

WEST MIDLANDS FIRE AND RESCUE AUTHORITY
SCRUTINY COMMITTEE

24 APRIL 2023

1. SCRUTINY COMMITTEE TERMS OF REFERENCE

Report of the Clerk to the Authority

RECOMMENDED

- 1.1. THAT Members approve the proposed changes to the Scrutiny Committee Terms of Reference (summarised in **Appendix A**) to be submitted to Fire Authority for approval.
- 1.2. THAT Members consider any further changes or additions to the Terms of Reference which could support the Committee to undertake its role of support the Authority to achieve its strategic objectives.

2. PURPOSE OF REPORT

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

3. BACKGROUND

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

4. **EQUALITY IMPACT ASSESSMENT**

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

5. **LEGAL IMPLICATIONS**

- 5.1 There are no legal implications of this report.

6. **FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications of this report.

7. **ENVIRONMENTAL IMPLICATIONS**

- 7.1 There are no environmental implications of this report.

8. **BACKGROUND PAPERS**

[WMFRA Constitution](#)

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

Karen Gowreesunker
CLERK TO THE AUTHORITY

Appendix A

Article 9 - Scrutiny Committee

- 9.1 In line with expectations set out in the Fire and Rescue National Framework, the Authority has established a Scrutiny Committee to support it in achieving its strategic objectives. The committee ensures that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations.
- 9.2 Effective scrutiny frameworks will be in place for both the scrutiny of strategic policy, as well as performance. Aligned to the role of the Fire Authority and **Chief Fire Officer** as set out in articles 4 and 5 of this constitution, the scrutiny function should scrutinise decisions made or to be made, on the basis of 'public safety', aligned to the following definitions:

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

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

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

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

9.3 Role and Functions: -

- To carry out scrutiny reviews selected by the Committee, with appropriate consideration of committee and officer capacity and cost. Such reviews will be member-led, and evidence based, and will produce SMART (specific, measurable, **achievable attainable**, **relevant realistic** and timely) recommendations to the Authority.
- To track and monitor the implementation of review recommendations that are accepted by the Authority.
- To summon any officer or member of the Authority to give account in respect of reviews or any other relevant matter.
- To manage, in consultation with the **Section 151 Officer Strategic-Enabler for Finance and Resources**, a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews.

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