

West Midlands Fire and Rescue Authority

12 December 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 Atwal, Councillor Barrie, Councillor Dehar,
Councillor Hogarth, Councillor Jalil, Councillor Kettle,
Councillor Lloyd, Councillor Miks, Councillor Spence,
Councillor Waters, Councillor Young, Professor S Brake - co-
opted member.

Virtual: Councillor Hussain, Mike Ager – Independent Member,
Wasim Ali – APCC, Maurice Carter – Unison, Sarah
Middleton, co-opted member, Steven Price-Hunt – Fire
Brigade Union (FBU).

16/22 **To receive any apologies for absence**

Apologies were received from Councillor Peter Miller.

17/22 **Declarations of interest**

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

18/22 **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 Councillor
Ann Shackleton, a former member of West Midlands Fire and
Rescue Authority (WMFRA). Cllr Shackleton served on the Fire
Authority from 2013 to 2016 and served on both the Executive

Committee and Joint Consultative Panel. She had served as a Labour councillor in the Cradley Heath and Old Hill ward for 18 years, since being elected in 2004. A minute's silence was held in her memory.

The authority were advised that the Chair and the Chief Fire Officer had sent a letter to both Ministers, local MPs and the Treasury to raise their concerns around the services funding. It had been clear that unless fairer funding was provided then it would inevitably have an impact on the services Community Risk Management Plan. Members, that have not done so already, were encouraged to raise this with their local representatives. Following the 5% pay award being rejected, the FBU began their ballot for strike action on 5 December for a duration of one month. The Chair assured Members that the authority would monitor this very closely and act where required.

Thanks, and praise was given to crews that attended the warehouse fire in Wolverhampton, for their hard work and efforts to protect the surrounding areas. This included a canal, a train line and local businesses such as British Oxygen, who provided resources to the NHS. Following an investigation, the fire had now been declared as a deliberate act.

Finally, the Chief Fire Officer (CFO) has tendered his resignation as of the 10 January and I am sure we would like to thank him for his 29 years of service to West Midlands Fire Service and wish him and his family all the success in their future endeavours. Our Deputy Chief Fire Officer, Wayne Brown, will be acting Chief Fire Officer until a process for an appointment of substantive Chief Fire Officer is completed. Between the 15 December and 10 January there will be a hand over period. The Leader of the Opposition thanked him for his service and wished him all the best in the future.

Steven Price-Hunt echoed the Chair's gratitude to the CFO for his extensive career and wished him a happy retirement. He thanked both the CFO and Chair for contacting ministers expressing their

concerns around pay and emphasised that unless an adequate pay offer was offered, members of the FBU would strike.

19/22 **Chief Fire Officer's Announcements**

The CFO echoed the condolences raised by the Chair of the Authority for Cllr Shackleton who had been on the authority during a difficult time for the service.

The authority were advised that a terrible incident occurred over the weekend in the Solihull Borough whereby, four boys were pulled out from a frozen lake by the firefighters in attendance. All blue light services attended the incident and did their upmost best. Richard Stanton, Area Commander, would be representing the service whilst work continued. It was confirmed that three of the four boys had sadly passed away. Condolences were given to the families of those affected. Praise was given to all firefighters in attendance who were assertive, effective and as safe as they possibly could be in the situation. Welfare support would be given to all those involved. Members echoed their thanks. It was agreed that the Chair of the Authority and Leader of the Main Opposition would do a joint visit to thanks the crews personally.

The CFO advised that the Cultural Review for London had been published and had been felt across the whole sector. Although, West Midlands Fire Service (WMFS) had been in a far greater position, the 25 recommendations for London would be used to ensure that the WMFS was the best place to work. WMFS had been named the UK's Most Inclusive Employer in The Inclusive Top 50 UK Employers List 2022-2023.

At the annual Excellence in Fire and Emergency Awards, WMFS had won two awards: Project of the Year and Most Influential Women. Praise was given to Sam Burton for her accomplishments and work around Commonwealth games/UKRO and winning the Most Influential Women award. Thanks was given to all employees for their hard work over the last 12 months for the HMI Inspection and their commitment to helping their community.

The CFO advised that Gary Taylor would be retiring on 31 January 2023. He thanked Gary for his commitment and expressed he was a respected officer by all within the service who had benefited greatly by the work he had conducted. The Chair and Leader of the Opposition thanked him for his service.

20/22 Minutes of the Fire and Rescue Authority held on 10 October 2022

Resolved:

1. That the minutes of the Fire Authority meeting held on 10 October 2022 be approved as a correct record.

21/22 Appointment of Representatives to Serve on other Bodies

Resolved:

1. That it be agreed that Councillor Gurdial-Singh Atwal would be the Labour representative on the Local Government Association (LGA) – Fire Service Commission.
2. That it be agreed that Councillor Vera Waters would be the Conservative representative on the Local Government Association (LGA) – Fire Service Commission.

22/22 Business Continuity Arrangements – Scrutiny Review

Councillor Spence, as Chair of the Scrutiny Committee presented the Business Continuity Arrangements following a Scrutiny Review, that took place on Monday 7 November 2022. She called upon Simon Barry, Assistant Chief Fire Officer, to provide further detail on the report.

The Authority were advised that following reports to Audit and Risk Committee and Fire Authority (FRA), a Scrutiny Review on the current Business Continuity Arrangements took place and had made recommendations to FRA, as per report. All relevant parties including WMFS Officers, FBU and External providers were invited to submit written and verbal evidence. The Scrutiny Committee had been asked to review the following options:

1. Option 1a – use internal resilience contracts

2. Option 1b – use external resilience contracts
3. Option 2 – use an external provider

As per appendix 2 of the report, Scrutiny Committee asked for additional information on the number of staff who had the intention to strike and information on external providers/numbers they could provide. Simon confirmed that a data collection had occurred to try and gain an understanding of staff intention to strike, as per the Deputy Chief Fire Officers evidence to Scrutiny Committee. He reiterated that it had not been a legal obligation for staff to declare their intentions and would be inappropriate for further correspondence to be issued. He confirmed that from the data collection, the service had around 70 members of staff to provide cover, should there be a strike. He confirmed that if the option to use an external provider was agreed, the number therein the contract would be provided.

Councillor Spence advised that the Scrutiny Committee rejected the options as it was felt they were not value for money and safety concerns.

Resolved:

1. That the authority rejects 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, be approved.
2. That additional information on staff intention to strike and competencies of external contractors be noted.

23/22 Community Risk Management Plan 2023-2024

The CFO presented the Community Risk Management Plan (CRMP) 2023-2024 that outlined the expected financial challenges that could impact the proposals provided to the Fire Authority in February 2023.

The Authority were advised that the CRMP was evaluated against the eight principles, as per the report. The Strategic Enabling Team had begun to review the proposals. The service had been working towards a required budget saving of £5-£10m,

approximately, 5-10% of the current revenue budget. More information was required at this stage as to whether this may be £4m and further information would be provided in Februarys FRA meeting. It was anticipated the refreshed CRMP and 2023-26 rolling three-year Strategic Plan would be brought to the February 2023 FRA meeting for approval. A further update will be brought to the January Policy Planning Forum (PPF).

Resolved:

1. That the update on the ongoing CRMP process, including 2023/24 risk analysis, be noted.
2. That the analysis provided of anticipated financial challenges in 2023/24 be noted.
3. That the analysis of risk produced as part of the current CRMP process be noted.
4. That 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 be noted.

24/22 Analysis of Progress of Quarterly Performance Against the Plan Qtr. 2 2022-2023

The CFO presented the Analysis of Progress of Quarterly Performance Against the Plan Qtr. 2 2022-2023 report. He advised that following discussions at PPF on 28 November 2022, the outstanding attendance data had now been included, as per report.

Resolved:

1. That the status of the Service's key performance indicators in the second quarter of 2022/23 (Appendix 1), be noted.
2. That the progress made in delivering the three strategic priorities contained in 'Our Plan' 2022-2025 (Appendix 1), be noted.

25/22 **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 budgeted, and the actuals were compared up to the 31 October 2022. Actuals spend to October 2022, including commitments, was £62.860m compared to the projected budget of £62.684m. This had resulted in an overall adverse variance of £0.176m. The services current budget was under review to address the 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. As agreed by Fire Authority on 10 October 2022, the additional costs above the 2% budget assumption would be met from reserves. Slippages in the budget, as per appendix c, were highlighted.

Praise was given to the finance team for the hard work during this difficult time.

Resolved:

1. That the Monitoring of Finances report be noted.

26/22 **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 26 September 2022
 - Scrutiny Committee Monday 23 May 2022
 - Collaboration and Transformation Committee - Monday 18 July 2022

27/22 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.

28/22 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 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 wide area network
 - 1.2 wi-fi network
 - 1.3 airwaves equipment

29/22 Brigade Manager Staffing Matters

A short adjournment was agreed at 11:42.

The meeting re-convened at 11:50.

Please note: during the adjournment, with the exception of the Clerk, Monitoring Officer, Treasurer, Deputy Clerk and the Democratic Services Officer, all Officers left the meeting. Councillors, Co-opted Members and the Assistant Police Crime Commissioner (APCC) remained in the meeting.

Satinder Sahota, Monitoring Officer, presented the Brigade Manager Staffing Matters report that outlined a proposed Special Severance Payment (SSP) and intention to recruit to four Brigade Manager posts.

The Leader of the Main Opposition raised concerns and did not support the recommendations within the exempt report. It was agreed that a named vote would be appropriate. Members voted as follows:

Member	Vote
<i>Labour</i>	
Cllr Brackenridge	For
Cllr Iqbal	For
Cllr Atwal	For
Cllr Dehar	For
Cllr Jalil	For
Cllr Lloyd	For
Cllr Miks	For
Cllr Spence	For
Cllr Young	For
<i>Conservative</i>	
Cllr Hogarth	Against
Cllr Barrie	Against
Cllr Kettle	Against
Cllr Waters	Against
<i>Co-Opted</i>	
Prof. Simon Brake	For

(NB – the recommendations within the exempt staffing report were agreed and approved by a majority of Fire Authority members. NB – whilst Prof Simon Brake voted in favour of the recommendations within the report, as a co-opted Member his ‘vote’ did not count toward the majority decision by Fire Authority).

Resolved:

1. That the circumstances as set out within the background section and implications sections within the report, be noted.
2. That the Special Severance Payment, as set out within the background to this report and financial implications be approved.
3. That the intention to recruit, as set out in the HR implications of the report, to Brigade Managers post of the CFO, Deputy

Chief Fire Officer (DCFO) and Assistant Chief Fire Officers (ACFO) x2, be noted.

The meeting ended at 11:58 hours.

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