

# West Midlands Fire and Rescue Authority

## Executive Committee

**You are summoned to attend the meeting of Executive Committee to be held  
on Monday, 12 October 2015 at 10:00**

**at Fire Service HQ, 99 Vauxhall Road, Nechells, Birmingham B7 4HW**

**for the purpose of transacting the following business:**

## Agenda – Public Session

- |   |  |               |
|---|--|---------------|
| 1 | To receive apologies for absence (if any)  |               |
| 2 | Declarations of interests in contracts or other matters  |               |
| 3 | Executive Committee Minutes - 230315   | <b>3 - 8</b>  |
| 4 | Enabling Closer Working Between the Emergency Services -<br>Authority Consultation Response - updated 09.10.15 | <b>9 - 20</b> |

### **Distribution:**

Stuart Davis - Member, B A Douglas-Maul - Member, Adam Aston - Member, John Edwards -  
Chairman, Mohammed Idrees - Member, Hendrina Quinnen - Member, Ann Shackleton - Member,  
Robert Sealey - Member, Gurdial Singh Atwal - Member, Muhammad Afzal - Member

Clerk Name: Karen Gowreesunker

Clerk Telephone: 0121 380 6678

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**Agenda prepared by Julie Connor**

**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 website at [www.wmfs.net](http://www.wmfs.net)**

## Minutes of the Executive Committee

**23rd March, 2015 at 10.00 am**  
**at Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present:** Councillor Edwards (Chair);  
Councillor Idrees (Vice-Chair);  
Councillors Aston, Atwal Singh, Davis, Douglas-Maul,  
Finnegan, Quinnen and Shackleton.

**Apology:** Councillor Sealey.

**Observers:** Councillors Clinton, Collingswood, Hogarth,  
Mottram JP, Singh, Skinner, Spence and Tranter;  
Mr Ager.

6/15

### **Welcome**

The Chair welcomed Melanie Dudley, Monitoring Officer, Satinder Sahota, Deputy Monitoring Officer and Karen Gowreesunker, Clerk to the Authority, to their first Executive Committee in their new roles.

7/15

### **Minutes**

**Resolved** that, the minutes of the meeting held on 2nd February 2015, be approved as a correct record.

8/15

### **Corporate Performance Indicators 2015/16**

Further to Fire Authority Minute No. 6/15 (16th February, 2015) (The Plan 2015-18), the Committee received a report on the corporate Performance Indicators (PIs) and targets for 2015-16 and on the new tolerance based approach to performance measurements and reporting.

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The Service had reviewed its rolling three year corporate strategy - The Plan 2015-18 and as part of the planning process had re-aligned the corporate PIs. The rationale for this was to enable corporate PIs to be better aligned and more appropriately balanced and meaningful to reporting performance against the priorities, objectives and outcomes set out in The Plan. It was proposed that the Service measured its performance against 25 corporate PI's in 2015-16 as opposed to the 31 currently in place.

PI1 Risk based attendance standard had been moved to the head of the list as the five minute time response to Category 1 incidents underpinned the Service Delivery Model and was scrutinised the most. As part of the Service's commitment to continuous improvement, senior officers had rationalised PIs 2-6 Prevention, PI14 Protection and People PIs.

In terms of PI measurement a red, amber green rating system would no longer be utilised as the PIs would now be measured using a tolerance based methodology. A tolerance based methodology and approach would enable transparent, focused and quality performance discussions around perceived areas of exceptional or under performance. Generally, but not exclusively, this would allow for a + or -5% in forecast performance as it was normal for performance to vary slightly at any given time rather than be on target. A graphical example was attached as Appendix 1 to the report. It showed that performance within the green band would be on target and within tolerance levels. Performance in the upper red quartile would be off target or under performance and any performance in the lower blue quarter would be off target but over performing.

Councillor Tranter had met with officers on 24 February and confirmed his satisfaction with the tolerance based approach to PI measurement and reporting.

The Chief Fire Officer thanked the Chair of the Scrutiny Committee, Councillor Tranter, for his involvement and support with the tolerance based approach to PIs and through his involvement in the Quarterly Performance Review meetings.

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**Executive Committee**  
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Members welcomed the proposed changes but asked that the columns in Appendix 2 to the report should either be shown as percentages or numbers as it would be difficult to compare like with like. Positive feedback regarding the display of information through Infographic (picture) means had been received from the members of the Scrutiny Committee.

**Resolved:-**

- (1) that the new tolerance based methodology to interpreting, measuring and reporting performance against the corporate Performance Indicators (PIs) be endorsed;
- (2) that the rationalisation and re-numbering of corporate PIs 2015-16 be approved;
- (3) that the corporate PIs and targets for 2015-16 as set out in Appendix 2 to the report be approved;
- (4) that the ongoing work to synchronise the corporate performance reporting frameworks to enable more effective and influential performance management and reporting be endorsed.

9/15

**Exclusion of the Public and Press**

**Resolved** 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 relating to the financial or business affairs of any particular person (including the authority holding that information).

10/15

**Purchase of Smoke and Carbon Monoxide Alarms**

Further to Authority Minute No. 60/14 (22 September, 2014) (Revision to Procedural Standing Orders), the Committee received a report on a tender exercise and award of a contract for the supply of smoke alarms and carbon monoxide alarms for all English Fire and Rescue Authorities.

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New regulations which required private sector landlords to install smoke alarms on each storey of their property and carbon monoxide alarms (CO) in high risk rooms were to come into force in October 2015. To help private landlords with the transition to compliance, the Government was providing funding to Fire and Rescue Services for the procurement of smoke and CO alarms to be issued to private landlords seeking to comply with the new regulations.

The Department of Communities and Local Government (DCLG) had provided funding to West Midlands Fire Service for the purchase of up to 400,000 smoke alarms and 40,000 CO alarms to be distributed to all English Fire and Rescue Authorities. The proposed purchase was carried out through a mini-competition under the Yorkshire Purchasing Organisation Framework Agreement.

Grant funding of £2.9m was being provided to assist with the purchase. A mini tendering competition had taken place and the Committee was therefore requested to endorse the tender exercise and award of a contract although no order had yet been placed.

Because the proposed procurement was outside normal circumstances, liaison had taken place with the External Auditors to ensure the proposed arrangements could proceed. It was noted that the goods would not be physically received prior to payment and members' attention was drawn to the Authority's Financial Regulations, in particular Section 4 (ordering and paying for work, goods and services) and Section 5 (external funding).

The Fire Minister had announced the new regulations for private landlords at the Local Government Association Fire Conference on 10th March 2015. A lot of work had been undertaken to ensure 400,000 smoke alarms could be procured by 31st March 2015. It was noted that some of the alarms were already in transit to the Service and that Devon and Somerset Fire Service were acquiring smoke alarms for four Brigades.

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The Chief Fire Officer wished to thank the Procurement Team, in particular Amanda Beesley and Jacky Perkins, for their speed of action and intense work in respect of the procurement.

In response to their enquiries members were advised that:-

- Cheshire Fire and Rescue Service was preparing a national press release on the initiative and the Chief Fire Officer agreed to provide members with a form of words to be used in social media later that day. The Press Release would also be circulated to members.
- the Brigade would continue to carry out Home Fire Safety Checks focussing on vulnerable people and would be commissioned to fit smoke detectors and to spread the fire safety message.
- Housing Associations were precluded and the regulation applied to private landlords. The Chair confirmed that the form of words being provided to members would make this clear. The Chief Fire Officer reaffirmed that alarms were fitted free of charge for vulnerable people.
- the specification for the smoke alarms included a battery with a ten year life as a minimum requirement.

The Strategic Enabler, Finance and Resources stated that following the mini-competition, more CO alarms would be purchased than originally estimated due to the competitive prices being achieved.

**Resolved** that the tender exercise for the supply of smoke and carbon monoxide alarms be endorsed and the award of a contract approved.

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**Executive Committee**  
**23rd March, 2015**

(The meeting ended at 10.35 am)

Contact Officer: Rosemary Jones Democratic Services Unit Sandwell Metropolitan Borough Council 0121 569 3896
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**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**EXECUTIVE COMMITTEE REPORT**

**12 OCTOBER 2015**

1. **ENABLING CLOSER WORKING BETWEEN THE  
EMERGENCY SERVICES – AUTHORITY CONSULTATION  
RESPONSE**

Report of the Clerk to the Fire Authority.

RECOMMENDED

THAT Members consider and approve the response to the proposals set out in the 'Enabling Closer Working between Emergency Services' consultation paper.

2. **PURPOSE OF REPORT**

This report is submitted to provide the West Midlands Fire Authority with an opportunity to comment on and approve a response to the consultation paper 'Enabling Closer Working between the Emergency Services'.

3. **BACKGROUND**

- 3.1 On 11 September 2015 HM Government released a consultation document entitled 'Enabling Closer Working between the Emergency Services'. The document outlines proposals for greater collaboration for the three emergency services of Fire and Rescue, Police and Ambulance and shared governance for police and fire under Police and Crime Commissioners (PCCs).
- 3.2 The consultation poses 16 questions which are designed to gather feedback from the public concerning how the proposals set out in the consultation document can be implemented in the most effective and efficient way. Responding against these specific questions will not enable Members to comment fully on the proposals being set out in the consultation document and, therefore, the Authority response will be structured around the topic areas covered in the proposals.

The closing date for responding to this consultation is 23 October 2015.

- 3.3 Following a period of consultation with West Midlands Fire Authority Members, a draft consultation response has been prepared and is set out in Appendix 1.

4. **EQUALITY IMPACT ASSESSMENT**

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

The matters contained in this report will not directly lead to a policy change.

5. **LEGAL IMPLICATIONS**

The matters included in this report have no direct legal implications.

6. **FINANCIAL IMPLICATIONS**

The matters included in this report have no direct financial implications.

7. **ENVIRONMENTAL IMPLICATIONS**

The matters included in this report have no direct environmental implications.

## **BACKGROUND PAPERS**

Consultation paper: Enabling Closer Working between the  
Emergency Services, HM Government, 11 September 2015

The contact name for this report is Karen Gowreesunker, Clerk to  
the Authority, telephone number 0121 380 6678

KAREN GOWREESUNKER  
CLERK TO THE AUTHORITY



**DRAFT WMFRA CONSULTATION RESPONSE**

**ENABLING CLOSER WORKING BETWEEN THE EMERGENCY SERVICES**

**1. Greater Collaboration**

*Questions referenced in consultation response*

*Question 1: How do you think this new duty would help drive collaboration between the emergency services?)*

This consultation is running along the development of the West Midlands Combined Authority (WMCA). West Midlands Fire and Rescue Authority (WMFRA) anticipates that devolution of power to WMCA would provide wider opportunities for the Fire Service to collaborate across not only emergency services but other agencies and sectors in the event that West Midlands Fire Service (WMFS) falls within this devolved structure.

WMFRA and its partners already benefits from positive collaborative relationships with a range of emergency and public sector services. Some examples include:

- Joint Emergency Services Interoperability Programme (JESIP).
- West Midlands Police (WMP) – Fire Investigation.
- Emergency Services Mobile Communication Programme.
- Co-locating with West Midlands Ambulance Service.
- Health and commissioning – Coventry City Council Telecare Pilot.
- Sharing of estates with Birmingham and Coventry City Councils.
- Joint Fire Control with Staffordshire Fire and Rescue Service. This particular area of collaboration has resulted in £1.5 million joint savings per year with a joint saving of £11.6 million projected to 2020. This provides a good example of where local solutions have been delivered to create a more efficient and effective approach to front line service delivery.

WMFRA recognises the increasing need to collaborate further across the emergency services and welcomes the intent around this new duty. However, it is important that this duty also takes into account the need to collaborate wider across other agencies (such as the NHS) to enable the achievement of better joint outcomes, which are designed to provide more impact socially for our local communities in a more efficient and effective way.

This is critical to the contribution that WMFRA and the Fire Sector in general can make to the wider health and wellbeing agenda through addressing the causes of the causes to social and health inequalities. This approach is essential to the success of the fire and health prevention agenda and reducing risk to communities. The WMCA would provide opportunities for improved outcomes, across a wider public health and wellbeing environment whilst reducing the impact upon the public purse through effective collaborative working.

WMFRA recognises the value of the Police in cross sector groups such as Multi Agency Safeguarding Hub (MASH). However, this involvement arises from a safeguarding and enforcement perspective and does not align to a pure prevention approach. Prevention is critical to the operating model for fire. This is not currently the same for Police, though it is recognised that there is some intent for this to change.

Whilst the proposals focus heavily on Fire/Police and Police/Ambulance collaboration, WMFRA sees the duty could provide further and perhaps more appropriate opportunity for more front line collaborative working with the Ambulance Service in areas that have been previously considered.

WMFRA are committed to working more effectively with the Police and Crime Commissioner (PCC) and collaborating further with the Police and other agencies in areas such as:

- Sharing of resources and estate – Police.
- Research and Development – The 999 eye concept which will be made available to UK emergency services without charge, expanding the benefits of this work.
- Police back office collaboration/shared service.

## 2. **Accountability and Governance**

*Questions referenced in consultation response:*

*Question 2: Do you agree that the process set out above would provide an appropriate basis to determine whether a Police and Crime Commissioner should take on responsibility for Fire and Rescue?*

*Question 3: Do you agree that the case for putting in place a single employer should be assessed using the same process as for a transfer of governance?*

*Question 4: What benefits do you think could be achieved from empowering Police and Crime Commissioners to create a single employer for Police and Fire and Rescue personnel whilst retaining separate frontline services where a local case has been made to do so?*

*Question 5: Do you agree that the requirement for a chief officer to have previously held the office of constable should be removed for senior fire officers?*

*Question 10: Do you agree that Police and Crime Commissioners should be represented on Fire and Rescue Authorities in areas where wider governance changes do not take place?)*

In line with the objectives of this consultation paper, to promote greater effectiveness and efficiency through greater collaboration, there should be a strong focus on joint working to understand the benefits, considerations, barriers and, as importantly, the costs incurred in integrating the governance of the Police and Fire Services prior to any determination locally made. The process set out in the consultation document does not support this approach and does not take into account the impact and costs of this level of change.

A single person taking on the responsibilities for governance of Fire and Rescue and the Police as opposed to a WMCA or Mayor and Cabinet model, would place a significant amount of responsibility and risk in one person making decisions for both services. The current Fire Authority model provides a more risk averse and balanced approach where the strategic leadership, political balance and governance is spread more effectively and is far more representative of the communities being served.

WMFRA provides critical services to the Communities of the West Midlands and is directly accountable through local authorities. For example Section 41 Fire Authority Members present fire performance for scrutiny to their District Councils. These Members are locally elected by their constituents and therefore also enable effective engagement with local authorities and their communities to promote prevention based work and communicate needs.

We are committed to exploring collaboration with the Police in the sharing of services which could be achieved without the need for a single employer. This would enable, in due course, a change in governance to take place in a way that is aligned to the WMCA and would therefore minimise the impact on staff and communities as well as the costs of making this change twice.

A potential outcome of operating under a single employer could make effective communication and engagement with our communities from a front line perspective difficult. Due to the priorities of the two services, the brand and image of each are very different. The Fire Service generally takes a 'neutral stance' which has aided the sector in reaching areas of society that other services have found difficult to gain access to. As such, the Fire Service has progressed significantly in the prevention arena over the last 10 years.

The Local Government Association (LGA) are undertaking some analysis which seeks to evidence the potential impact of the above paragraph.

WMFRA believes that the role of the Chief Fire and Rescue Officer over the past 5 years in leading transformation in a constantly changing and challenging environment, qualifies the Chief Fire and Rescue Officer to have equal standing and opportunities with Chief Constables. However, we do not believe a single employer model is the way forward.

### 3. **Performance and Scrutiny**

*Question referenced in consultation response:*

*Question 6: How do you think the requirement for a Police and Crime Commissioner to have access to an informed, independent assessment of the operational performance of the Fire Service should best be met?*

*Question 7: Do you agree that where a Police and Crime Commissioner takes responsibility for the Fire and Rescue Service, the Police and Crime Panel should have its remit extended to scrutinise decision making in relation to fire services?*

*Question 8: Do you think that where a Police and Crime Commissioner takes responsibility for the Fire and Rescue Service, the Police and Crime Panel should have its membership refreshed to include experts in fire and rescue matters?*

*Question 9: Do you think that where a Police and Crime Commissioner puts in place a single employer for Fire and Rescue and Police service's personnel, complaints and conduct matters concerning fire should be treated in the same way as complaints and conduct matters concerning the Police?*

There are a variety of approaches that WMFRA takes part in and/or invites which enables effective, informed and independent assessment of performance across the Service.

The (LGA advocated) Operational Performance Assessment (OpA) provides a predominant and successful, industry accepted approach to sector led improvement and greater local accountability. The approach is based upon the following principles:

- Fire and rescue services are responsible for their own performance.
- Stronger local accountability leads to further improvement.

A recent independent review of the Operational Performance Assessment recognised the role of the peer review process in:

- Providing structured and consistent basis for improvement.
- Providing councillors and chief officers which information to challenge operational service delivery.
- Enables sector wide improvement.



- Transparent and robust mechanism for providing challenge to individual services as well as the sector.

Some of the improvements focused in the above review have sought to strengthen organisational effectiveness and change, the emphasis on welfare in health and safety, leadership, governance, financial planning and importantly outcomes for communities.

WMFRA supports and engages fully with the OpA and recognises the benefits of this independent assessment of the Fire and Rescue Service. It is important, irrespective of governance models, that an approach to an operational assessment is consistent across the Fire and Rescue Sector.

In preparing more widely for WMCA and working more collaboratively with the Police and Crime Commissioner, we believe that this approach to independent assessment provides sufficient information to determine and understand the performance of the Fire Service, both operational and organisational preparedness to ensure effectiveness and efficiency in our approach.

Independent scrutiny is provided through our External Audit regime and our continued good 'unqualified' financial and value for money conclusions.

As part of our approach to internal and external scrutiny of decision making, WMFRA scrutinises decisions made through a Member led Scrutiny Committee. The Committee is able to hold officers to account for performance through its review process or as an outcome of corporate performance reporting.

Alongside both mandatory and non-mandatory approaches to assessment, WMFRA consistently invites and receives challenge from external organisations and parties as part of our aspirations to share and receive best practice and to promote our approach to service delivery. Examples of this can be evidenced through:

- **Our Story events**, which seeks to create awareness and understanding, the most recent being to share with the Fire Sector independent academic research undertaken around fire survivability. This research evidenced the validity of the 5 minute high risk attendance standard which is core to WMFRA's service delivery model.
- **Building relationships and partnerships with Health**, to promote and extend the reach of our prevention work, seeking to target the hard to reach in the most innovative ways. Making every contact count through delivering key prevention messages for a number of public sector services.
- **Building relationships across the Fire sector**, such as the Chief Fire and Rescue Advisor, MP's and Ministers, to raise understanding of the impact of the Corporate Spending Review and providing data and information which places the Service under additional scrutiny in terms of performance and finance.

The role of a Fire Authority is to be accountable to local communities for the strategic performance against corporate strategy, as well as for effective governance of the Service. The current Fire Authority model provides this public accountability and local assurance through a transparent and effective corporate governance framework.

Any future model should be able to reflect and improve upon the current level of scrutiny provided through the current authority model. A recent Parliamentary report 'Tone from the Top' by the Committee for Standards in Public Life has recognised that PCCs are not currently held to account sufficiently by Police and Crime Panels and urged a number of changes to ensure accountability is improved.

Complaints and conduct issues are currently very different for the two services. It is difficult to see how a single process could be applied to two different services with very different historical and legal backgrounds.

#### 4. **Civil Contingencies**

*Question referenced in the consultation response:*

*Question 13: To what extent do you think there are implications for local resilience (preparedness, response and recovery) in areas where the Police and Crime Commissioner will have responsibility for Police and Fire?*

The West Midlands conurbation has a healthy relationship across the partner agencies to deliver its responsibilities under the Civil Contingencies Act (CCA). Resilience arrangements are tested through a co-ordinated approach ensuring engagement with category 1 and 2 responders and voluntary sector partners. Maintaining governance for a healthy relationship and locally agreed arrangements across the 7 Local Authority areas supports cross sector resilience and emergency preparedness for our communities.

*Question 14. To what extent do you think there are implications for resilience responsibilities in areas where an elected metro mayor is also the Police and Crime Commissioner and responsible for the Fire and Rescue Service?*

A governance structure that provides a framework for better collaboration, effective engagement and closer working enhances preparedness. A community risk register that incorporates a full range of risks across a number of authority areas will provide wider benefits in preparing for and responding to incidents that impact on our communities. Currently Local Resilience partners are encouraged to work together to improve community resilience and preparedness and any governance structures should place greater responsibility for collaboration. An elected mayor would possibly provide greater accountability for the Local Resilience Forum. The CCA provides more of an influence to collaborate rather than a must and no one partner answers to the other.

## 5. **Other Considerations**

*Questions referenced in the consultation response:*

*Question 15: Are there are any other views or comments that you would like to add in relation to emergency services collaboration that were not covered by the other questions in this consultation?*

*Question 16: Do you think these proposals would have any effect on equalities issues?)*

There are many opportunities for further collaboration with Police as well as across other emergency and public sector services and, as highlighted earlier in this response, WMFRA are committed to expanding the work we already do across a range of services. However, in the case of WMFRA there is clear reason for caution. WMFRA benefits from a recognised and trusted brand which has enabled the Fire Service to access its communities and in particular those that are harder to reach. The prevention agenda is growing and is increasingly widening into the health agenda. As highlighted in the 'Accountability and Governance' section above, the proposals set out in this document have the potential to adversely impact on the evolution of this work which could make this harder to achieve. From a perspective of improved outcomes for the community, alignment to a WMCA model incorporating public health agencies and access to health and wellbeing commissioning provides far better value for money for longer term ongoing reduction upon the public purse, as opposed to this short term cost saving.

WMFRA do not feel that the perceived positive impacts of these proposals are detailed sufficiently to understand the outcomes for local communities. This vision would make clearer the desired success criteria beyond short term savings.

From an equality perspective WMFRA are more representative of our communities than a single elected PCC.

Given the makeup of WMFS, any reduction in the workforce brought about by sharing back office services through greater collaboration will adversely impact upon female as a protected characteristics group, as well as being amongst the lower paid.

