

 <p>WMFRA West Midlands Fire and Rescue Authority</p>	<p><u>WEST MIDLANDS FIRE AND RESCUE AUTHORITY</u></p> <p><u>24 November 2025</u></p>
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GOVERNANCE IMPROVEMENT PLAN – EXECUTIVE COMMITTEE
For DECISION

Principal Officer: Chief Fire Officer
Report of the Interim Clerk to the Authority
Author: Interim Clerk to the Authority

1. PURPOSE

- 1.1. For members to decide whether to implement an Executive Committee within its governance mode, in line with the recommendation made by the Centre for Governance and Scrutiny in its independent review and incorporated within the Fire Authority’s Improvement Plan as agreed on 16 June 2025.

2. RECOMMENDATIONS

- 2.1. The members either;
- 2.1.1. Approve the continuation of the existing committee structure as most recently updated on 23 June 2025, as recommended by the Corporate Governance Improvement Board; **or**
- 2.1.2. Approve the implementation of a new Executive Committee
- 2.2. Should members agree Option 2.1.2 above, provide input on the following matters to be included within the terms of reference of the committee, which will be brought for approval to the Fire Authority’s next meeting on 16 February 2026 and subject to consultation with members through a Member Engagement Forum;
- 2.2.1. Scope of decision making to be delegated to the Executive Committee by the FRA, to include matters currently

undertaken by the Appointments, Standards and Appeals Committee (ASAC).

2.2.2. Size and membership of the Executive Committee.

2.2.3. Frequency of Executive Committee meetings and any changes to the frequency of Fire and Rescue Authority meetings as a result.

3. OBJECTIVES & EXPECTED OUTCOMES

3.1. To give Authority appropriate information to make an informed decision on whether to adopt an Executive Committee within WMFRA's governance model and make appropriate changes to the Constitution to allow for this.

3.2. Subject to approval of either option, this will be fed into the overall review of the WMFRA Constitution, which is due for consideration and approval by the Fire Authority at its February 2026 meeting. Members will also be engaged through Member Engagement Forums in December 2025 and January 2026.

4. BACKGROUND

4.1. The WMFRA Governance Improvement Plan (The Improvement Plan) was agreed by the Authority on 16 June 2025. It was based on the Centre for Governance and Scrutiny independent review of WMFRA governance, and the outstanding recommendations of the Authority's External Auditors Value for Money Report and the Monitoring Officer's Section 5 report. Included within this was recommendation 1.a):

Explore potential governance models to include the recommendation to establish an Executive Committee to provide more agile and effective decision making by the Authority.

4.2. Fire and Rescue Authorities are unable to operate a truly "executive" model of governance, where individual elected members (normally of a cabinet) can make decisions. Instead,

Stand-alone FRAs are required to operate a committee model. However, 14 of 24 Fire and Rescue Authorities operating a committee model currently have an Executive Committee which is delegated at least some decision-making power on behalf of the whole of Authority. The other Fire Services operate either Mayoral, County Council or Police, Fire and Crime Commissioner models of governance.

- 4.3. The intended purpose of such a committee is usually to speed up the process of decision making and ensure the Authority can make decisions in an agile manner as a smaller committee is able to meet more easily and frequently.
- 4.4. Any such committee would typically be made up of the Chair and Vice-Chair of the Authority, plus between three and five other members. It would still be required to ensure political proportionality within its membership in line with requirements of the Local Government and Housing Act 1989.
- 4.5. The executive committee would be delegated decision making powers over most matters currently determined by the full Fire Authority, excepting the range of powers which are reserved in law to the full authority – see Section 7 Legal Implications for more detail. This could include the Appointments and Appeals elements of the work of ASAC. Standards matters would need to remain the responsibility of a separate, potentially ad-hoc, committee.
- 4.6. Members of the Scrutiny and Audit and Risk Committees would not be members of the Executive Committee, to enable them to effectively undertake their roles in relation to any decisions made by the Executive Committee.

5. CGIB RECOMMENDATION

- 5.1. In line with its Terms of Reference, the Corporate Governance Improvement Board put in place by the Authority in February 2025 has considered this area and the options appraisal it considered is outlined within **Appendix A**, providing further detail on the strengths and weaknesses of the executive and non-executive

model.

- 5.2. It is the recommendation of the CGIB that based on this options appraisal, WMFRA do not implement an executive committee model. The matter was discussed by the CGIB at its meeting on 31 October 2025. CGIB Members' view was that;
- 5.2.1. An executive committee risks exacerbating the detachment and lack of engagement from members found to have occurred in 2024 rather than resolving it, and to concentrate power in the hands of a smaller number of members would go against the authority's stated aim within the wider Improvement Plan of improving the quality of decision making and skill of authority members.
 - 5.2.2. It is furthermore not apparent that an executive committee would have prevented or resolved the issues WMFRA faced in 2024.
 - 5.2.3. Given WMFRA's already relatively small size of fifteen elected members, it is not clear that an executive committee is needed to speed up decision making, with such a committee more relevant when a large number of members may make decision making potentially cumbersome.
 - 5.2.4. An executive committee risks duplicating work that will still ultimately need to be determined by full authority and therefore failing to deliver value for money.
 - 5.2.5. There are significant challenges to managing the membership of an executive committee and other committees (where membership could not overlap) with only 15 elected members, especially if in future the Authority has a more mixed political balance.
 - 5.2.6. An executive committee would drive significant additional workload for officers and members without clear additional benefit.

6. STRATEGY ALIGNMENT

- 6.1. The Authority is committed to continuous improvement, and to delivering on the actions within the Governance Improvement Plan. Consideration of alternative models of governance is a key means of ensuring the Authority's governance remains fit for purpose.

7. IMPACT ASSESSMENTS

- 7.1. As this matter relates to the creation of a committee whose membership would be determined by political appointment, and which would only consider matters delegated to it by the Fire and Rescue Authority, an Equality Impact Assessment has not been undertaken as this will not represent a change to how the Authority interacts with or impacts on protected groups. Decision making by the Executive Committee would still be subject to case-by-case EIA. Responsibility for scrutiny of Equalities issues would remain a matter for the Scrutiny Committee.

8. LEGAL IMPLICATIONS

- 8.1. An executive model of governance, whereby either a mayor or leader and cabinet is able to exercise executive decision making, was introduced by the Local Government Act 2000 (LGA 2000). The permitted forms of governance are set out within Part 1A, with the specific functions within section 9D, and the detail of the leader and cabinet model within Section 9I.
- 8.2. However, Part 1, Section 1 of the LGA 2000 makes clear that the local authorities in England to which this applies are limited to County, District, London Borough and eligible Parish Councils, not Fire and Rescue Authorities.
- 8.3. Although a Fire and Rescue Authority does not have the ability to operate an executive model under the LGA 2000, they are permitted to delegate powers and functions to committees and officers in accordance with relevant legislation. However, certain key functions cannot be delegated, and responsibility for a wide range of delegable functions and duties will remain. These are

incorporated in various pieces of legislation and regulation, including, but not limited to:

- a. setting the budget and precept (Local Government Finance Act 1992 and para. 6, section 101 LGA 1972)
- b. approving the statement of accounts (Accounts and Audit Regulations 2015)
- c. preparing and approving a pay policy statement (sections 38 and 39, Localism Act 2011)
- d. appointing committees and setting terms of reference (section 102 LGA 1972)
- e. appointment of head of paid service, monitoring officer and treasurer (section 151, LGA 1972 and sections 4 & 5 LGHA 1989)
- f. electing the chair, vice chair and clerk (section 34, LGA 1985)
- g. preparing and keeping up to date a constitution (section 9P, LGA 2000).

8.4. The Authority, plus any committees or bodies to which is has delegated functions, are required by Section 15 of the Local Government and Housing Act 1989 to ensure political proportionality, in alignment with the overall political makeup of the Authority.

9. FINANCIAL IMPLICATIONS

9.1. An Executive Committee may be . This would need to be considered by the Independent Remuneration Panel (IRP) which will be making recommendation on FRA allowances in early 2026. Any additional allowance would have to be met from the FRA budget. This may be offset by a reduction in allowances for non-executive committee roles, again as determined by the IRP. There would also be some small resource implications for officers from servicing an additional meeting, although this would likely be offset by a reduction in meetings of the ASA Committee.

9.2. If it is determined not to adopt an Executive Committee, there will be no additional financial implications.

10. ENVIRONMENTAL IMPLICATIONS

10.1. An Executive Committee would be a Statutory Committee required to meet in person and be open to the public. The addition of further meetings would have some transport related environmental costs. This may be partially offset by a reduction in full authority meetings.

11. CONSULTATION

11.1. This proposal has been considered extensively by the membership of the CGIB before submission to the FRA for consideration. In considering this model, the CGIB consulted with a number of other high performing Fire and Rescue Authorities to understand their governance approaches and the effectiveness of their executive committee arrangements. The CGIB are grateful for the time and input of officers from these services.

12. BACKGROUND PAPERS & APPENDICES

- **Appendix A** – CGIB Options Appraisal – Executive Committee Model
- [WMFRA Governance Improvement Plan – as of September 2025](#)
- [Corporate Governance Improvement Board Terms of Reference – as at 16 June 2025](#)
- [Local Government Act 1972](#)
- [Local Government Act 1985](#)
- [Local Government and Housing Act 1989](#)
- [Local Government Finance Act 1992](#)
- [Local Government Act 2000](#)
- [Localism Act 2011](#)

Relevant Principal Officer	Simon Tuhill	Chief Fire Officer
Relevant Statutory Officer and Author Member	Tom Embury tom.embury@wmfs.net	Interim Clerk to the Authority