have been reintroduced following the lifting of the Covid restrictions. Early results are encouraging with BAME candidates having a 72% success rate at the most recent behavioural assessments. Station taster sessions are being reintroduced and offer the opportunity for potential candidates to engage with local fire station crews and carry out some physical activities that relate to the FF role as well as have some input about the Service and the Recruitment process.</p>		
PI 17a		<p>The percentage of uniformed staff from BAME communities</p> <p>Target: 13.9% (13.2% – 14.6%)</p> <p>Actual to date: 13.5%</p> <p>Performance is within the tolerance levels</p>
<p>13.5% of uniformed staff are from black, Asian and minority ethnic (BAME) communities, which is below target and within the tolerance levels. See PI 17 for further information.</p>		

PI 18		<p>The average number of working days/shifts lost due to sickness – all staff</p> <p>Target: 5.06 Actual to date: 4.66</p> <p>Performance is within the tolerance levels</p>																					
See PIs 19 and 20 below																							
PI 19		<p>The average number of working days/shifts lost due to sickness – uniformed and Fire Control staff</p> <p>Target: 5.44 Actual to date: 4.64</p> <p>Performance is within the tolerance levels</p>																					
<p>To support our managers in managing sickness absence 'Ridership on the Road' events have begun which have a specific focus on attendance management and provide input for supervisory managers from PSS Business Partners and Occupational Health and Wellbeing. These events have commenced and will run through to the end of the financial year to build an understanding.</p> <p>The top five reasons for sickness for Uniformed and Fire Control staff are in the table below.</p> <table border="1" data-bbox="244 1133 1342 1415"> <thead> <tr> <th data-bbox="244 1133 746 1173">Uniformed and Fire Control Jul-Sep'22</th><th colspan="2" data-bbox="751 1133 1342 1173">Duty Days lost</th></tr> <tr> <th data-bbox="244 1180 746 1216">Top five reasons for sickness</th><th data-bbox="751 1180 1023 1216">Number</th><th data-bbox="1027 1180 1342 1216">Percentage</th></tr> </thead> <tbody> <tr> <td data-bbox="244 1223 746 1258">Mental Health</td><td data-bbox="751 1223 1023 1258">786</td><td data-bbox="1027 1223 1342 1258">21.7%</td></tr> <tr> <td data-bbox="244 1265 746 1301">Covid</td><td data-bbox="751 1265 1023 1301">536</td><td data-bbox="1027 1265 1342 1301">14.8%</td></tr> <tr> <td data-bbox="244 1308 746 1344">Gastrointestinal</td><td data-bbox="751 1308 1023 1344">336</td><td data-bbox="1027 1308 1342 1344">9.3%</td></tr> <tr> <td data-bbox="244 1350 746 1386">Joint Problems</td><td data-bbox="751 1350 1023 1386">335</td><td data-bbox="1027 1350 1342 1386">9.2%</td></tr> <tr> <td data-bbox="244 1393 746 1429">Back Problems</td><td data-bbox="751 1393 1023 1429">293</td><td data-bbox="1027 1393 1342 1429">8.1%</td></tr> </tbody> </table>			Uniformed and Fire Control Jul-Sep'22	Duty Days lost		Top five reasons for sickness	Number	Percentage	Mental Health	786	21.7%	Covid	536	14.8%	Gastrointestinal	336	9.3%	Joint Problems	335	9.2%	Back Problems	293	8.1%
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Back Problems	293	8.1%																					
PI 20		<p>The average number of working days/shifts lost due to sickness – non-uniformed staff</p> <p>Target: 3.81 Actual: 4.72</p> <p>Under performance against the tolerance levels</p>																					
<p>The Attendance management policy has been reviewed and an Attendance Management toolkit introduced along with guidance for of absence, return to work interview and progression through the stages of recording sickness.</p> <p>The top five reasons for sickness for non-uniformed staff are in the table below.</p>																							

Non-Uniformed Jul-Sep'22		Duty Days lost	
Top five reasons for sickness		Number	Percentage
Mental Health		240	22.6%
Joint Problems		160	15.1%
Covid		135	12.7%
Post Operative		79	7.4%
Musculoskeletal: Knee		31	2.9%



PI 21		The total number of injuries Target YTD: n/a Actual to date: 73
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Please note an increase in injuries across the Service in quarter 2. These statistics have been analysed at each local committee. Quarter 2 shows that Slips/Trips have continued to be a trend, mainly due to ground conditions and stairs/steps. There are a range of different causes and no obvious trend. Manual Handling continues to be a trend, mainly involving hose and ladders. This has been previously noted and a project is in progress to address this.


PI 22		The total number of RIDDOR injuries Target YTD: n/a Actual to date: 9
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There have been 3 RIDDOR reports made for quarter 2, and these relate to 3 separate operations areas (Black Country North, Birmingham North and Black Country South). Accident investigations are taking place to identify any learning. One is a slip/trip, one is a mixture of a stumble and manual handling, and the other is classed as an injury no accident.

Enabling Services

PI 23		To reduce the Fire Authority's carbon emissions Forecast YTD: Not Available Actual to date: Not Available
Information is not available for this PI.		
PI 24		To reduce gas use of Fire Authority premises Forecast YTD: 5,279,767MWh (5,015,778 – 5,543,755) Actual to date: 4,354,056MWh Over performance against the tolerance levels

Analysis indicates that gas usage has been below the lower tolerance level throughout 22/23 apart from during May where performance was above the target and upper tolerance level for the month. The heating will have been switched to winter settings as the weather has turned. We will continue to monitor usage levels.

PI 25		To reduce electricity use of Fire Authority premises Forecast YTD: 2,521,629MWh (2,395,548 – 2,647,710) Actual to date: 2,040,880MWh Over performance against the tolerance levels
<p>Analysis indicates that electricity usage has been below the lower tolerance level throughout 22/23 apart from in September where performance has been within the tolerance levels, albeit remaining below the monthly target. Planned works for lighting upgrades have been postponed this financial year due to budget constraints but will be resurrected in the new year.</p>		

WEST MIDLANDS FIRE AND RESCUE AUTHORITY**12 DECEMBER 2022****1. MONITORING OF FINANCES**

Report of the Treasurer.

RECOMMENDED

- 1.1 THAT the report be noted.

2. PURPOSE OF REPORT

- 2.1 This report deals with the monitoring of the finances of the Authority in the current financial year and covers revenue expenditure and the Capital Programme.
- 2.2 Expenditure is compared with a profile of the Authority's budget.

3. BACKGROUND**3.1 Revenue Expenditure**

- 3.1.1 The Authority's 2022/2023 Council Tax requirement is £49.405 million and the revenue budget is £108.303 million.
- 3.1.2 Appendix A compares the revenue budgeted to the end of October 2022 with the actuals to that date. Devolved budgets are managed by the Section responsible for incurring the expenditure as opposed to corporate budgets, which are managed by the named Section on behalf of the Brigade as a whole.
- 3.1.3 Actual spend to October 2022, including commitments, was £62.860 million compared to a projected budget of £62.684 million, an overall adverse variance of £0.176 million.

3.1.4 As part of the Authority's 2023/24 budget setting process, the current year's budget is being fundamentally reviewed to address the net overspend position.

3.1.5 In addition, the commentary above and information contained within Appendix A does not reflect the revenue budget pressures anticipated to arise from pay awards in the current year. This matter was considered at the Fire Authority meeting on 10 October 2022, with any additional costs above the 2% budget assumption being met from reserves.

3.1.6 Appendix B provides statistical data relating to the Firefighters' Pension Scheme.

3.2 **Capital Expenditure**

3.2.1 The Authority's approved capital programme for 2022/2023 is £6.569 million. A scheme analysis is shown on Appendix C. Expenditure to the end of October 2022 is shown as £2.224 million.

3.2.2 The main forecast variances within the capital programme relate to:

- Vehicle Replacement Programme slippage
 - o 3 * Brigade Response Vehicles
 - o 2 * Welfare Vans
 - o 1 * Trailer
- the deferral of an additional burn room and welfare facility at Coventry Fire Station along with several other drill tower refurbishments.

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 The course of action recommended in this report does not raise issues which should be drawn to the attention of the Authority's Monitoring Officer.

6. **FINANCIAL IMPLICATIONS**

6.1 These are contained in the body of the report and the attached Appendices.

7. **ENVIRONMENTAL IMPLICATIONS**

7.1 There are no financial implications.

BACKGROUND PAPERS

- Authority's Budget and Precept Report – February 2022
- Pay Award Update and Associated Budgetary Pressures – October 2022
- Finance Office Budget Monitoring Files

The contact officer for this report is Gary Taylor, Assistant Chief Fire Officer, telephone number 0121 380 6906.

MIKE GRIFFITHS
TREASURER

REVENUE MONITORING SUMMARY TO OCTOBER 2022

	BUDGET 2022/2023 £'000	PROFILED BUDGET £'000	ACTUALS + COMMIT -MENTS £'000	VARIANCE TO PROFILED BUDGET £'000
DEVOLVED BUDGETS				
Corporate Management	1,126	632	636	4
Corporate Charges	0	0	7	7
Portfolio & Organisational Intelligence	1,696	1,018	1,003	-15
Operations	2,475	1,623	1,711	88
Fire Control & Business Continuity	1,760	994	939	-55
Prevention	2,219	1,284	1,135	-149
Protection	4,923	2,916	2,935	19
Response, Policy & Organisational Assurance	1,503	874	945	71
Resourcing	6,048	3,857	3,936	79
Digital & Data	7,087	5,035	5,058	23
Communications & Engagement	909	535	552	17
People Support Services	620	363	377	14
Employee Relations	154	108	134	26
Organisational Development	58	34	36	2
Organisational Learning & People Development	4,221	2,668	2,678	10
Health, Safety & Wellbeing	2,588	1,784	1,799	15
CORPORATE BUDGETS				
Prevention	24	14	13	-1
Protection	-31	-46	-68	-22
Response, Policy & Organisational Assurance	-116	-53	-36	-17
Resourcing	18,390	7,950	7,900	-50
Digital & Data	132	2	0	-2
People Support Services	2,315	1,565	1,597	32
Employee Relations	130	73	92	19
Organisational Learning & People Development	125	73	87	14
Health, Safety & Wellbeing	48,508	28,573	28,582	9
Other Income & Expenditure	1,439	808	812	4

OFFICIAL

Appropriation to Reserves	-	-	-	-
TOTAL (NET BUDGET REQUIREMENT)	108,303	62,684	62,860	176
Core Funding	-58,898	-34,630	-34,630	0
TOTAL (COUNCIL TAX REQUIREMENT)	49,405	28,054	28,230	176

OFFICIAL

FIREFIGHTERS' PENSION SCHEMES

NON-FINANCIAL INFORMATION	2022/23 PROJECTION				ACTUAL POSITION AS AT OCTOBER 2022			
	1992 FPS	2006 FPS	2015 FPS	TOTAL	1992 FPS	2006 FPS	2015 FPS	TOTAL
Members of FPS at 1 st April 2022	-	-	1,243	1,243	-	-	1,243	1,243
New Members	-	-	70	70	-	-	23	23
Opt-In (including net auto-enrolment)	-	-	12	12	-	-	48	48
Transitional Members during year	-	-	-	-	-	-	-	-
Transfers from Other Pension Schemes	-	-	5	5	-	-	-	-
Transfers to Other Pension Schemes	-	-	-2	-2	-	-	-	-
Retirements	-	-	-55	-55	-	-	-37	-37
Opt-Out	-	-	-12	-12	-	-	-17	-17
Leavers	-	-	-12	-12	-	-	-1	-1
Ill-Health Retirements	-	-	-3	-3	-	-	-1	-1
Members of the Fire Pension Schemes as at 31 st October 2022	-	-			-	-	1,258	1,258

CAPITAL MONITORING STATEMENT 2022/23

Scheme	Year 2022/23	Latest Budget £'000	Actuals October 2022 £'000	Forecast £'000	Variance £'000
<u>LAND & BUILDINGS</u>					
Boiler Replacement Programme	Ongoing	15	-	-	-15
Roof Replacements	Ongoing	1,091	150	1,091	-
Windows/Door Replacement	Ongoing	683	11	669	-14
Rewires	Ongoing	175	-	175	-
Drill Tower and Burn Facility	5 of 5	635	73	195	-440
Other Building Modifications	3 of 3	11	10	10	-1
Security Works	4 of 4	47	-	47	-
HQ Alterations	2 of 2	109	29	109	-
OHW Works	4 of 4	17	7	12	-5
Aston Fire Station	8 of 8	61	54	61	-
<u>VEHICLES</u>					
Vehicle Replacement Programme	Ongoing	3,576	1,865	3,086	-490
<u>ICT & EQUIPMENT</u>					
C&C Upgrade-Vision 4/ESMCP	5 of 5	149	25	149	-
Grand Total		6,569	2,224	5,604	-965
<u>Funded By</u>					
Prudential Borrowing		0		0	-
Capital Grants/Contributions		74		74	-
Capital Receipts to be Applied		0		0	-
Revenue Financing/Earmarked Reserves		6,495		5,530	-965
TOTAL		6,569		5,604	-965
SURPLUS(-)/DEFICIT(+)					

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

12 DECEMBER 2022

1. MINUTES OF PREVIOUS PUBLIC COMMITTEE MEETINGS

Report of the Chief Fire Officer

RECOMMENDED

- 1.1 THAT the minutes of the following minutes of previous public Committee meetings, attached as appendices to this report, be noted:

- Audit and Risk Committee - Monday 26 September 2022
- Scrutiny Committee - Monday 23 May 2022
- Collaboration and Transformation Committee – Monday 18 July 2022

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is for the Authority to note the minutes of previous public Committee meetings.

3. BACKGROUND

- 3.1 The minutes of the previous Committee meetings have been approved by the relevant meeting as a true and accurate record of proceedings.

4. EQUALITY IMPACT ASSESSMENT

- 4.1 An Equality Impact Assessment is not required.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications arising from this report.

6. **FINANCIAL IMPLICATIONS**

6.1 There are no financial implications arising from this report.

7. **ENVIRONMENTAL IMPLICATIONS**

7.1 There are no environmental implications arising from this report.

BACKGROUND PAPERS

- [Relevant Committee Agenda Packs](#)
- [West Midlands Fire and Rescue Authority Constitution](#)

The contact name for this report is Karen Gowreesunker, Clerk of the Authority – telephone number 07973810338.

Phil Loach
Chief Fire Officer

Karen Gowreesunker
Clerk of the Authority

Minutes of the Audit and Risk Committee
--

26 September 2022 at 12:00 hours

Conducted as a public meeting at Headquarters and digitally via
Microsoft Teams

Present: Councillor Miks (Chair), Councillor Spence, Councillor Waters
and Councillor Greg Brackenridge

Virtually: Councillor Miller, Peter Farrow (Internal Audit), Satinder
Sahota.

Officers: Gary Taylor, Kal Shoker, Kirsty Tuffin, Mike Griffiths, Paul
Gwynn and Tom Embury

Observers: Alan Tranter, Member of the Pensions Board,

83/22 **Apologies for Absence**

Apologies for absence were received from Councillor Barrie,
substituted by Councillor Vera Waters.

84/22 **Declarations of Interest**

There were no declarations of interest registered.

85/22 **Minutes of the Audit and Risk Committee held on 06 June
2022**

Resolved:

1. That the minutes of the Audit and Risk Committee held on 06
June 2022 were approved as a correct record.

86/22 **Minutes of the Audit and Risk Committee held on 18 July
2022**

Mike Griffiths, Section 151 Officer, advised the Committee that
as per item 89/22 of the minutes of the previous meeting, that he
wished to make a point of clarity that the West Midlands Fire
Services Pensions Administration Team had not been
responsible for the issues discussed at the last meeting.

Resolved:

1. That the minutes of the Audit and Risk Committee held on 18 July 2022 were approved as a correct record.

87/22 **Approach to be Taken in Respect of Immediate Detriment Cases Under the McCloud/Sargeant Ruling**

Mike Griffiths presented the Approach to be Taken in Respect of Immediate Detriment Cases Under the McCloud/Sargeant Ruling report that outlined the proposed approach by the Scheme Administrator for the processing of Immediate Detriment cases.

The Committee were advised that following the decision by Audit and Risk Committee to lift the pause in processing Immediate Detriment cases on the 6 June 2022, a staged approach to implementing the changes was recommended, as outlined within the report.

Members who are currently active and who have membership within the legacy period, (1st April 2015 to 31st March 2022), known as Category 1 members, would be offered a choice of benefits aligned to the arrangements set out in the Memorandum of Understanding (MoU) agreed between the LGA and the FBU on 8th October 2021.

It was aimed to process Members known as Category 2 members, who left the scheme after 1st April 2015 and before 30th June 2022, with service during the legacy period and who have already submitted a claim for remedy under the terms of the MoU, need to be processed by 31st December 2022, prioritised based on the date a claim was made, dealing with the earliest claim first and working through all subsequent claims. There were 15 members in this category. There was also one member who retired on health grounds who would be included within this group. This member would be given priority.

Work would need to be undertaken by the Pensions Team relating to Category 2 members who had not yet submitted a claim for remedy. This would involve setting out a statement for the Members, detailing the benefits due and the payments required, to return their service to their previous pension scheme, by 28th February 2023. Members would have 6 months

to respond to this statement. On receipt of a response, the Scheme Administrator would process the benefits of the affected member in line with their response, prioritised based on the date a claim was made, dealing with the earliest claim first and working through all subsequent claims. There were 37 members in this Category.

Due to the significant resource required to progress the Immediate Detriment cases, two additional members of staff had been recruited and were due to join the Pensions Administration Team in October and November 2022.

The Chair of the Authority advised that he had a non-pecuniary interest due to being a member of the Firefighters Pension Scheme(s). He advised that West Midlands Fire Service had been the first to remediate the decision on Immediate Detriment cases following the court ruling in favour of the FBU case. He appreciated the anxiety that this had caused individuals however, the implementation of this decision would take time. The pension team had been working overtime on this issue and he had been grateful to all those involved.

Members of the public in attendance were asked if they wished to voice their concerns. Alan Tranter, Member of the Pensions Board, expressed his concerns on the affects this had on individuals and their incomes and lack of planning for additional resources to process payments. Members of the public also took the opportunity to express their frustrations and worries on the situation and the lack of communication. Following discussions on four cases not receiving their pension forecast within the desired timeframe, Paul Gwynn, Payroll and Pensions Manager, advised the Committee that the delay in these cases had been the result of one employee being off due to ill health. This had now been picked up and work was underway to deal with this. He confirmed that the members would have received their pay on Friday 23 September and a statement would be issued within 7-10 days of leaving the service as the benefit entitlement had to be produced using the most up-to-date wage slip.

Following concerns raised by members of the public on the February 2023 timescale for Category two cases, the Chair of the Authority sympathised with those affected. He advised that

although he appreciated the timescales were not what members wanted to hear, the Audit and Risk Committee had been the first to take the decision to pay those affected as the service did not want to discriminate against its employees. The money to fund this would be taken out the service's reserves as the Government had not confirmed who would be funding remedy. The other option is to await changes to government legislation, that was not due to be published until October 2023. This would delay the processing of these cases until at least February 2024 so although February 2023 had not been desirable it would be processed as soon as possible. He expressed the view that employees were the service's priority and additional members of staff had been employed to assist and process the cases as soon as possible.

Alan Tranter endorsed the Chair of the Authority's comments and expressed concerns if the timings were not met in February 2023. The Chair of the Committee advised that pension scheme members would be kept up to date, following the members of the public desire to be kept informed and receive relevant communication. She advised that an Independent Investigation would be taking place into issues with the pension scheme in 2022 and would be looking into areas of improvement and would seek the views of representatives. Should members of the public wish to email Councillor Miks to highlight issues experienced then she would ensure this was passed onto the relevant officers.

Resolved:

1. That the proposed approach, as per section 5 of the report, by the Scheme Administrator be approved.

88/22 **CIPFA Audit and Risk Committee Update No.36**

Please note: it was agreed to amend the ordering of the agenda to allow for the CIPFA update No.36 to be discussed earlier, due to prior commitments of the Internal Auditors. It was agreed that the report could be discussed in the public domain as the appendix had been made exempt due to copyright issues.

Peter Farrow, Internal Auditor, presented the CIPFA Audit and Risk Committee Update No.36 that outlined the new CIPFA

Guidance on Audit Committees in Local Authorities and Internal Audit and provided a quarterly update on new developments/guidance members need to be made aware of. Internal auditors would follow this guidance to ensure the authority is following best practice. Members were advised that should they wish to participate in any training courses/seminars than to contact Peter Farrow who would look into this further.

Resolved:

1. That the CIPFA Audit and Risk Committee Update No.36 be noted.

89/22 **Statement of Accounts 2021-2022**

Mike Griffiths, Treasurer, presented the Statement of Accounts 2021-2022 report that outlined draft statement of accounts (unaudited) and a draft summary of the statement of accounts.

The committee were advised that Kal Shoker, Finance Manager, had provided training on the Statement of Accounts to Members of the Committee in June 2022. Since this, as per the balance sheet within the report, there had been movement within the reserves and general balances had decreased by £2m to £3.8m. The earmarked reserves had also decreased by £7m to £29.8m.

The Committee were advised that the Statement of Accounts were unaudited, and the final audited version would be brought back to Committee for final sign off.

Resolved:

1. That the draft Statement of Accounts for 2021-2022 (unaudited), as per appendix A, be approved.
2. That the draft Statement of Accounts summary for 2021-2022, as per appendix B, be noted.

90/22 **Treasury Management – Annual Report – 2021-22**

Kal Shoker, Finance Manager, presented the Treasury Management – Annual Report – 2021-22 that outlined the treasury activity during 2021-2022 and the actual prudential indicators for 2021-2022.

The Committee were advised that as the report had been deferred from July's Committee meeting, some of the content on the economy and interest rates within the report had been historical and any changes would be reflected within the mid-year review for 2022-2023.

The Committee were advised that following the Treasury Management strategy approval in February 2021 there were three activities that needed to be highlighted:

Firstly, Capital Expenditure had been £3.1m funded by revenue contributions. The largest spend had been the Vehicle Replacement Programme at £2.3m, £185k on rewires and £138k on boiler replacements. No borrowing had been undertaken to finance any capital expenditure in 2021-2022.

Secondly, as at 31st March 2022 the Authority's total external debt had been £31.5m. The value of long-term assets held by the Authority as at 31st March 2022, which the loans have helped fund was £154.5m. The average rate of interest payable on this debt had been 5.24%.

Finally, as at 31st March 2022 the Authority's investments totalled £33.5m which were invested with Sandwell Metropolitan Borough Council (MBC) as part of the treasury management arrangement the authority had with them. Interest had been received on the Authority's daily cash balance and was based on the average return achieved by Sandwell (MBC) plus 10 basis points which for 2021/22 was 0.16%. This compared favourably to the benchmark, the SONIA (Sterling Overnight Index Average) uncompounded rate of 0.1355%.

Resolved:

1. That the treasury management – Annual Report 2021-2022 be noted, and the prudential/treasury indicators be approved.

91/22 **Pension Board – Appointment of Independent Chair**

Tom Embury presented the Pension Board – Appointment of Independent Chair report that outlined the proposed process for advertising, sourcing and appointing a new Independent Chair to the Pension Board.

The committee were advised that the previous Independent Chair, Head of Finance for West Midlands Police, had resigned from post. There is no prescribed process held within legislation, so it had been proposed to use a similar process to that of an Independent Member/Person to the Authority. This would entail the advert being published externally, with shortlisting/interviews to be conducted by a Sub-Committee of Audit and Risk Committee. A recommendation by the Sub-Committee would be brought to a future Audit and Risk Committee meeting for approval.

Resolved:

1. That the proposed process of appointment for an Independent Chair of the Pensions Board be approved.

92/22 **Update on Corporate Risk 6.1 Business Continuity Arrangements**

Gary Taylor, Assistant Chief Fire Officer, presented the Update to Corporate Risk 6.1 Business Continuity Arrangements that outlined the context for uprating Corporate Risk 6.1 to 16 (RED) and potential steps to mitigate the risk, as requested at the last Audit and Risk Committee meeting, following a verbal update on the issue.

The Committee were advised that as per the Fire and Rescue Service National Framework, Fire and Rescue Authorities were required to assess any risk of emergencies occurring and ensure business continuity. Alongside this, Section 2 of the Civil Contingencies Act 2004 contained contingency/business continuity plans that the Authority had a statutory duty to assess, plan and advise upon. The West Midlands Fire Service (WMFS) Industrial Action Plan had been in place to assist with this, however, it relied upon non-striking operational staff/volunteers to provide cover. Following a Scrutiny Review in October/November 2019, a report was submitted to Fire Authority to greater strengthen business continuity resilience arrangements. The report was rejected, following a recommendation from Scrutiny Committee to continue with

existing business continuity arrangements. Fire Authority had responded to the Fire Reform White Paper stating they had confidence in the robustness of the current plans in place, but this contradicted the Officer response who did not share the same views.

A survey conducted by the National Fire Chief's Council (NFCC) had been published and RAG rated services on the resilience of their business continuity plans in the event of industrial action. This had been shared with the Home Office.

The Committee were advised that Corporate Risk 6.1 had been escalated from 12 to 16 (impact 4, likelihood 4), the highest risk level, as the service felt it did not have the confidence that services could be provided should there be strike action. A 2% pay award had already been rejected by Grey-Book staff, with consultation taking place with Green Book staff on a £1925 increase to all pay points. It was felt that given the different factors around cost-of-living crisis, the topic of pay that was impacting on everyone, and with other sectors already striking, the use of volunteers/non-striking staff would not be enough to provide the services required. It was recommended that an external provider be engaged with to provide the resilience required should there be strike action. As this would incur expenditure in excess of the CFO's delegated £250,000 limit, the decision would require Fire Authority approval. Such expenditure had also not been included in approved budgets of the Fire Authority, so would need to be taken into account in future budgeting decisions

Following queries on the sourcing of equipment and training, Gary advised that a full report providing key details on equipment and training would go to Fire Authority on 10 October 2022. He re-assured Members that external companies often used ex firefighters and therefore maintained high standards. Following concerns raised by FBU, Gary reassured Members that the service made no judgement on those wishing to strike and knew the impact this would be having on staff however, the service did have a legal duty to ensure that services could still be provided in the event of strike action.

The Chair of the Authority sympathised with staff and the services legal obligation to provide services in the event of strike action. He had and would continue to lobby nationally on the issue of fairer pay and understood that poor pay increases had occurred for the last ten years or so. He wished for the Home Office to assist and would continue talks with them as the decision had been out of the authority's hands on pay increases. He recommended that a scrutiny review on the proposals for business continuity arrangements be conducted whilst national negotiations take place and conclude an offer that would be accepted by its members.

Satinder Sahota, Monitoring Officer of the Authority, expressed the need that members mitigate any risk and that talks with the Home Office should be included within the Scrutiny review.

Resolved:

1. That the context and reasoning for the uprating of corporate risk 6.1 in June 2022 to 16 (RED), the highest rating, and implications to the service be noted.
2. That steps to mitigate the risk be taken by recommending to Fire Authority that a Scrutiny Review take place.

93/22 **Pension Regulator Supervisory Review Report**

Tom Embury presented the Pension Regulator Supervisory Review report that outlined the content/recommendations of the 2020-2021 Relationship Supervision Review Report of the West Midlands Fire Service Firefighter Pension Scheme from the Pension Regulator.

The Committee were advised that the report covered the period between 2020-2021 as it was delayed as a result of the COVID pandemic. An action plan would need to be developed and provided back to the Pension Regulator by early November 2022. It was recommended that Pension Board be delegated the task to discuss/develop the action plan in an extraordinary meeting, to be scheduled in October, for circulation to the Chair of Audit and Risk Committee and be brought back to Audit and Risk Committee in November. Following discussions around the role of Pension Board, it was agreed that officers would begin

the draft action plan for further developments/discussions to take place at the Extraordinary Pension Board meeting. Alan Tranter, Pension Board Member, advised he would be happy to work with Officers on the action plan and some of the actions had already been in place/could be actioned quickly.

A member of the public expressed concerns that the report did not cover the recent administrative issues and felt individuals were pushing the blame around. The Chair of the Committee disagreed and advised that the report had been delayed due to COVID and an Independent Investigation would be conducted on the recent issues highlighted.

Resolved:

1. That the content and recommendations of the 2020-2021 Relationship Supervision Review Report of the West Midlands Fire Service Firefighter Pension Scheme from the Pension Regulator, be noted.
2. That recommendation 1.2 as per report, be approved subject to the amendment that Officers would draft the action plan for further discussions/development at the Extraordinary Pension Board.

94/22 **Update on Topical, Legal and Regulatory Issues (Verbal Report)**

Mike Griffiths advised the Committee that Grant Thornton had issued a letter advising that the deadline for the Annual Auditors Report would be delayed until 31 January 2023.

Resolved:

1. That the update on Topical, Legal and Regulatory Issues be noted.

95/22 **Audit and Risk Committee Work Plan 2022-2023**

Tom Embury, Deputy Clerk, presented the Audit and Risk Committee Work Plan for 2022-2023 that outlined the planned agenda items for future scheduled Audit and Risk Committee meetings.

The Committee were advised that the Pension Regulator Supervisory Report would be added to the November meeting.

The outcome of the review would be added to a future meeting once timelines had been determined.

Resolved:

1. That the Audit and Risk Committee Work Plan 2022-2023 be approved.

The meeting closed at 14:17 hours.

Kirsty Tuffin

Strategic Hub

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Minutes of the Collaboration and Transformation Committee

18 July 2022

Conducted as a public meeting at Headquarters and digitally via Microsoft Teams

Present: Councillor Dehar (Chair), Councillor Hussain (Vice-Chair), Councillor Atwal, Councillor Barrie, Councillor Brackenridge, Councillor Hogarth.

Virtual: Councillor Iqbal, Councillor Miks, Prof Simon Brake, APCC Wasim Ali

Officers: Mike Griffiths, Phil Loach, Tom Embury, Kirsty Tuffin.

06/22 **To receive apologies for absence (if any)**

No apologies for absence were received.

The Chair of the Committee advised the Committee that Councillor Seamus Walsh had sadly passed away. All Members passed on their condolences and a minute silence was held.

07/22 **Declarations of Interest**

There were no declarations of interest received.

08/23 **Minutes of the Collaboration and Transformation Committee held on 25 April 2022**

Resolved:

1. That the Minutes of the Collaboration and Transformation Committee held on 25 April 2022 were approved as a correct record of proceedings.

09/22 **Authority White Paper Consultation Response**

Tom Embury, Deputy Clerk to the Authority, presented the Authority White Paper Consultation Response Report that provided an overview of the Fire Reform White Paper and

draft response to the consultation on behalf of the West Midlands Fire and Rescue Authority (WMFRA).

The Committee were advised that the Fire Reform White Paper had been published on 18 May 2022 and set out plans from the government to reform three key areas: people, professionalism and governance. Both political parties had met prior to discuss their response and the final draft had been drafted with consultation of the Chair of the Authority and the Local Government Association (LGA). The final draft response had been attached as appendix A. It was highlighted the impact of the ongoing change of Prime Minister would need to be monitored as this could impact the implementation of any changes.

The Chair of the Authority thanked all those involved in drafting the response. He advised that there had been little disagreement between the Conservative Group, the LGA's and the Labour Group's responses. The Police Crime Commissioner, Simon Foster, had also attended the Labour Group's meeting and had provided input into the response.

The Committee were advised that to take into account the Conservative Groups response, question 22 had been changed from 'Neither Agree/Disagree' to 'Disagree'. Councillor Hogarth agreed that there had been little difference with the LGA's response and Labour/Conservative Group responses and felt appendix A had taken into account the Conservatives response. There had been consensus in the room by members that there had been no need to change the current governance approach as it worked efficiently and effectively.

Prof Simon Brake expressed support for the response, as per appendix A of the report.

The Chair of the Authority advised the Committee that it had been suggested to make these changes mandatory however, the LGA had been pushing against this. All members agreed that any changes should not be mandatory and should be left to local determination.

Councillor Hogarth expressed sympathy for the Chief Fire Officer with regards to proposed governance change. He felt that the Chief ran the Service effectively and **had done and was doing** a great job. He felt that the CFO had thorough knowledge on what was needed to **operate the Service effectively and efficiently** and expressed concerns over the lack of knowledge and understanding with regard to fire services that a Mayor/PCC may have.

The Chair of the Authority advised that that officers were able to submit their own response, although acknowledged it could be tricky around their approach with the governance aspects of their response. He re-enforced that appendix A had then **been** the response of the WMFRA and not the Service/Officers.

Resolved:

1. That it be agreed that the draft Fire Authority response to the Fire Reform White Paper Consultation, as per appendix A of the report, be approved.

The meeting finished at 10:47 hours.

Kirsty Tuffin Strategic Hub 0121 380 6906

Minutes of the Scrutiny Committee

23 May 2022

Conducted as a public meeting at Headquarters and digitally via
Microsoft Teams

Present: Councillor Spence (Chair), Councillor Iqbal, Councillor Ferguson.

Virtual: Sarah Middleton and Shirley Haines.

Officers: Andrea Simmonds, Kate Alliss, Kirsty Tuffin, Pete Wilson, Simon Barry, Joanne Simmonds, Kelly Whitmore, Kamla Devi-Ahir.

07/22 **Apologies**

Apologies were received from Councillor Dehar, Councillor Locke (substituted by Cllr Iqbal) and Cllr Barrie (substituted by Cllr Ferguson).

08/22 **Declarations of Interest**

There were no declarations of interest received.

09/22 **Minutes of the Scrutiny Committee held on 23 May 2022**

Please note: Both Councillor Iqbal and Councillor Ferguson had not been present at the last Committee meeting to agree the minutes as a correct record of proceedings.

Resolved:

1. That the minutes of the Scrutiny Committee held on 23 May 2022 were moved due to Cllr Iqbal and Cllr Ferguson not being present at the last Committee meeting.

10/22 **Scrutiny Review of Safe & Well**

Andrea Simmonds, Head of Community Safety, presented the Scrutiny Review of Safe and Well 2022 report that outlined the final scoping proposal for Scrutiny Committee to review safe and wells (SAW).

The Committee were advised that as agreed by the Committee on 14 February 2022, a Sub-Committee met in April 2022 to develop the scoping document, as per appendix 1 of the report. As agreed previously, the following areas of work had been concluded, with the exception of the Her Majesty's Inspectorate for Constabulary and Fire and Rescue Services (HMICFRS) inspection (expected conclusion and feedback end of May 2022), and reflected the current situation within the scoping document:

- Her Majesty's Inspectorate for Constabulary and Fire and Rescue Services (HMICFRS) inspection March and May 2022.
- Creation and commencement of project delivery for Reducing Health Inequalities Community Risk Management Plan (CRMP) objective.
- Internal customer satisfaction survey.
- External customer satisfaction and impact evaluation survey number 3.
- Introduction of SAW delivery PowerBi dashboard – SAW and Remote SAW (RSAW).
- Introduction of SAW evaluation and a PowerBi dashboard.
- Evidence from station prevention evaluation
- Evidence from service peer assessments.
- Fire standard for prevention self-assessment.

It was agreed that the review would take place over a 6-month period, with the sub-committee kept up to date throughout and would meet after 3 months. The Sub-Committee would also be invited to the following workshops:

1. Risk stratification including referrals and relationships with partners
2. Record keeping
3. Delivery including training and development
4. Performance management, quality assurance and evaluation.

Resolved:

1. That it be agreed that the Committee considered and approved the recommendations to proceed with the review of Safe & Well (SAW), as outlined in the report.

11/22

Fire Control Performance Report Update – Quarters 1-4 2021-22

Kelly Whitmore, Group Commander – Fire Control, presented the Fire Control Performance Report – Quarters 1-4 2021-22, that outlined the operational performance of Fire Control over a 12-month period.

The Committee were advised that, as per the report, of the 48,956 emergency calls received for West Midlands Fire Service (WMFS), Fire Control mobilised resources on 54% of occasions. Mobilisation to calls had been dependent upon the following:

- Call challenged automated fire alarms (AFAs)
- Call challenged special service calls that were deemed non-emergency
- Repeat 999 calls
- Use of 999eye footage/imagery

The Committee were advised that Fire Control amended the initial level of response 2,474 times throughout 2021-2022 for incidents in the West Midlands area and the totals included within the report has either been increased/decreased attendance from the standard pre-determined levels of response. 5% (1364) had been increased attendance and 4% (1110) had been decreased attendance.

Work had been conducted with the Command-and-Control Supplier, Capita, to upgrade the Vision Command and Control system used for integrated calls, incident and resource management across WMFS, and to upgrade the current 'Vision 3' to 'Vision 4'. The go live for Vision 4 had been delayed until 6 June 2022 due to issues that occurred during testing.

Resolved:

1. That it be agreed that the Fire Control performance update for quarters 1-4 2021-22, be noted.

12/22

Diversity, Inclusion, Cohesion, Equality (DICE) Update

Joanne Simmonds, People Support Manager, presented the bi-annual Diversity, Inclusion, Cohesion, Equality (DICE) Update that outlined the progress made by West Midlands Fire Service in advancing DICE.

The Committee were advised that, as per the report, the Neurodiversity Group had now been launched and had been interacting with employees via their own internal MESH site. The stakeholder group 'Inspire' were preparing for both local and national events such as Simmer Down, Notting Hill Carnival and preparations were underway for Black History Month. The Asian Fire Service Association (AFSA) had assisted with the organising of the AFSA Empowering Women event, hosted by West Midlands Fire Service alongside supporting to raise awareness around Ramadan. The Committee were advised that a member of staff had been recognised at the first British Sikh awards held in Birmingham in February 2022, an event that recognised achievements from inspiring individuals who had positively impacted in a variety of different areas.

The key figures on the workforce profile, as at 1st February 2022, highlighted to the Committee were:

- WMFS employed a total of 1894 employees of which:
 1. 1392 (73%) were uniform, 440 (23%) non-uniformed and 62 (3%) were Fire Control.
 2. 12% of uniformed staff were female compared to more than half of non-uniformed staff.
 3. 14% of all employees were from Black, Asian or Minority Ethnic (BAME) background.
 4. Declarations had been high, with 91% of employees had made a declaration regarding disability.
 5. Average age of employees had been 43 years.

The Committee were advised that between April 2021 and March 2022, WMFS had employed 85 new entrant firefighters. Of these, 10 (12%) had been female and 20 (24%) had been BAME. Recruitment had been under review and the Fire Fighter recruitment programme for females/ BAME had been re-introduced. The gender pay gap had also decreased to 8.9% compared to 9.8% in 2020. Following queries around 2019 gender pay gap figures, Joanne Simmonds, advised the Committee that the higher figure had resulted from the impact of an additional working opportunity scheme that had a high uptake from women in the lower paid administrative jobs within the service.

Resolved:

1. That it be agreed that the ongoing progress made by the service in relation to Diversity, Inclusion, Cohesion, Equality (DICE) be noted.

13/22

Dispute Resolution Report

Kamla Devi-Ahir, Business Partner, presented the Dispute Resolution Report that outlined the number, type and outcomes of discipline, grievance hearings and other dispute resolution including Employment Tribunal activity that has occurred during the period 01 October 2021 to 31 December 2021.

The Committee were advised that the report covered a 3-month period that would bring the Committee back in-line with pre-Covid agreed reporting and the next report to Committee would cover from January 2022 to June 2022. The key figures highlighted for the above period, as per the report were:

- Four grievances were received (3 grey book – Male, 1 Control – Female). The reasons for the grievances received were as follows:
 1. Working relationships, behaviours and leadership styles displayed by management.
 2. Employee believed to be substantiated in line with the current Managing Vacancies Policy.

3. Employee did not wish to declare their covid vaccination status.
4. Retired employee raised a grievance based on age discrimination around his retirement dates.
- Five disciplinary cases were received (all grey book – male):
 1. Four cases were investigated under Gross Misconduct
 2. One case investigated under Misconduct.
- One Employment Tribunal was received for claims of racial discrimination.

The equality data for both the grievances and disciplinaries had shown support that no impact had occurred on any specific group.

The Committee were advised that the following training had taken place:

- Disciplinary investigations (78 Managers/BPs attended)
- Disciplinary Commissioning and Appeals (29 Managers/BPs attended)
- Crucial Conversations (68 Managers/BPs and Trade Unions attended)
- Manager and mediator courses (562 attendees)

A review of the processes outlined in the Disciplinary Policy and Grievance Policy had been underway.

The Chair of the Committee praised the team and the modernisation of the presentation of the Dispute Resolution Report.

Resolved:

1. That it be agreed that the Dispute Resolution Report be noted.

13/22

Annual Report of the Scrutiny Committee 2021-2022

Tom Embury, Deputy Clerk to the Authority, presented the Annual Report of the Scrutiny Committee 2021-2022.

The Committee were advised that the report had reflected the impact of Covid and the need to put the Committee

meetings on hold until November 2021 for the business continuity arrangements to be put in place. As per the report, the following business conducted by the Committee throughout 2021-22 highlighted was:

- Diversity, Inclusion, Cohesion and Equality Updates
- Dispute Resolution Monitoring
- Progress Update on the Review of Safeguarding in West Midlands Fire Service
- Consideration of Scrutiny Reviews leading to a Scrutiny Review of Safe and Well
- Fire Control Performance Reports
- Work Programme selection

Resolved:

1. That it be agreed that the Annual Report of the Scrutiny Committee 2021-2022 be noted and submitted to the Annual General Meeting of the Authority on Monday 27 June 2022.

14/22

Scrutiny Committee Work Programme 2021-2022

Tom Embury, Deputy Clerk to the Authority, presented the Scrutiny Committee Work Plan for 2021-2022.

The Committee were advised that following the approval of the Municipal Calendar of Meetings for 2022-2023, a revised work programme for 2022-2023 would be brought to the next Committee meeting for approval. Following queries, the Committee were encouraged to request items to be added onto the work programme.

Resolved:

1. That the Scrutiny Committee Work Plan for 2021-2022, be approved.

The meeting finished at 11:00 hours.

Kirsty Tuffin Strategic Hub 0121 380 6906
