

West Midlands Fire and Rescue Authority

13 February 2023 at 1100 hours

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

Present: Councillor Brackenridge (Chair),

Councillor Iqbal (Vice Chair),

Councillor Atwal, Councillor Barrie, Councillor Dehar,
Councillor Hogarth, Councillor Hussain, Councillor Jalil,
Councillor Lloyd, Councillor Miks, Councillor Spence,
Councillor Waters, Professor S Brake - co-opted member,
Steven Price-Hunt – Fire Brigade Union (FBU).

Virtual: Councillor Kettle, Councillor Miller, Mike Ager – Independent
Member, Richard Merker, Sarah Middleton, co-opted
member,

01/23 **To receive any apologies for absence**

Apologies were received from Councillor Young.

02/23 **Declarations of interest**

The Chair declared a personal non-pecuniary interest due to being
a member of the Firefighters Pension Scheme(s).

03/23 **Chairs Announcements**

The Chair welcomed all attendees to the meeting of the full Fire
Authority, that took place as a hybrid meeting.

The Chair advised the authority of the sad passing of Firefighter
(FF) Barry Martin of the Scottish Fire and Rescue Service, who lost
his life following the Jenners Department Store Fire in January. A
minute's silence was held in his memory.

Firefighter Martin's family had asked that anyone who wished to
make a charitable donation in his memory could do so to the

Firefighters Charity or the SFRS Family Support Trust. An online memorial had been set up where messages of condolence could be added.

A special welcome was given to Wayne Brown as his first Fire Authority as the temporary Chief Fire Officer. Congratulations was also given to Simon Barry on his temporary role as Deputy Chief Fire Officer (DCFO) and both Karen Gowreesunker and Richard Stanton on their appointments as temporary Assistant Chief Fire Officers (ACFO).

The authority were advised that the Chair and the Chief Fire Officer had sent a letter to MP Chris Philp, Minister of State for Crime, Policing and Fire regarding the Provisional Local Government Settlement and the intention (subject to approval by Authority) to increase in precept for 2023-2024 by £4.99 for Band D properties. It had been made clear that although the Authority recognised the ongoing pressure on the cost of living on local communities, the increase had been essential for the service to continue to protect front line services, invest in vital equipment/technology and absorb the significant inflationary pressures on the service. Even though WMFRA are the lowest precepting authority in England, they had done their utmost to maintain excellent public services, alongside significant budget reductions.

National NJC discussions took place on Wednesday February 8th, with employers offering a 7% backdated pay increase from July 2022, and a further 5% from July 2023. The Fire Brigades Union (FBU) had put the offer to its members recommending they approved the offer. The FBU had raised a few issues in which the Authority would continue to work with them to resolve. A further update would be provided in the future. It was acknowledged that should there be industrial action, a major incident review had been negotiated between the FBU and the National Fire Chief Council (NFCC) and would provide a level of cover.

04/23 **Chief Fire Officer's Announcements**

The Chief Fire Officer (CFO) echoed the condolences for FF Barry Martin. He expressed gratitude for his temporary appointment as CFO, and looked forward to working with the Authority, subject to the appointment process for the post. He extended a special welcome to the newly appointed temporary DCFO Simon Barry, and both ACFOs Karen Gowreesunker and Richard Stanton.

The CFO welcomed the new pay offer made by the NJC and emphasised the need for employees to receive a fair pay offer. He thanked both Simon Barry and Sam Burton on their hard work they completed with the FBU in the development on the local plans for industrial action.

The authority were advised that an independent, external 'Say So' helpline had been developed to handle any complaints/concerns that staff felt they could not process through the normal complaints process. The MESH article to employees advising of the new helpline had received the highest interaction received so far in 2023. Workshops would be arranged across the organisation to assist employees. It was agreed that a workshop be arranged for Fire Authority Members. Following a query from Professor Simon Brake around reporting/analysis on data collected from the helpline, the CFO assured Members that the data would be included therein the Joint Consultative Panel report moving forward. Following concerns raised by the FBU, the CFO reassured Members that the service had moved at pace but had completed all relevant background work before the implementation of the helpline. A meeting would be arranged between the Service and the Trade Unions.

The CFO advised that a recent employment tribunal regarding five employees who were dismissed for gross misconduct, had concluded on 6 February. The courts had determined that the service had acted appropriately and upheld the decision to dismiss the employees. The CFO reassured Members that when the service were made aware of any inappropriate behaviour, they acted appropriately to resolve.

The authority were advised that following the earthquakes in Türkiye, 77 UKSR employees, eight of which were West Midlands employees, were deployed to assist. West Midlands Incident room, based at Headquarters, had also been used to provide live feed from Türkiye. The teams would return the week commencing 20 February and would be provided with both physical and mental support. Praise was given to all those involved. It was agreed that a briefing be circulated to members for them to share with their local authority on the efforts from Türkiye. The Chair asked that the authority's thanks be passed onto the teams.

The CFO advised the authority that the services dog Kai, had been diagnosed with a brain tumour that had been inoperable. Kai and his handler would remain together, but Kai would retire from his duties. He had been an integral part of the service. Thanks, and best wishes, would be passed onto his handler.

Resolved:

1. That it be agreed that a workshop be arranged for Fire Authority Members on the new 'Say So' helpline.
2. That it be agreed that a meeting between the Service and the FBU be arranged to discuss the helpline 'Say so' to re-assure the FBU that all relevant checks had been made.
3. That it be agreed that a briefing be circulated to members for them to share with their local authority on the efforts from Türkiye.

05/23 **Minutes of the Fire and Rescue Authority held on 12 December 2022**

Resolved:

1. That the minutes of the Fire Authority meeting held on 12 December 2022 be approved as a correct record.

06/23 **Portfolio Management (3PT)**

Karen Gowreesunker, Clerk to the Authority, presented the Portfolio Management (3PT) report that provided a summary of the

progression of delivery of Portfolio Management towards delivering 'Our Plan'.

The Authority were advised that the HMICFRS outcome had been published and West Midlands Fire Service (WMFS) had been rated 'outstanding' for their response to fire and other emergencies and overall in the 'Effectiveness' pillar. WMFS had also been only one of two services to be rated 'outstanding' in 'Understanding fires and other risks'. Overall, the report is very positive.

Karen advised the authority that work continued on the Community Risk Reduction Programme. It was noted that the title, under item 6 of the report, should read as 'Community Risk Reduction Programme.' The work conducted within prevention around safe and wells and incorporation of regulation changes, as per the report, was highlighted. Praise was given to Watch Commander Brinley Mills who had made the finalist shortlist at Excellence in Fire and Emergency Awards 2022. Brinley was nominated for the unsung hero award and recognised for his continued work and dedication to prevention, namely the dangers of carbon monoxide. As per the report, the progress made within digital and data / climate change, specifically around the drone capabilities and cyber security, were highlighted.

Richard Stanton, ACFO, provided an overview of the 'People' aspects within the report. He advised that following a review of the Managing Vacancies Policy, behavioural assessments had now been put in place to inform the overall recruitment/selection process. A pilot on 'talent pools' was also underway to provide opportunities at Group Commander/Middle Manager level within the service. The pilot would look at new ways of future role progression for employees. All those involved in the pilot would be asked for feedback to evaluate its effectiveness.

The authority were advised that the service had implemented the new real living wage, as amended by the Living Wage Foundation in September 2022, to a total of £10.90. This meant that the lowest paid employees would see their pay increase to over £21,000 a year. WMFS had also be awarded the UKs most Inclusive

Employer. It was highlighted that the services employment of women had been double the national average and would continue to improve.

Following concerns raised by the FBU, the CFO reassured members that the NFCC had been working with the FBU to report on contamination and PPE for its employees. WMFS at been at the forefront of this.

Resolved:

1. That it be agreed that the contents of the report be noted.

07/23 **Budget and Precept 2023-2024 and Budget Forecast 2024-2025 and 2025-2026**

Mike Griffiths, Treasurer/Section 151 Officer, presented the Budget and Precept 2023-2024 and Budget Forecast 2024-2025 and 2025-2026 report.

The Authority were advised that a revised supplementary report of the Budget and Precept 2023-2024 and Budget Forecast 2024-2025 and 2025-2026 and been published/circulated following the Department for Levelling Up, Housing and Communities announcement on 6th February 2023 of the final 2023/24 local government finance settlement. The Budget and Precept 2023/24 report had been amended to reflect the increase in the Services Grant by £54k. All Members confirmed receipt of the revised report.

Mike Griffiths advised the Authority that to achieve a balanced budget in 2023/24, based on the funding allocations received and the expenditure levels estimated, in-year service efficiencies of £1.1M would be required. It was highlighted that a the budget report had assumed a 6% Grey Book pay award in 2022 so should the proposed 7% increase be agreed, the in-year efficiency figure would increase to circa £1.9m. This would have an impact on reserves, highlighted in Appendix J of the report. The Pension Schemes grant of £5.7m had not yet been confirmed and had could be subject to change. The £4.99 increase in Council Tax (for

Band D), supported at the District Leader's Meeting, had been reflected within the budget.

The Authority were advised that the Vehicle Replacement Programme budget, outlined in appendix E, had been based upon the assumption of existing vehicle replacements and could be impacted by the Community Risk Management Proposals (CRMP) on the blended fleet. As a result of a shortfall in capital funding, from 2024-2025 onwards was likely to result in the need to borrow. The need to make savings to achieve a balanced revenue budget in 2023/24 was emphasised.

Following queries around the cost of the 2015 pension scheme, Mike reassured members that figures had been based upon current information and were reviewed regularly. It was acknowledged that other pension issues had been volatile but that assumptions were based on a neutral, steady position.

Following queries around the impact of blended fleet and additional costs, Mike Griffiths advised Members that the actual funding figures would not be known until the review had been completed and could be higher or lower than the figured outlined the report. It was anticipated that any adjustment would need to be as part of the 2024-2025 budget process due to the delivery timescales associated with replacing vehicles.

Resolved:

1. That it be agreed that the Authority's Net Revenue Budget for 2023/2024 of £119.055m which included a Council Tax requirement of £53.864m, set out in Appendix A, together with the associated precept levels, set out in Appendix B, resulting in a Band D Precept increase of £4.99 (7.3%), be approved.
2. That it be agreed that the Authority's capital programme for 2023/2024 to 2025/2026, as set out in Appendix E, be approved.
3. That it be agreed that the Authority's Treasury Management Strategy which included the Minimum Revenue Provision Statement set out in Appendix F and the Prudential Indicators in Appendix G be approved.

08/23 **Three Year Rolling Strategy 2023-26 and Annual Plan**

The CFO presented the Three-Year Rolling Strategy 2023-26 and Annual Plan that provided an overview of the progression of the Community Risk Management Proposals (CRMP) objectives, plans for the third-year cycle of planning and a review of the Authority's Vision and Strategic Objectives/annual priorities for the three-year rolling strategy.

The Authority were advised that the following six CRMP objectives continued to be delivered and remained priorities within the services annual plan:

1. Risk based crewing
2. Dynamic mobilising
3. Automatic fire alarms
4. Blended fleet
5. Reducing health inequalities
6. Emerging risks

The Authority were advised that due to the budget deficit of £1.9m, the service would need to look at their approach with risk-based crewing to deliver efficiencies

The CFO advised that work continued around reducing health inequalities though Safe and Well visits targeted at the most vulnerable in the community.

The new technical rescue unit had opened in May 2022, with great efforts to employ a diverse workforce but it was acknowledged this had not achieved the level of diversity the service would have hoped for. WMFS had still been waiting for correspondence on the Fire Reform White Paper. Any recommendations included in the government's response would come to Fire Authority for consultation.

Following queries around referrals, the CFO reassured Members that HMOs are inspected and provided with advice as multi occupancy housing would fall under the Fire Safety regulations.

Following queries around the use of reserves, Mike Griffiths advised that the current budget incorporated a 6% pay award costing £2.2m. Should the 7% pay offer be accepted, this would rise to £3.1. The CFO advised that until a pay offer had been agreed upon, how the additional cost would be covered had not been decided upon and all options would be considered.

Resolved:

1. That it be agreed that the ongoing progress and in year deliverables of the evidence-based Community Risk Management Plan (CRMP) objectives, as set out in 3.3-3.8.5, be noted.
2. That it be agreed that the Authority's Vision for the Authority's three-year rolling strategy, as set out in 3.13.2, be re-affirmed.
3. That it be agreed that the three-year strategic objectives 2023-26 and refresh of the annual plan priorities for delivery in 2023-24, as set out in 3.14.5, be approved.

09/23 **Statement of Assurance 2021-22**

Simon Barry presented the Statement of Assurance 2021-2022 report, which is required to be reviewed on an annual basis.

The authority were advised that the service is legally obliged to produce and review the Statement of Assurance on an annual basis under the Fire and Rescue National Framework. The Statement of Assurance would be published and circulated to the Home Office, ahead of their deadline of 31 March 2022. As highlighted within the report, some outstanding information is required from the External Auditors. Once these details had been received, slight amendments would be made to the Statement of Assurance to reflect this and would be published subject to CFO sign off.

Resolved:

1. That it be agreed that the current version of the Statement of Assurance 2021-22 be approved.
2. That it be agreed that the Statement of Assurance be submitted to the Home Office once the findings of the

external auditor had been finalised, and upon the final approval of the Chief Fire Officer.

10/23 **Business Continuity Arrangements – Verbal Update**

The CFO provided a verbal update on the services Business Continuity Arrangements. He advised the authority that all business continuity arrangements would remain in place until the outcome of the FBU's ballot for the revised pay offer. All locations and sites had been agreed should there be industrial action. A MESH site had been developed to update employees on the situation/Business Continuity Arrangements.

Resolved:

1. That it be agreed that the verbal update on the Business Continuity arrangements be noted.

11/23 **Review of the Constitution**

Karen Gowreesunker presented the Review of the Constitution Report that outlined the proposed changes to the Constitution.

The authority were advised that the proposed changes, as highlighted within the report, were around clarity on appointments, decision making and the approach to named substitutes. Further changes to reduce the size and make the constitution more user friendly would be brought to the June Fire Authority meeting.

The Chair thanks all employees involved in this work and acknowledged further work was required to remove duplications and make the constitution user friendly, in readiness for June's meeting.

Resolved:

1. That it be agreed that the amendments to the Constitution as set out in this report and in particular Appendix 1, be approved.
2. That it be agreed that the Clerk and Monitoring Officer be authorised to make and publish any necessary consequential amendments to constitutional documents to achieve the

desired changes, in consultation with Chair, Vice-Chair and CFO.

12/23 **Discretions Policy 1015 Firefighters and Local Government Pension Schemes**

Mike Griffiths presented the Discretions Policy 1015 Firefighters and Local Government Pension Schemes that outlined the proposed changes to the policies.

The Authority were advised that following a recent case with Warwickshire Fire Service, the ombudsman's had declared that policies should not have a blanket approach on specific discretions and should be reviewed on a case by case basis. These changes had been reflected in the proposed changes to the discretion policies.

Praise was given to Mike Griffiths and the finance team for their hard work.

Resolved:

1. That the changes to the Discretions Policy for the 2015 Firefighters and Local Government Pension Schemes be approved.

13/23 **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 the report/appendix A, for the period up to 31 December 2022, there had been an adverse variance of £0.171m. This variance would need to be brought in line by the end of 2022/2023 and would potentially be impacted by any pay offer that is agreed. The slippage in Capital Projection as per appendix C, had been factored into the budget and Precept Report (item 7 of the agenda).

Resolved:

1. That the Monitoring of Finances report be noted.

14/23 **Contract Awards Summary for the Period to 31 January 2023**

Mike Griffiths presented the Contract Awards Summary for the Period to 31 January 2023 that outlined the contracts in excess of £250,000 awarded since June 2022. Mike reassured Members that all contracts had been previously submitted to the Fire Authority for approval via the Planned Procurement Exercise report.

Resolved:

1. That the appendix that summaries the contracts in excess of £250,000, awarded since June 2022, be noted.

15/23 **Minutes of the Previous Public Committee Meetings**

Resolved:

1. That it be agreed that the minutes of the following public committee meetings, be noted:
 - Scrutiny Committee Monday 07 November 2022
 - Collaboration and Transformation Committee - Monday 05 September 2022

16/23 **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 1,2 and 3 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

17/23 **Planned Procurement Exercise for 2023-2024**

Mike Griffiths, Treasurer/Section 151 Officer, presented the Planned Procurement Exercise for 2023-2024 report that provided the rationale for the planned tender exercises over £250k, as per report.

Resolved:

1. That the following tender exercises for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2023-2024 be approved:
 - 1.1 Tyres
 - 1.2 Reactive Repairs Framework
 - 1.3 Orient Strand Board and Pallets
 - 1.4 Microsoft Licence Renewal
 - 1.5 Replacement Breathing Apparatus sets
 - 1.6 Fuel cards
 - 1.7 MDT Hardware Replacement
 - 1.8 Fireground Radio Replacement
 - 1.9 Roof Replacements
 - 1.10 Heating, Ventilation and Air Conditioning

18/23 **Exempt – Minutes of the last Fire Authority held on Monday 12 December 2022**

Resolved:

1. That the Exempt – Minutes of the last Fire Authority held on Monday 12 December 2022 be approved as a correct record of proceedings.

The meeting ended at 12:46 hours.

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