

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

23 JULY 2012

1. **SCRUTINY COMMITTEE TERMS OF REFERENCE**

Report of the Clerk and Monitoring Officer.

RECOMMENDED that the report be noted.

2 **PURPOSE OF REPORT**

To bring to the Committee's attention its terms of reference and the background to the establishment of a scrutiny function for the Authority.

3 **BACKGROUND**

3.1 The Authority at its annual meeting on 25 June 2012 established the Scrutiny Committee. The terms of reference for the Committee are set out in the Appendix to this report. The Committee will take on the performance management functions previously carried out by the Audit Committee and will also scrutinise HR matters, equality and diversity and health and safety across the Service.

3.1 The move to introduce a specific scrutiny committee reflects references to scrutiny in the latest draft of the Fire National Framework as follows:

'Scrutiny arrangements transparent to communities

The fire and rescue authority must hold their Chief Fire Officer/Chief Executive to account for the delivery of the fire and rescue service.

Fire and rescue authorities must have arrangements in place to ensure that their decisions are open to scrutiny.

Opening up decision making to challenge enhances local governance and accountability. Fire and rescue authorities need to satisfy themselves that the arrangements they put in place provide the level of scrutiny their communities expect. Many authorities already have a number of processes in place for

scrutiny. Some allow for the separation of powers within the authority to allow members to have independent oversight. Processes used in the delivery of some local services include inviting members of the upper tier authorities in the areas in which they operate to sit on a scrutiny panel; or, by inviting other locally elected members to sit on a scrutiny panel.'

3.2 The establishment of a scrutiny function will support the Authority in achieving its strategic objectives and ensure that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations. It will capitalise on the excellent work already put in place by the former lead members in their respective portfolio areas. Working through a Committee will provide scrutiny members with the benefit of a peer support network.

3.3 The main purposes of scrutiny are to:-

- i) inform policy development
- ii) hold officers and the Service to account
- iii) conduct reviews into specific issues.

3.4 A fundamental principle of scrutiny is that it should be member-led. There may however be occasions where officers wish to engage with the Authority using a process that provides effective challenge and offers a vehicle for meaningful engagement and scrutiny can provide this challenge and thus contribute to policy development. If it is conducted efficiently, effectively and in an enquiring manner, rather than in an adversarial and inquisitorial manner, scrutiny can yield a number of benefits including:-

- Complementing the strategic and policy formulation and development work of the Authority and Service.
- Developing the skills of members to enable them to investigate below the surface of policies, strategies and processes.
- Providing a useful oversight and an element of 'challenge' to performance improvement processes and continuous improvement.
- Encouraging public involvement in the policy process.
- Supporting the development of an environment that stimulates a more reflective, evaluative and evidence based culture within the Authority and Service.

Principles of Scrutiny

3.5 For scrutiny to be effective it is acknowledged that both members and officers should be committed to the process, and that an element of constructive challenge must exist. However, a balance must be

maintained to ensure that the process of scrutiny does not create an environment or atmosphere which in itself becomes prohibitive to the full co-operation and participation of all involved.

- 3.6 Scrutiny members should carry out their work in an open and fair manner. Everyone who takes part in the scrutiny process will be expected to treat others with respect and to listen to things which others wish to say.

4. **EQUALITY AND DIVERSITY IMPLICATIONS**

In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out, as the matters contained in this report will not lead to and do not relate to a policy change.

5. **LEGAL IMPLICATIONS**

There is no legal requirement for the Authority to have a scrutiny function but it is regarded as good practice and has been introduced in a number of fire authorities.

6. **FINANCIAL IMPLICATIONS**

- 6.1 The Authority has agreed that financial provision in the region of £10k be made available from existing resources for the purpose of buying in additional support in connection with scrutiny reviews as and when required.

N SHARMA
CLERK AND MONITORING OFFICER

Scrutiny Committee Terms of Reference

To carry out a minimum of two scrutiny reviews per annum selected by the Committee. Such reviews will be member-led and evidence based, and will produce SMART (specific, measurable, attainable, realistic and timely) recommendations to the Executive Committee.

To track and monitor the implementation of review recommendations that are accepted by the Executive Committee.

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 Director of 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 IRMP and 'The Plan', the Service's objectives and performance indicators and review performance targets.

To have responsibility for scrutiny of 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 ensure that the Authority is meeting its duties under Health & Safety and environmental and other legislation.

To deal with any matters referred to it by the Authority or Executive Committee, the Chief Fire Officer, Clerk and 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.

In order to allow for separation of the scrutiny and decision making functions, members of the Scrutiny Committee shall not sit on the Executive Committee.

The Committee will sit in public with minimum exceptions.