



# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**Monday, 16 April 2018 at 11:00**

**FIRE SERVICE HEADQUARTERS,  
99 VAUXHALL ROAD, BIRMINGHAM**

<b>Distribution of councillors</b>	
<b><u>Birmingham</u></b>	<b>G Singh Atwal</b> <b>K Booth</b> <b>D Barrie</b> <b>A Cartwright</b> <b>L Clinton</b> <b>N Eustace</b> <b>M Idrees</b> <b>R Sealey</b> <b>S Spence</b> <b>F Williams</b>
<b><u>Coventry</u></b>	<b>P Male</b> <b>C Miks</b> <b>S Walsh</b>
<b><u>Dudley</u></b>	<b>A Aston</b> <b>N Barlow</b> <b>M Mottram (JP)</b>
<b><u>Sandwell</u></b>	<b>K Allcock</b> <b>J Edwards</b> <b>C Tranter</b>
<b><u>Solihull</u></b>	<b>S Davis</b> <b>P Hogarth</b>
<b><u>Walsall</u></b>	<b>S Craddock</b> <b>B Douglas-Maul</b> <b>A Young</b>
<b><u>Wolverhampton</u></b>	<b>G Brackenridge</b> <b>T Singh</b> <b>P Singh</b>

**Car Parking will be available for Members at Fire Service Headquarters.**

**Accommodation has been arranged from 10.00 am for meetings of the various Political Groups.**

# **West Midlands Fire and Rescue Authority**

## **Fire Authority**

**You are summoned to attend the meeting of Fire Authority to be held on  
Monday, 16 April 2018 at 11:00**

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

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

### **Agenda – Public Session**

- |           |  |                  |
|-----------|--|------------------|
| <b>1</b>  | <b>To receive apologies for absence (if any)</b>                     |                  |
| <b>2</b>  | <b>Declarations of interests</b>                                     |                  |
| <b>3</b>  | <b>Chair's announcements</b>   |                  |
| <b>4</b>  | <b>Minutes of the Fire Authority held on 19 February 2018</b>        | <b>5 - 34</b>    |
| <b>5</b>  | <b>Developing Chief Fire Officer Constitutional Accountabilities</b> | <b>35 - 46</b>   |
| <b>6</b>  | <b>WMFRA Governance Consultation outcomes report</b>                 | <b>47 - 110</b>  |
| <b>7</b>  | <b>External Audit Work Programme and Scale of Fees for 2018-19</b>   | <b>111 - 116</b> |
| <b>8</b>  | <b>Contract Awards Summary for Period to 31 March 2018</b>           | <b>117 - 120</b> |
| <b>9</b>  | <b>Statement of Assurance 2016-17</b>                                | <b>121 - 146</b> |
| <b>10</b> | <b>Notes of the Policy Planning Forum 05 February 2018</b>           | <b>147 - 156</b> |
| <b>11</b> | <b>Minutes of the Scrutiny Committee held on 26 February 2018</b>    | <b>157 - 164</b> |

**Distribution:**

Keith Allcock - Member, Adam Aston - Member, Nicolas Barlow - Member, David Barrie - Member, Kate Booth - Member, Greg Brackenridge - Member, Andrew Cartwright - Member, Lynda Clinton - Member, Stephen Craddock - Member, Stuart Davis - Leader of Principal Opposition Group, Brian Douglas-Maul - Member, John Edwards - Chair of the Authority, Neil Eustace - Member, Peter Hogarth - Member, Mohammed Idrees - Vice Chair of the Authority, Peter Male - Member, Catherine Miks - Member, Melvyn Mottram - Member, Robert Sealey - Member, Paul Singh - Member, Tersaim Singh - Member, Gurdial Singh Atwal - Member, Sybil Spence - Member, Chris Tranter - Member, Seamus Walsh - Member, Fiona Williams - Member, Ann Young - Member

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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)**

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**Minutes of the West Midlands Fire and Rescue Authority**

**19 February 2018 at 1100 hours at  
Fire Service Headquarters, Vauxhall Road, Birmingham**

Present: Councillor John Edwards (Chair)  
Councillor Mohammed Idrees (Vice Chair);  
Councillors Allcock, Aston, Atwal-Singh, Barlow,  
Booth, Brackenridge, Cartwright, Clinton, Craddock,  
Davis, Douglas-Maul, Eustace, Hogarth, Male, Miks,  
Mottram, T. Singh, P Singh, Spence, Tranter, Walsh,  
Williams and Young

**1/18 Apologies for Absence**

Councillors Barrie and Sealey

**2/18 Declarations of Interest in contracts or other matters**

Councillor Edwards and Brackenridge declared a non-pecuniary interest in Minute No. 6/18 below (Monitoring of Finances).

**3/18 Chair and Chief Fire Officer's Announcements**

There were no announcements.

**4/18 Minutes of the Fire Authority held on 19 November 2017**

**Resolved** that the minutes of the Fire Authority meeting held on 19 November 2017, be confirmed as a correct record. It was noted that Cllr Sealey was not in attendance on 19 November 2017.

5/18 **Budget and Precept 2018/2019 and Budget Forecast  
2019/20 to 2020/2021**

The Authority considered a report on the Authority's Net Revenue Budget for 2018/19, the consequent additional 2.99% Band D Precept Level increase and the resultant amount payable by each constituent District Council, the Capital Programme for 2018/19 to 2020/2021, the Treasury Management Strategy including the Minimum Revenue Provision Statement and Prudential Indicators.

As part of the settlement for 2016/17 an offer was made for a multi-year funding settlement. In order to take up the four-year funding settlement to 2019/20, the Authority considered and approved the Efficiency Plan on 19 September 2016 which was submitted to the Home Office.

On 19 December 2017, the Secretary of State for Communities and Local Government (CLG) had announced the provisional settlement for 2018/19 at £53.030m resulting in a core funding reduction of £1.673m. The Government also proposed a Council Tax referendum threshold of 3% for Fire and Rescue Authorities.

The four-year settlement offer announced in December 2016 (provisional for 2017/18 – 2019/20) would result in the following core funding reductions:

- 2016/17 £3.278m
- 2017/18 £3.962m
- 2018/19 £1.673m
- 2019/20 £1.006m

A total reduction over the four-year period (2016/17 - 2019/20) of £9.919m (16% of the 2015/16 core funding).

The CLG confirmed the Authority's 2018/19 total core funding on the 6 February 2018.

The projected budget included a number of efficiency measures which were set out in the Efficiency Plan as well as enabling any actions to be undertaken arising out of the Authority's Corporate Risk Register. The Corporate Risk Register had identified a number of major risks that would seriously affect the Authority's ability to carry out its functions. The nature of the risk had made it difficult to quantify any funding impact that would arise were the risk to materialise and in the short term would result in a demand on the Authority's General Balances.

During 2017/18 only extremely limited recruitment activity for some essential support staff had taken place. Recruitment of firefighters had taken place during the year due to the need to maintain staffing levels in line with the numbers required for the operational staffing level (1,220) to meet the Authority's approved Service Delivery Model. The situation will need to be closely monitored and reviewed in the future in respect of funding.

The Chancellor announced in the Spending Review in November 2015 the intention to localise 100% of business rates to local authorities by 2019/20, however the Local Government Finance Bill fell when Parliament was dissolved for the General Election. The Government is still committed to the reforms.

The Secretary of State for CLG announced in the provisional settlement for 2018/19 of the Government's aim to increase the local share of business rates retention to 75% in 2020-21.

The Authority consulted the public in January 2017 providing the public with an opportunity to influence how the Service works. A review of the Community Safety Strategy (the Integrated Risk Management Plan) confirmed that there had been no significant change to the risk profile of the West Midlands, therefore, there would be no significant change to the Authority's priorities and outcomes set out in The Plan 2018 – 2021.

All City/Metropolitan Councils had formally set their Council Tax base and had notified the Authority accordingly. The Council Tax at Band D for 2018/19 would be £58.84 an increase of 2.99% (£1.70) per annum, the lowest precept for any stand alone fire authority.

The Council Tax amounts to £41,296,308 split between the constituent Local Authorities.

The final figures from external funding sources had now been notified and totalled £95.468 million. Included is an estimate that the Authority would generate income of £3,877m.

The Authority noted that the available General Balances at 1 April 2018 was estimated at £8.4 million, this equates to 8.8% of the Authority's 2018/19 Net Revenue Budget. The actual level of General Balances at 1 April would not be determined until the completion of the Authority's 2017/18 closedown of accounts process.

The overall funding would require the use of £1.5 million General Balances to support the 2018/19 Net Revenue Requirement, which included an estimated 2% pay award assumption (compared to 1% allowed for when the Efficiency Plan was established) and ongoing service transformation changes. This would result in General Balances being approximately £6.9 million by the end of 2018/19 (7.2% of the Authority's 2018/19 Net Revenue Budget).

The full year impact of a 1% pay award on the Authority's expenditure is significant (approximately £800k per year). The Efficiency Plan linked to the four-year Government settlement period (2017/18 – 2019/20) was based on a public sector pay cap of 1% per year. At the Autumn Budget on 22 November 2017, the Government confirmed the "end of the 1% pay policy". Given the mounting pressures to increase public sector pay awards, an uplift in the pay award assumptions to 2% in each of the next three financial years was considered appropriate.

Due to the estimated scale of Government funding reductions in future years, increased budget pressures (particularly the impact of high pay award assumptions) and the need to assist with transformational service changes, the further use of General Balances was anticipated in 2019/20 and 2020/21. Whilst the Government settlement figures up to 2019/20 have provided some greater funding certainty than previously, additional budget pressures, for example anticipated increases in firefighter pension employer rates, further anticipated Government funding reductions beyond this time period and a



lack of any direct capital and transformation funding being available, would mean that the level of General Balances is estimated to be approximately £5m by the end of 2020/21, which is considered appropriate given the issues highlighted. It was recognised that the use of General Balances was not a sustainable means of funding the Authority's revenue budget. Consideration would need to be given to further Services changes, in addition to those reflected within the Efficiency Plan, to reduce the reliance on General Balances over the next three-year period and/or aim to set a budget beyond this point without reliance on the use of General Balances.

The Capital Programme has been monitoring during the year and the specific projects were set out in the capital programme. No specific announcements had been made by the CLG in relations to capital funding, as a consequence, it was anticipated that there would be a capital funding shortfall of circa £2 million in 2020/21. Consideration would need to be given to identify funding to meet this requirement as part of the 2017/18 closedown of accounts process.

West Midlands Fire Service's Treasury Management functions are provided by Sandwell MBC, who have, in turn, appointed external advisors to support them. The Treasury Management Strategy for 2018/19 was set out in the report.

The budgetary planning is closely linked with the delivery of the Plan and in order to take up the four-year funding settlement and the Authority, at its meeting on 19 September 2016, considered and approved the Efficiency Plan for submission to the Home Office. It is anticipated that work will continue to focus on: staffing, alternative funding, internal restructures and general budget reductions.

The robustness of the budget preparation and adequacy of reserves had been assessed and determined using a variety of mechanisms.

The current level of reserves are considered to be sufficient in all but the most unusual and serious combination of possible events and best endeavours have been made to ensure that the budget and reserves are adequate using the information available at this date.

**Resolved:**

- (1) That the Authority's Net Revenue Budget for 2018/19 of £95,468m which includes a Council Tax requirement of £41,296m, together with the associated precept levels and resulting Band D Precept Increase of 2.99%, as now submitted, be approved;
- (2) that the Authority's capital programme for 2018/19 to 2020/2021, as submitted, be approved;
- (3) that the Authority's Treasury Management Strategy which includes the Minimum Revenue Provision Statement, and the Prudential Indicators, as now submitted, be approved;
- (4) that it be noted that the constituent District Councils have formally set their Council Tax bases for the year 2018/19 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33 (5) of the Local Government Finance Act 1992 as follows:-

	<b>Tax Base</b>
Birmingham	248,838.00
Coventry	80,815.40
Dudley	91,427.39
Sandwell	72,206.05
Solihull	75,972.00
Walsall	69,742.96
Wolverhampton	<u>62,816.47</u>
	<u>701,818.27</u>

- (5) that the following amounts be now calculated by the Authority for the year 2018/19 in accordance with Sections 40 to 48 of the Local Government Finance Act 1992.
  - (i) £115,222,000 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(2)(a) to (d) of the Act.

- (ii) £73,925,692 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(3)(a) to (b) of the Act.
- (iii) £41,296,308 being the amount by which the aggregate at 5(i) above exceeds the aggregate at (5)(ii) above calculated by the Authority in accordance with Section 42A(4) of the Act as its council tax requirement for the year.
- (iv) £58.84 being the amount (5)(iii) above divided by the total amount at (4) above, calculated by the Authority in accordance with Section 42B(1) of the Act as the basic amount of its Council Tax for the year.

(6) Valuation Bands

	£ (to 6 decimals)	£ (rounded to 2 decimals)
A	39.227921	39.23
B	45.765907	45.77
C	52.303894	52.30
D	58.841881	58.84
E	71.917855	71.92
F	84.993828	84.99
G	98.069802	98.07
H	117.683.762	117.68

being the amounts given by multiplying the amount at (5)(iv) above by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

£

(7) Resultant precepts:

Birmingham City Council	14,642,096
Coventry City Council	4,755,330
Dudley MBC	5,379,760
Sandwell MBC	4,248,740
Solihull MBC	4,470,336
Walsall MBC	4,103,807
Wolverhampton City Council	<u>3,696,239</u>
<b>Total</b>	<b><u>41,296,308</u></b>

being the amounts given by multiplying the amount at (5)(iv) above by the appropriate tax base at 4 above in accordance with section 48(2) of the Act, as the amount of precept payable by each constituent District Council.

(8) that the precept for each District Council as calculated at 5(iv) above be issued in accordance with Section 40 of the Local Government Finance Act 1992.

There was unanimous support for the Budget and Precept 2018/19.

Following the meeting, The Budget and Precept 2018/19 and Budget Forecast 2019/2020 to 2020/2021 required an amendment to reflect Wolverhampton City Council's Tax Base of 62,959.19.

**Resolved** that the amendment, as set out below, be approved.

# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**19 FEBRUARY 2018**

## **1. BUDGET AND PRECEPT 2018/2019 AND BUDGET FORECAST 2019/2020 TO 2020/2021 - AMENDMENT**

Report of the Treasurer.

### **RECOMMENDED**

#### **1.1 THAT the following amendment be approved:-**

- 1.1.1 The Authority's Net Revenue Budget for 2018/2019 of £95.477m which includes a Council Tax requirement of £41.305m, set out in Appendix A, together with the associated precept levels, set out in Appendix B, resulting in a Band D Precept increase of 2.99%.

## **2. PURPOSE OF REPORT**

Approval is sought to amend the 'Budget and Precept 2018/2019 and Budget Forecast 2019/2020 to 2020/2021' report approved by the West Midlands Fire and Rescue Authority at its meeting on 19 February 2018 to reflect Wolverhampton City Council's Tax Base of 62,959.19.

## **3. BACKGROUND**

- 3.1 Wolverhampton City Council approved their Council Tax Base at its meeting of the Cabinet (Resources) Panel on 16 January 2018 at 62,816.47. This was subsequently amended to 62,959.19 but the original Council Tax Base of 62,816.47 was reflected in the report to the Authority on 19<sup>th</sup> February.
- 3.2 The impact of an increase in the Council Tax Base by 142.72 on the Authority is additional precept income from Wolverhampton City Council of approximately £8.4k.
- 3.3 Sections 4 & 5 and Appendices A & B of the original Authority report have been amended to reflect the revised Council Tax Base figure for Wolverhampton City Council.

#### 4. **PRECEPT 2018/2019**

- 4.1 Under the Council Tax arrangements, the allocation of the total sum required by the Authority between constituent District Councils is based on the relevant tax base for each District.
- 4.2 All District Councils have now formally set their Council Tax base and have notified the Authority accordingly. The total relevant Council Tax base for the Authority is 701,960.99 (689,149.00 in 2017/18).
- 4.3 The appropriate precept has now been calculated for each District and is set out in Appendix B, paragraph 1.4, for the Authority's approval.
- 4.4 The Council Tax at Band D for 2018/19 would be £58.84, an increase of 2.99% (£1.70) per annum.

#### 5. **FUNDING OF EXPENDITURE 2018/2019**

The final figures from external funding sources have now been notified and are included in the table below:

	<b>£000</b>
Core Funding	53,030
Section 31 Grant	676
Share of Collection Fund Surplus / (Deficit)	466
Council Tax (met by Districts)	41,305
<b>Net Revenue Budget</b>	<b>95,477</b>

In addition to external funding, it is estimated that the Authority will generate income of £3.877m (£3.334m in 2017/18) (Appendix D).

## APPENDIX A

### WEST MIDLANDS FIRE AND RESCUE AUTHORITY

#### SUMMARY OF 2017/2018 AND 2018/2019 BUDGET

	Original Budget 2017/18  £000s	Revised Budget 2017/18  £000s	Original Budget 2018/19  £000s
<b><u>Expenditure</u></b>			
Employees	83,360	84,093	85,215
Premises	5,213	5,364	5,643
Transport	1,358	1,321	1,340
Supplies & Services	7,203	7,768	7,304
Capital Financing	15,527	9,078	15,620
Appropriations to Reserves	100	412	100
<b>Total Expenditure</b>	<b>112,761</b>	<b>108,036</b>	<b>115,222</b>
<b><u>Income</u></b>			
Core Funding (Formula Grant)	(54,703)	(54,703)	(53,030)
Other Government Grant	(1,045)	(1,606)	(1,890)
Income from Services	(3,334)	(3,381)	(3,877)
Collection Fund (Surplus) / Deficit	(768)	(768)	(466)
Appropriations from Reserves	(13,534)	(8,201)	(14,654)
<b>Total Income</b>	<b>(73,384)</b>	<b>(68,659)</b>	<b>(73,917)</b>
<b>COUNCIL TAX REQUIREMENT</b>	<b>39,377</b>	<b>39,377</b>	<b>41,305</b>
Collection Fund Surplus / (Deficit)	768	768	466
Core Funding (Formula Grant)	54,703	54,703	53,030
Section 31 Grant	-	-	676
<b>NET REVENUE BUDGET</b>	<b>94,848</b>	<b>94,848</b>	<b>95,477</b>

## **APPENDIX B**

### **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

#### **BAND D PRECEPT INCREASE OF 2.99%**

- 1.1 THAT it be noted that the constituent District Councils have formally set their Council Tax bases for the year 2018/2019 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992 as follows:

	<b>Tax Base</b>
Birmingham	248,838.00
Coventry	80,815.40
Dudley	91,427.39
Sandwell	72,206.05
Solihull	75,972.00
Walsall	69,742.96
Wolverhampton	62,959.19
	<hr/>
	701,960.99

- 1.2 THAT the following amounts be now calculated by the Authority for the year 2018/2019 in accordance with Sections 40 to 48 of the Local Government Finance Act 1992:
- 1.2.1 £115,222,000 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(2)(a) to (d) of the Act.
- 1.2.2 £73,917,295 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(3)(a) to (b) of the Act.



1.2.3     £41,304,705     being the amount by which the aggregate at 1.2.1 above exceeds the aggregate at 1.2.2 above calculated by the Authority in accordance with Section 42A(4) of the Act as its council tax requirement for the year.

1.2.4     £58.84     being the amount at 1.2.3 above divided by the total amount at 1.1 above, calculated by the Authority in accordance with Section 42B(1) of the Act as the basic amount of its Council Tax for the year.

1.3	<u>Valuation Bands</u>	£  (to 6 decimals)	£  (rounded to 2 decimals)
	A	39.227921	39.23
	B	45.765907	45.77
	C	52.303894	52.30
	D	58.841881	58.84
	E	71.917855	71.92
	F	84.993828	84.99
	G	98.069802	98.07
	H	117.683762	117.68

being the amounts given by multiplying the amount at 1.2.4 above by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

#### 1.4 Resultant precepts:

	£
Birmingham City Council	14,642,096
Coventry City Council	4,755,330
Dudley MBC	5,379,760
Sandwell MBC	4,248,740
Solihull MBC	4,470,336
Walsall MBC	4,103,807
Wolverhampton City Council	3,704,636
<b>Total</b>	<b>41,304,705</b>

being the amounts given by multiplying the amount at 1.2.4 above by the appropriate tax base at 1.1 above in accordance with section 48(2) of the Act, as the amount of precept payable by each constituent District Council.

- 1.5 THAT the precept for each District Council as calculated at 1.4 above be issued in accordance with Section 40 of the Local Government Finance Act 1992.

#### 6/18 **Monitoring of Finances**

The Authority noted the Monitoring of Finances report up to and including January 2018, which included revenue expenditure and the capital programme. The assumptions had been updated as part of the preparation process for the 2018/19 Budget.

The Authority's 2017/18 Council Tax requirement is £39.377 million and the revenue budget is £95.569 million. As part of the Authority's 2018/19 budget setting process the current year's budget has been revised and reflects an estimated transfer to earmarked balances of £0.300 million. The Actual spend to January 2018, including commitments, was £80.229 million compared to a projected budget of £80.247 million, an overall favourable variance of £0.018 million.

Statistical data relating to the Firefighters' Pension Scheme was provided and the figures were in line with assumptions.

The Authority's approved capital programme for 2017/18 is £13.823 million. Expenditure to the end of January 2018 is shown as £2.711 million.

The main forecast variances within the capital programme related to:

- Coventry Fire Station, due to an extension to demolition timescales predominantly arising from asbestos related issues. The development phase of the project started in October 2017.
- Aston Fire Station, the listed status of the site had required extensive consultation. The planning application was submitted on 15 September 2017 and approval was given on 15 January 2018.
- Vehicle Replacement Programme, the completion of Pump Rescue Ladder appliances was now anticipated in the second quarter of 2018/19 together with slippage on a number of ancillary vehicles.

## 7/18 **The Plan 2018 – 2021**

The Authority considered the revised Outcomes, which the Vision statement and Priorities of The Plan for 2018-2021 which are derived from the Integrated Risk Management Plan (IRMP). The changes were designed to enable the Service to sufficiently respond and react to the increasingly changing environment of the public sector.

As part of the review of the rolling three year-year corporate strategy – The Plan, the Service has reviewed its Vision Statement, Annual Priorities and Outcomes which are enablers to achieving the vision of “Making West Midlands Safer, Stronger and Healthier”. A review of risk analysis indicated that there has not been any significant change to risk in the West Midlands and as such the priorities and outcomes remain appropriate to achieve the vision as well as the current Service Delivery Model. The Vision Statement remains the same.

As part of the review of the Plan the Outcomes were refreshed and refined, as submitted, to ensure they are reflective of the continued evolution of the Priorities.

Key considerations in the refresh of the Outcomes were:

- Operational excellence leading to assertive, effective and safe response
- Health, social care as a key connector to vulnerability and fire risk
- Ensuring public safety focusing on the outcomes of Grenfell
- Improving resilience within communities
- Increasing partnerships and collaboration in delivery of public safety

The Outcomes provide an increased focus on the collaborative delivery of services, maximising outcomes for the communities and in particular, vulnerability.

The following factors had been considered in the recommendation:

- Risk analysis
- The budget 2018-19
- The external environment (political and financial)

Officers will consider the corporate performance indicators to enable the effective management and performance monitoring of the Plan and the proposed indicators will be presented to the Executive Committee on 26 March 2018.

The Plan 2018-2021 would go live on 3<sup>rd</sup> April 2018 and would be available on [www.wmfs.net](http://www.wmfs.net)

In answer to a Member's enquiry regarding the impact of the financial cuts to the service will have on the vulnerability and health of the community, the CFO stated that the Service was at a tipping point in respect of the Plan. In order to maintain the Service Delivery Model, there is a requirement to generate income or to reduce the size and effectiveness of the SDM.

Currently the workforce are distributed throughout 38 stations, 41 PRLs, 19 BRVs but without the additional income the Service would not be able to maintain its SDM.

The CFO confirmed that further cuts would be detrimental to the services provided to the most vulnerable.

The Chair stated it was important to understand the impact of health, social and financial difficulties experienced by the community. The Fire Service, as part of the wider public services, was working closely with local authorities and the West Midlands Combined Authority and expanding the role it plays in the West Midlands.

The Chair also stated that the Fire Service had a skilled workforce working with the communities and the profound effects of austerity on poverty, food poverty and energy poverty could not be ignored. The Fire Service worked with partners to meet the needs of the community and had a responsibility to do this.

Both the CFO and his team and Fire Authority had worked hard since 2010 and were not prepared to see the service lose its excellent reputation and although the Service had seen cuts of £38m, it still delivered the best response times in the country of 4.42 seconds. The Authority were proud to oversee the essential public service being delivered in very difficult circumstances and the staff had made the changes to maintain and deliver this service.

**Resolved** that the amendments to the Outcomes in The Plan 2018-2021 as now submitted be approved.

## 8/18 **Pay Policy Statement 2018-2019**

Approval was sought to the Pay Policy Statement for 2018/19 financial year setting out the Authority's policies relating to the remuneration of its Chief Officers.

The Treasurer confirmed that the Pay Policy Statement 2018/19 complied with the Section 38 (1) of The Localism Act 2011 and would be available on the Internet.

The Pay Policy Statement and Appendices set out the pay of all employees, pension arrangements and confirms the Authority's commitment as a Living Wage Employer.

There were no changes of substance to the Pay Policy Statement from 2017/18.

The issues of Gender equality would be brought up to date on the West Midlands Fire Service website by 31<sup>st</sup> March 2018.

**Resolved** that the Pay Policy Statement for the financial year 2018/19 as now submitted be approved.

## 9/18 **Property Asset Management Plan**

Approval was sought to the 2018/19 Property Asset Management Plan. In order to ensure the effective and efficient use of land and buildings, a Property Asset Management Plan is essential.

It was anticipated that there would be a significant impact on the Headquarters/Safeside site as a result of development work associated with the HS2 project, following the project gaining royal assent.

Planned maintenance issues will be undertaken during the five year period commencing 2018/19.

The Authority received the key Specific Actions for the forthcoming year.

The Treasurer informed the Authority of the working being undertaken with partners to share accommodation and facilities where appropriate and so achieve better value for money and wider community benefits.

Negotiations were at an advanced stage with West Midlands Police with a view to establishing a police presence on four pilot sites (Kings Norton, Northfield, Billesley and Haden Cross Fire Stations) in the next few months.

Initial discussion had also taken place regarding the possibility of an asset transfer of the Kings Norton Police site between the two Services. Further details of this would be reported to a future meeting of the Fire Authority.

In response to a Member's question about the site of The Old Bank in Bloxwich, the Treasurer confirmed that negotiations were being held with a training company who wished to upgrade the facilities to make this building fit for purpose in exchange for a rent free period.

**Resolved** that the 2018/19 Property Asset Management Plan be approved.

#### 10/18 **Proposed Vehicle Replacement Programme**

Approval was sought to proceed with the proposed Vehicle Replacement Programme (VRP) for the financial years 2018/19 to 2020/21, based on the three year capital programme for 2018/19 to 2020/21 identified as part of the Authority's budget setting process.

The Programme is a three-year rolling programme and will pick up on the slippage outlined in the previous ~~Budget and~~ Monitoring of Finance Reports.

It was intended to procure a range of vehicles identified in the Vehicle Replacement Programme using the Crown Commercial Services Purchase Framework Agreement RM859, EU tenders and other approved Consortia routes that represent value for money to the Authority.

The Treasurer explained that due to the expanding range of services provided by the Service and the way those services are delivered, consideration will be given over the next 12 months to the type and range of vehicles required to most effectively meet those demands. A further report would be provided to the Authority following an exploration of potential partnership opportunities if any specific options were identified.

The replacement of vehicles within the scope of the report would all be current with the latest vehicle technology to emissions currently Euro 6.

Environmental standards applicable for city usage both now and in future will also be considered on light vehicle applications and Petrol/Electric technology and full electric vehicles.

This issue has increasing relevance with the Government's drive across the UK to tackle air pollution in urban areas and the expanding number "Clean Air Zones" which have been identified, one of which is Birmingham.

In answer to a Member's enquiry about the significant impact on the public sector of clean air zones and possible public sector exemptions, the Treasurer confirmed that the Authority were seeking to ensure compliance where possible, but some old vehicles would not meet the required standards and so exemptions would be sought.

The DCFO stated there would be some impact on the fleet, for both response and non-response vehicles. Officers were working with Birmingham City Council (BCC) and the NFCC on the exemptions.

It was noted that the Leader of Dudley Metropolitan Borough Council, was the Environmental Lead in West Midlands Combined Authority and it was requested that the Lead Member for Dudley to ensure that the question of exemptions would be fed into the WMCA.

The Authority's Pump Rescue Ladders (PRLs) are retained for 13 years and if they do not have an exemption for "clean air zones", this will have an impact on their replacement. Currently, the PRLs are due for replacement as outlined below:

Number	Year
5	2018/19
5	2019/20
6	2020/21

**Resolved:**

- (1) that the Vehicle Replacement Programme for the financial years 2018/19 to 2020/21, as now submitted, be noted,
- (2) that the funding for the Vehicle Replacement Programme for 2018/19, be approved,



- (3) that the intention to procure a range of vehicles identified in the VRP using the Crown Commercial Services Purchase Framework Agreement RM859, Open EU tenders and other approved Consortia routes that represent value for money to the Authority be noted.

#### 11/18 **Enabling Paper – Developing Chief Fire Officer Constitutional Accountabilities**

The Authority considered a report setting out the rationale for proposed changes to CFO accountabilities, seeking to establish a widening of the current delegations in the Authority constitution.

The accountabilities aim to support the Authority in the transformational development of its strategy, The Plan 2018-2021 and moving forward, as well as setting a sound basis for the anticipated transfer of governance from the Authority to the Mayoral West Midlands Combined Authority.

The Clerk set out the current approach to CFO accountabilities and the changes to the status quo of Fire and Rescue Authorities. New models of governance are emerging and inconsistencies are appearing in the accountability of the CFO role.

The developing draft National Framework for Fire and Rescue Service (England) had recently been consulted upon and now proposed to more overtly identify the role of the CFO.

The proposed model for the transfer of Authority functions to the Mayoral WMCA in 2019, establishes widened accountabilities for the CFO role.

As Head of Paid Service it is and will be the CFO's responsibility to determine the staffing model and Structure of the Service.

The WMCA governance model, seeks to provide a more agile approach to decision making in support of this, enabling the CFO to lead and manage the service and staff with clear and established lines of accountability to the Mayor.

The proposed changes to the Constitution and CFO delegations provide an overview of the widened accountabilities for the CFO role. The proposals create clear lines of responsibility for the CFO role and aim to identify the role of the Strategic Enabling Team (SET) in the decision making process.

The proposals acknowledge the role of the Authority as a “supervisory body”.

The proposed CFO accountabilities which will enable the most effective and efficient delivery of services to local communities are as set out below:

- **Full CFO accountability for leading the Fire Service, setting the direction and culture of the service.** *This will be achieved with direct involvement of the Strategic Enabling Team (SET) providing for a more cohesive working environment.*
- **The CFO is accountable to the Authority for delivering against the requirements of the Fire and Rescue Services Act, National Framework, Regulatory Reform Order, Civil Contingencies Act and other appropriate enabling legislation.** *These responsibilities will be achieved with direct involvement of the SET providing for a more cohesive working environment.*
- **The CFO is accountable for the preparation of the Integrated Risk Management Plan and the Strategy (The Plan) for the Authority to consider and approve.**
- **Aligned to the above bullet, the CFO and Section 151 Officer will propose an annual budget to enable effective and efficient delivery of the strategic priorities, for the Authority to consider and approve.**
- **Operational independence of the CFO to deliver the strategic priorities as agreed by the Authority, aligned to the IRMP and The Plan. This will be achieved through the efficient and effective delivery of prevention,**

**protection and response services to communities, enabled through accountability for decisions which, aligned to both organisational strategy and budget, will determine:**

**a. The staffing structure of all fire service workforce.**

*Changes to this will be determined within the existing processes and policies of the Service and managed with the SET. The Employee Relations Framework (ERF) provides a robust and transparent framework for engagement, consultation and/or negotiations regarding the future shape and structure of the workforce. Any changes which will (or has the potential to) impact on the delivery of the strategy will be communicated to inform the Authority using existing and/or reformed governance structures.*

**b. Workforce planning and development to support Service transformation in the delivery of both current and future strategy.** *Workforce development is a national priority as the type, number and scale of incidents are changing. The workforce of the future for many fire services needs to be capable of providing prevention, protection and response services that stretch wider than the traditional and will see fire fighters working with and alongside other professions to deliver core services (i.e. police, ambulance, healthcare).*

*SET will work with the CFO to determine an evidence based approach to the transformation of services enabled through the development of the workforce, which enables the delivery of the Authority's strategy aligned to the agreed efficiency plan and budget.*

*As with a) the ERF will provide the established procedure by which staff and representative bodies will be engaged, consulted and negotiated with. The Authority will be engaged as appropriate through the Joint Consultative Committee as set out in the ERF.*

- c. **The CFO is accountable for the management and allocation of assets and fleet to support the most effective staffing structure, delivery of services and SDM.** *The CFO will be accountable for the approval, movement and usage of these. The SET will support the delivery of these accountabilities as delegated by the CFO.*
- d. **The delivery of added value through the development and management of agile digital solutions.** *Driving change through moving from managing assets to services.*
- **CFO engagement in collaborative partnerships with other emergency services, as defined in the Policing and Crime Act 2017, and public service providers, aligned to enabling the delivery of strategic priorities, where it is in the interests of efficiency and effectiveness and public safety to do so.**

The CFO will engage with the Authority through Policy Planning Forum and Fire Authority to vary the strategic objectives if needed and to inform of progress.

The above areas of proposed accountabilities will be reviewed against the Authority's standing orders to ensure each provides sufficient flexibility to enable effective decision making.

Any changes to Authority procedures will be reported into April Fire Authority for approval.

These widened accountabilities will remain open to the same transparency and scrutiny arrangements which currently exist within the Authority governance committee framework, as well as that provided for by both internal and external audit services.

The journey to the Combined Authority has proposed ring fenced accountability and budget as well as reserves. These proposals will protect the delivery of services to local communities and enable the Service to function in an unfettered

way. Further information will be presented to the Policy Planning Forum on Monday 26 March 2018 and the penultimate Authority meeting scheduled for the 16 April 2018.

The Chair confirmed that the current membership of the Fire Authority will continue until the day before the Annual General Meeting.

It was confirmed that at the Annual General Meeting on 25 June 2018 there would be 15 Members with the same powers and responsibility as the current Fire Authority. This model will then stay in place until April 2019, depending on the outcome of the current consultation on the Scheme and Home Secretary approval.

The timeline below will enable the proposed changes to be sufficiently considered and implemented following April Fire Authority, in preparation for the constitution of the Reformed Fire Authority at the June AGM 2018:

- 11 January** – consideration of areas of increased accountability for CFO
- 5 February – members receive** broad overview of proposals
- 19 February** – enabling paper to Authority
- 23 February** – informal WMCA CEx awareness of proposals around CFO accountabilities
- 9 March** – informal WMCA leaders (as above)
- 16 April** – Authority approval of changes to CFO accountabilities in constitution in line with new planning year and refresh of 2018-2021 Plan.

The proposed outlined variation in delegations would apply to the reformed Fire Authority.

**Resolved:**

- (1) that the changing landscape of governance for Fire and Rescue Services and the impact on the role of the Chief Fire Officer is noted.

(2) that the proposed changes around Chief Fire Officer and officer accountabilities are noted.

(3) that the progression of the proposed changes to enable local engagement and full recommendation to the 16 April 2018 meeting of the Fire Authority be agreed.

#### 12/18 **Representation of the West Midlands Police and Crime Commissioner on WMFRA**

The Authority considered a request from the West Midlands Police and Crime Commissioner (WMPCC) to nominate a second deputy to attend meetings.

On the 20<sup>th</sup> November 2017, the Authority approved the request from the WMPCC to take up a representative position on the Fire Authority aligned to the representation model set out in the Policing and Crime Act 2017 on the basis that:

- a full member voting position would only be provided if the PCC as an elected member attends;
- the WMPCC's nominated deputy would be the deputy PCC but this would not provide full voting rights;
- there would be consistency from the PCC's representative for continuity purposes;
- the WMPCC would not be paid expenses for undertaking this position.

Following this approval, the Authority received a further letter on 23 November 2017 stating that the WMPCC would, when the deputy PCC was not available, want to delegate his position further to an officer of the WMPCC's office.

Advice received from the Home Office states that whilst there is no provision for the Deputy PCC or a deputy of the Office of the PCC to be a member of the Authority, this wouldn't prevent this. The arrangement of interchangeable representatives sitting on the Authority would be for the Authority and PCC to consider.

The Authority also took into account the consultation that had recently taken place with Combined Fire and Rescue Authorities proposing delegations but not voting rights.

This was owing to Fire Authorities comprising of elected individuals, who do not themselves have similar rights to delegate to an unelected official as exists for PCCs. Consultation outcomes had yet to be released.

The Authority had agreed that the PCC could send a Deputy PCC, Councillor Lynnette Kelly and felt that no further substitution should be allowed, for example, an officer from the Office of the PCC.

It was noted that other Members of the Authority cannot send Deputies to represent them and were disappointed with the response from the PCC.

The Chair confirmed that the Reformed Fire Authority would comprise 15 Elected Members, the PCC and two additional co-opted members.

The Authority noted the changes that would come into effect following the 2020 Mayoral elections when the Mayor/PCC role will become one position.

**Resolved** that the request from the WMPCC to nominate a second deputy to attend Authority meetings is not approved.

13/18 **Notes of the Policy Planning Forum 6 November 2017**

The notes of the Policy Planning Forum held on 6 November 2017 were received.

14/18 **Minutes of the Audit Committee held on 13 November 2017**

The minutes of the Audit Committee held on 13 November 2017 were received.

15/18 **Minutes of the Scrutiny Committee held on 13 November 2017**

The minutes of the Scrutiny Committee held on 13 November 2017 were received.

16/18 **Minutes of the Executive Committee held on 19 December 2017**

The minutes of the Executive Committee held on 19 December 2017 were received.

17/18 **Minutes of the Audit Committee held on 19 December 2017**

The minutes of the Audit Committee held on 19 December 2017 were received.

18/18 **Notes of the Policy Planning Forum held on 19 December 2017**

The notes of the Policy Planning Forum held on 19 December 2017 were received.

19/18 **Minutes of the Audit Committee held on 15 January 2018**

The minutes of the Audit Committee held on 15 January 2018 were received.

20/18 **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 Scheduled 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).

21/18 **Planned Procurement Exercise**

The Authority received a report for approval of the tender exercise for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2018/19 for:

- Firefighter Apprenticeships
- Personal Protective Equipment (Structural Firefighting Kit)
- Planned Preventative Maintenance and Reactive Repairs of Heating, Ventilation and Hot Water Systems



- Roof Replacements
- Liquid Fuels

A detailed report would be presented to a future Authority meeting on Firefighter Apprenticeships.

**Resolved** that the tender exercises for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2018/19 be approved.

## 22/18 **CFO Announcements**

The Chief Fire Officer announced that a Memorandum of Understanding had been signed between Warwickshire County Council, West Midlands Fire and Rescue Authority, Warwickshire and West Midlands Fire Services agreeing to work together and collaborate more widely in the future.

It was noted that Press Statements from CFO Hickmott and CFO Loach would be issued welcoming the new approach to collaboration.

The Chair of Warwickshire County Council, Cllr Izzie Seccombe has signed the agreement and has expressed the genuine desire for the two Authorities to work together with the aim of achieving efficiency and economy. A Press Release would also be issued.

Further details would be provided at a future Policy Planning Forum.

Members of the Authority welcomed the signing of the Memorandum of Understanding and the benefits this would bring in respect of boundary sharing, training and equipment and savings that can be made.

The Authority congratulated the CFO on the progress made in respect of collaboration and felt it would lead to opportunities, improvements and bring financial benefits.

The CFO thanked the Authority for their support and stated that this was not a merger but a close relationship. The shared border of 130km provided the opportunity of a positive sustainable model with the shared aims of driving operational collaboration while maintaining and improving the current model.

Staff at West Midlands Fire Service and Warwickshire Fire and Rescue Service would be informed of the decision with an announcement on the afternoon of the 19 February 2018.

The meeting closed at 1222 hours.

Contact Officer: Julie Connor Strategic Hub 0121 380 6906 Julie.Connor@wmfs.net
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**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**16 APRIL 2018**

**1. WIDENING CHIEF FIRE OFFICER ACCOUNTABILITIES**

Report of the Clerk

RECOMMENDED

THAT the Authority:

- 1.1 note the changing landscape of governance for Fire and Rescue Services and the impact on the role of the Chief Fire Officer (CFO),
- 1.2 approve the changes proposed for CFO and officer accountabilities as set out in section 5
- 1.3 approve that the Clerk amend the Authority constitution articles 4, 15 and part 3 scheme of delegations in line with recommendation 1.2.

**2. PURPOSE OF REPORT**

- 2.1 This report sets out the rationale for proposed changes to CFO accountabilities, which seek to establish a widening of the current delegations in the Authority constitution.
- 2.2 These accountabilities aim to support the Authority in the transformational development of its strategy, The Plan 2018-2021, as well as setting a sound basis for the delivery of future governance arrangements.

### **3. BACKGROUND**

- 3.1 The Authority was legally created by the Local Government Act (LGA) 1985 as a joint Authority. The LGA establishes the Authority as a 'supervisory body' for the Fire Service, which is accountable to local communities for the services delivered.
- 3.2 The Fire and Rescue Services Act 2004, National Framework for Fire and Rescue Services 2012, Regulatory Reform Order, Civil Contingencies Act and other enabling legislation set out the statutory duties and functions the Authority is accountable for.
- 3.3 The Chief Fire Officer (CFO) is the Head of Paid Service (as defined by the Local Government in Housing Act 1989) and as such along with other statutory officers, is accountable to the Authority for making decisions which enable the delivery of the aforementioned functions and importantly the delivery of the Integrated Risk Management Plan (IRMP). The Authority's Constitution (the Constitution) sets out the parameters of this decision making before approval is sought from the Authority.
- 3.4 The Constitution sets out the current roles, responsibilities and accountabilities of both the Authority, as well as the CFO and officers.
- 3.5 The implementation of the Policing and Crime Act 2017 and government legislation around devolution have begun to change the status quo for Fire and Rescue Authorities. New models of governance for Fire and Rescue Services are emerging as can be seen from the most recent changes in the Essex Police and Fire Crime Commissioner (PCC), Greater Manchester Combined Authority Fire Function and pending changes for the London Fire Commissioner (LFC). Each model whilst different, provides single accountability for the Fire Service through either a Police and Crime Commissioner, Mayor and/or a Fire Commissioner.
- 3.6 Each of the above arrangements are new, indeed the LFC arrangements have only just been implemented, however as these different arrangements are being embedded they have begun to create inconsistencies in the accountability of the CFO role.

- 3.7 Where a Fire Authority is transferred to a PCC a section 4a order sets out the arrangements for this change and where roles and responsibilities sit. The Essex Fire Order 2017, identifies the CFO as the only person that can be delegated the role of preparing and publishing the IRMP. It also stipulates that the CFO will be held to account for the exercise of CFO functions, or those provided by those under the 'direct control' of the CFO.
- 3.8 The Greater Manchester Combined Authority (Fire and Rescue Functions) Order 2017 provides a broad framework for governance of the Greater Manchester Fire and Rescue Service covering the role of the Combined Authority, Mayor and the Fire Committee.
- 3.9 The LFC is both the CFO and the Fire Authority. The LFC employs staff, owns London Fire Brigade Assets and takes on all liabilities of the Authority. The LFC is a Corporate Sole, however the Mayor of London is still accountable for the budget and IRMP and the LFC is be accountable to the Mayor.
- 3.10 These current and future changes have been considered alongside the developing draft National Framework for Fire and Rescue Service (England). This has recently been consulted upon and now proposed to more overtly identify the role of the CFO as *'the individual who has responsibility for managing the fire and rescue service, accountable for the delivery of the fire and rescue service and the functions of persons under their direction and control'*.

#### 4. **CURRENT GOVERNANCE CONSIDERATIONS**

- 4.1 The proposed model for the transfer of Authority functions to the Mayoral WMCA in 2019, establishes widened accountabilities for the CFO role.
- 4.2 As Head of Paid Service it is currently and will continue to be the CFO's responsibility to determine the staffing model and structure for the Service. This is designed to deliver prevention, protection and response services to communities in the most efficient and effective way, aligned to the IRMP, ensuring the highest levels of

public safety. The broad roles and responsibility framework for the proposed Mayoral WMCA governance model, seeks to provide a more agile approach to decision making in support of this, enabling the CFO to lead and manage the Service and staff with clear and established lines of accountability to the Mayor. The Mayoral WMCA governance framework is detailed in Appendix 1.

4.3 Currently Authority and CFO/Officer roles, responsibilities and delegations are set out in the Constitution articles 4, 15 and part 3: Scheme of Delegations.

4.4 **Article 4**

- Sets out clear responsibilities for the FRA, intrinsically linked to the approval of the budget, strategy and IRMP. Finance and land matters are part of this.
- Also sets out CFO delegations, further supported by officer delegations in the scheme of delegations:

*To control all matters relating to the administration of the Authority's functions under the Fire and Rescue Service Act 2004 and any other enabling legislation which shall include taking and implementing decisions that are:*

- (a) *Concerned with maintaining the operational effectiveness of the Service, including varying the deployment of resources in order to ensure the effective delivery of The Plan;*
- (b) *Matters incidental to the discharge of the Authority's functions which fall within a policy decision taken by the Authority.*

4.5 **Article 15** sets out decision making by officers

**Part 3, Scheme of delegations** breaks these down into more detail covering head of paid staff responsibilities, regulatory fire safety roles, etc.

In support of these delegations and recognising the role of both the Authority and the CFO, the Employee Relations Framework (ERF) aims to provide timely and effective co-operation and consultation between the employer, employees and Trade Unions/Representative Bodies. This supports the successful delivery of the Authority's strategy, The Plan 2018-2021 and the management of change.

The delegations are broad in description and in some areas lack clarity. Therefore, they have been considered against the context of the changing governance landscape as outlined in paragraphs 3.5-3.10, as well as the priorities and aspirations of the Authority's strategy The Plan 2018-2021. In addition, the proposed changes in governance for the Service have highlighted a need to now review current CFO and officer delegations to support:

- The transformation of services to enable the efficient and effective delivery of the IRMP and The Plan within a balanced budget.
- Effective workforce reform and development through the delivery of a staffing structure & model supporting current and future strategy (recruitment and management of staff)
- The effective deployment of all resources to meet risk – personnel, equipment and fleet

4.6 With wider CFO accountabilities it will be important to ensure the Authority remain updated either through reports to inform and/or for decision making, aligned to roles and responsibilities but also to ensure awareness. The latter will also be enabled through regular engagement between the Clerk, CFO and Chair and SET as appropriate.

4.7 In support of these accountabilities and as identified further in the next section the ERF will be also be an important enabler to ensuring discussions, consultation and negotiation around employment issues are followed through using an established and jointly agreed approach.

## 5. **PROPOSED CFO ACCOUNTABILITIES**

- 5.1 The proposed changes to the Constitution and CFO delegations as set out below, provide an overview of the widened accountabilities for the CFO role when compared with the current delegations provided in the constitution as detailed in paragraphs 4.4-4.5
- 5.2 These proposals create clear lines of responsibility for the CFO role and aim to identify the role of the Strategic Enabling Team (SET) in the decision making process.
- 5.3 These proposals acknowledge the role of the Authority as a 'supervisory body' that ensures that West Midlands Fire Service performs efficiently and in the best interests of the public and community it serves. It means therefore that the Service is answerable for its actions and performance to the general public through the Authority.
- 5.4 The Authority remains a Corporate Body with the legal responsibility for making decisions (as set out in the constitution) about matters concerning the functions, powers, duties and responsibilities of the Authority, which are invested in it by statute and/or common law.
- 5.5 The proposed CFO accountabilities which will enable the most effective and efficient delivery of services to local communities are as set out below:
  - 5.5.1 **Full accountability of the CFO as Head of Paid Service for leading the Fire Service, setting the direction and culture of the service.** *This will be achieved with direct involvement of the Strategic Enabling Team providing for a more cohesive working environment.*
  - 5.5.2 **The CFO is accountable to the Authority for delivering against the requirements of the Fire and Rescue Services Act, National Framework, Regulatory Reform Order, Civil Contingencies Act and other appropriate enabling legislation.** *These responsibilities will be achieved*



*with direct involvement of the Strategic Enabling Team providing for a more cohesive working environment.*

**5.5.3 The CFO is accountable for the preparation of the Integrated Risk Management Plan and the Strategy (The Plan) for the Authority to consider and approve.**

**5.5.4 Aligned to 5.5.3 above, the CFO and Section 151 Officer will propose an annual budget to enable effective and efficient delivery of the strategic priorities, for the Authority to consider and approve.**

**5.5.5 Operational independence of the CFO to deliver the strategic priorities as agreed by the Authority, aligned to the IRMP and The Plan. This will be achieved through the efficient and effective delivery of prevention, protection and response services to communities, enabled through accountability for decisions which, aligned to both organisational strategy and budget, will determine:**

- a) **The staffing structure of all fire service workforce.** *Changes to this will be determined within the existing processes and policies of the Service and managed with the SET. The Employee Relations Framework provides a robust and transparent framework for engagement, consultation and/or negotiations regarding the future shape and structure of the workforce. Any changes which will (or has the potential to) impact on the delivery of the strategy will be communicated to inform the Authority using existing and/or reformed governance structures.*
- b) **Workforce planning and development to support Service transformation in the delivery of both current and future strategy.** *Workforce development is a national priority as the type, number and scale of incidents are changing. The workforce of the future for many fire services needs to be capable of providing prevention, protection and response services that*

*stretch wider than the traditional and will see fire fighters working with and alongside other professions to deliver core services (i.e. police, ambulance, healthcare).*

*SET will work with the CFO to determine an evidence based approach to the transformation of services enabled through the development of the workforce, which enables the delivery of the Authority's strategy aligned to the agreed efficiency plan and budget.*

*As with a) the ERF will provide the established procedure by which staff and representative bodies will be engaged, consulted and negotiated with. The Authority will be engaged as appropriate through the Joint Consultative Panel as set out in the ERF.*

- c) The CFO is accountable for the management and allocation of assets and fleet to support the most effective staffing structure, delivery of services and SDM.** *The CFO will be accountable for the approval, movement and usage of these. The SET will support the delivery of these accountabilities as delegated by the CFO.*
- d) The delivery of added value through the development and management of agile digital solutions.** *Driving change through moving from managing assets to services.*

**5.5.7 CFO engagement in collaborative partnerships with other emergency services, as defined in the Policing and Crime Act 2017, and other public service providers. This will be aligned to enabling the delivery of strategic priorities, where it is in the interests of efficiency and effectiveness and public safety to do so.**

The CFO will engage with the Authority through Policy Planning Forum and Fire Authority to vary the strategic objectives if needed and to inform of progress.

The above areas of proposed accountabilities will be reviewed against the Authority's standing orders to ensure each provides sufficient flexibility to enable effective decision making.

These widened accountabilities will remain open to the same transparency and scrutiny arrangements which currently exist within the Authority governance committee framework, as well as that provided for by both internal and external audit services.

6. **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 paper will not lead to a policy change.

7. **LEGAL IMPLICATIONS**

This report does not have any legal implications and retains the legislative role and responsibilities of the Authority.

8. **FINANCIAL IMPLICATIONS**

This paper does not have any financial implications.

9. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications

## **BACKGROUND PAPERS**

Fire Authority paper 19 February 2018 - Enabling CFO Accountabilities  
WMCA paper 8 December 2018 – Route to Future Mayoral WMCA  
Governance – Governance Review and Scheme  
Fire Authority Constitution 2017

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

KAREN GOWREESUNKER  
CLERK TO THE AUTHORITY

# Appendix 1

## Appendix 8 – Proposed Future Governance Framework for Mayoral model

	ROLES & RESPONSIBILITIES	WHAT WILL THIS MEAN?
<b>Mayor</b>  Single elected accountable figure	<ul style="list-style-type: none"> <li>Governance (supervisory body) for the Service, guided by LGA and LGiH Acts</li> <li>Exercises all 'fire and rescue' functions – FRS Act 2004 and enabling:</li> <li>Accountable for the:               <ul style="list-style-type: none"> <li>Integrated Risk Management Plan (National Framework)*</li> <li>the Corporate Strategy – The Plan*</li> <li>Budgets (Capital and revenue)*</li> </ul> </li> <li>Raises precept</li> <li>Responsible for Senior &amp; Statutory Officer appointments</li> </ul>	<ul style="list-style-type: none"> <li>The WMCA owns all properties rights and liabilities of the former Authority and all functions</li> <li>The WMCA employ all staff including the CFO</li> <li>The Mayor <b>only</b> can exercise all fire and rescue functions and can delegate these to a committee and/or officers other than* functions</li> <li>The Mayor is accountable figure to the communities for services provided, as set out in the FRS Act and other enabling legislation</li> <li>The Mayor provides strategic policy direction</li> <li>The Mayor oversees the efficiency and effectiveness of the Service</li> </ul>
<b>WMCA</b>  (governing body)	<ul style="list-style-type: none"> <li>Owns all <b>functions</b>, properties, rights and liabilities, including employment contracts of the Service staff</li> </ul>	
<b>Mayoral Fire Advisory Committee (Specialist review and advice to Mayor)</b>	<ul style="list-style-type: none"> <li>Leadership for WMFS priorities across seven constituent councils</li> <li>Enabling development of local authority and health care partnerships</li> <li>Review functions - i.e. reviewing decisions made against the local risk plan and the corporate strategy (statutory functions)</li> <li>Enabling regional fire and local government relationships</li> <li>Lobbying functions with other FRSs through AMFRA</li> <li>A voice and representation within LGA and NJC working with alongside NFCC</li> <li>Ceremonial support for Mayor for the Service</li> </ul>	<p>The Committee has clear delegations around scrutiny of Mayoral decisions, providing reports to the WMCA</p> <p>Supports the Mayor both locally and nationally as the political 'voice' for the Service</p>
<b>Chief Fire Officer/Officers</b>  Accountable to the Mayor	<p>Head of Paid Service for the Service</p> <p>Accountable to the Mayor for the delivery of services with a balanced budget:</p> <ul style="list-style-type: none"> <li>The delivery of the Service Strategy (incl. matters relating to exercising functions of the fire and rescue services act, etc)</li> <li>The delivery of a staffing structure &amp; models supporting current and future Strategy</li> <li>The deployment of resources to meet risk</li> <li>The transformation of services to meet the Service's and the Mayor's/WMCA priorities</li> </ul>	<p>Accountability for the delivery of Strategy and Integrated Risk Management Plan, enabled through robust decision making at the right level. Delivering operational effectiveness through the right:</p> <ul style="list-style-type: none"> <li>Allocation of resources</li> <li>Recruitment and management of staff</li> <li>Workforce reform &amp; development</li> </ul>



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**16 APRIL 2018**

**1. ROUTE MAP TO MAYORAL COMBINED AUTHORITY  
GOVERNANCE: CONSULTATION OUTCOMES AND SCHEME  
SUBMISSION TO SECRETARY OF STATE**

Report of the Clerk to the Authority.

RECOMMENDED

THAT the Authority:

- 1.1 Note the outcomes of the public consultation on the governance of West Midlands Fire Service (the Service) by the West Midlands Combined Authority (WMCA).
- 1.2 Note the amendments made to the indicative timeline.
- 1.3 Note the outcomes of WMCA constituent councils' Cabinet meetings to date on the consultation outcomes report.
- 1.4 Note the proposed next stages of the governance route – submission of scheme and governance review to the Secretary of State for the Home Office.

**2. PURPOSE OF REPORT**

This report is submitted to inform members of the progress made to date in the route to Mayoral West Midlands Combined Authority governance of the Service since the last report presented to the Authority on 20 November 2017.

**3. BACKGROUND**

**Governance Review and Scheme**

- 3.1. Following the report presented to Authority on 20th November 2017, the WMCA board approved to carry out a formal public consultation on the scheme at their meeting held on 8<sup>th</sup> December (see background papers).

This paper seeks to update the Authority on the progress made to date, the outcomes of the public consultation and next steps.

- 3.2. The WMCA supported the Authority's broad proposal for the transfer of its functions to the Mayoral WMCA on 3<sup>rd</sup> March 2017.
- 3.3. On the 8<sup>th</sup> September 2017 the WMCA Board noted the indicative timeline for the proposed governance route and approved the development of a governance review and scheme for the Mayoral WMCA governance of the Service pursuant to Sections 111 and 112 (1d) of Local Democracy, Economic Development and Construction Act 2009.
- 3.4. The Governance Review (presented to Authority 20th November) provided a review of existing governance arrangements and functions, this included the proposed new model and its benefits under the Mayoral WMCA.
- 3.5. The Scheme (presented to Authority 20th November) detailed the roles, accountabilities, and powers required by each individual and body in the proposed governance model.
- 3.6. The benefits of the Mayoral WMCA governance model provides huge opportunities for the joint transformation of public services to West Midlands communities, providing value for money in the delivery of public safety. The benefits can be broadly summarised under four main themes: public safety delivered through a broad range of responses to emergency services, a workforce to support joined up services and reduce vulnerability, continued improvement and transformation, and operational independence.
- 3.7. In adherence to section 112 of Local Democracy, Economic Development and Construction Act 2009, which states that a combined authority must seek the approval of its constituent councils on the governance review and scheme, all seven constituent councils were consulted between October and November 2017.
- 3.8. Unanimous support for the proposed scheme was received from all seven constituent councils, along with approval to proceed to a public consultation.



Comments received from councils included: that the fire budget and fire reserves be ring-fenced, that the Mayor appoint the Chair of the Mayoral Fire Advisory Committee (MFAC) in consultation with constituent council Leaders, and that MFAC be composed of no fewer than 15 members to ensure sufficient representation from all constituent authorities. As part of the public consultation exercise the Scheme was revised to reflect these concerns (see Appendix A). These outcomes and the revised scheme was presented to the WMCA on 8<sup>th</sup> December 2017 and approval to hold a public consultation was passed.

### **Consultation**

- 3.9. A formal public consultation (Appendix B) on the proposed scheme was launched on 11 January 2018 for a period of eight weeks to 8 March 2018. This was pursuant to section 113 (3) Local Democracy, Economic Development and Construction Act 2009. The consultation is a requirement for the making of an order, which stipulates that the Secretary of State must not only consult constituent councils within a combined authority's area but also must have 'due regard to the need - (a) To reflect the identities and interests of local communities and (b) To secure effective and convenient local government'.
- 3.10. The consultation sought views on the detail of the proposed scheme, this includes the roles of the Mayor and WMCA, the proposed MFAC and the Chief Fire Officer. The consultation also sought the views of the communities of the combined authority's area on the stated benefits of the proposed governance change and the transfer of powers to the Combined Authority.
- 3.11. The consultation approach consisted of an [animation](#), frequently asked questions list, the scheme, a survey, plain English text of the governance journey and of key roles. Advice and guidance was sought from constituent council communications departments and the public relations and public affairs firm - the Built Environment Communications Group (BECG), who are members of the Consultation Institute which promotes best practice within public consultations across the UK.

3.12. In order to reach all sections of the society the consultation has been promoted through a comprehensive range of digital and non-digital forums:

- WMCA website,
- Constituent council websites,
- The Service's website and social media pages,
- Press releases,
- Letters to key stakeholders (see full consultation outcomes report in Appendix C for stakeholder list),
- Letters to West Midlands MPs whose constituencies fall within the WMCA area,
- Letters to MEPs,
- The Service's staff promoted the consultation through contact time with communities as part of normal prevention based activities and focused command based workshop events,
- 1000 printed copies of the survey were disseminated by staff to harder to reach groups via youth engagement initiatives and places of worship,
- 200 copies allocated to each constituent council for distribution at key locations such as council offices and libraries,
- Graphics were also provided to each constituent council for display on plasma screens,
- The survey was available in easy read and large print as well as cd audio formats upon request, a helpline was also set up to enable disabled members of the public to complete the survey with the support of a member of staff. A total of four easy read versions, seven large print versions and four audio versions were requested.

3.13. Overview of responses to the consultation are as follows (see Appendix C for full consultation outcomes report):

- Outcomes of question 1: 47% of respondents 'strongly agreed' or 'agreed' that the WMCA should take on the responsibility for the functions of the West Midlands Fire and Rescue Authority. Conversely, 40% of respondents strongly disagreed or disagreed with the proposed governance change.
- Outcomes of question 2: 59% of respondents 'strongly agreed' or 'agreed' that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor. Conversely, 32% of respondents either 'strongly disagreed' or 'disagreed' with this element of the proposed governance changes.
- Outcomes of question 3: 55% of respondents 'strongly agreed' or 'agreed' that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service, whereas 35% either 'disagreed' or 'strongly disagreed'.
- Outcomes of question 4: 42% of respondents 'strongly agreed' or 'agreed' that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would achieve those aims outlined within the questions posed. Conversely, 42% of respondents 'strongly disagreed' or 'disagreed' with one or more of the aims listed.
- Outcomes of question 5: 39% of respondents 'strongly agreed' or 'agreed' that the Order to transfer the Fire Service into the Combined Authority is likely to: improve the statutory functions in the Combined Authority area; reflect the local communities; and secure effective and convenient local government. 41% of respondents either 'strongly disagreed' or 'disagreed' with the question. The outcomes for question 5 also show the highest number of 'don't know' responses (4% of respondents), as well as the highest number of 'neither agree or disagree' (15% of respondents).

- Questions 6 – 14 enquire about the identity of the respondent to inform the Secretary of State's need to give due regard to views of the communities of the West Midlands. The identities of respondents broadly reflect the communities of the West Midlands, however, numbers for Asian and Black communities is lower than targets.
- Outcomes also show that 46% of respondents stated they work for the public sector, which represents an engaged workforce and indicates a balanced representation across all sectors.

### **Stakeholder Letters**

3.14 To date, letters of support have been received from Andrea McIntyre, MEP, Professor Simon Brake from the NHS and the Chair of West Midlands Fire and Rescue Authority.

3.15 A letter was submitted by the Fire Brigades' Union (FBU) in response to this governance direction and has been included in the Summary report (Appendix C).

### **Constituent Council Consideration of Consultation Outcomes Report**

3.16. The seven constituent councils are currently considering the outcomes of the public consultation, the report seeks consent to proceed with the submission of this governance proposal to the Home Secretary.

3.17. At the time of writing this report the consultation outcomes report had been tabled at three Cabinet meetings, two meetings will have taken place following the publishing of this report for which a verbal update will be provided at the Authority meeting, and two will take place following this meeting. The schedule of Cabinet meetings is presented in the table below:

<b>CONSTITUENT COUNCIL</b>	<b>CABINET</b> (seeking consent)	<b>Outcomes</b>
<b>Birmingham</b>	17 <sup>th</sup> April	
<b>Coventry</b>	10 <sup>th</sup> April	Verbal update to be provided.
<b>Dudley</b>	21 <sup>st</sup> March	Approved subject to full Council approval on 9 <sup>th</sup> April. Verbal update to be provided.
<b>Sandwell</b>	21 <sup>st</sup> March	Consent to proceed granted.
<b>Solihull</b>	5 <sup>th</sup> April	Consent to proceed granted.
<b>Walsall</b>	21 <sup>st</sup> March	Consent to proceed granted.
<b>Wolverhampton</b>	25 <sup>th</sup> April	

### **Indicative Timeline and Next Steps**

3.18 As requested by constituent councils, the indicative timeline presented to Authority in November 2017 has been extended to allow for councils to note the outcomes of the consultation and provide consent to the draft order produced by the Government:

<b>DETAILS</b>	<b>DATE</b>
WMCA approved a governance review and scheme to be developed	8 September 2017
Development of governance review and scheme, which considered the business case for the change in governance.	September 2017
Constituent council approval of the content of the governance review and scheme.	October-November 2017
WMCA approval of the content of the governance review and scheme and approval to proceed to public consultation.	8 December 2017
Consultation of proposals set out in the scheme on behalf of the Secretary of State	January-February 2018
Analysis of consultation responses locally	March 2018
<b>Constituent councils consider outcomes of the public consultation. Seek consent of constituent</b>	<b>April - May 2018</b>

<b>councils to submit proposal to Secretary of State.</b>	
Governance review, scheme and analysis of consultation reviewed by Secretary of State (4-12 weeks).	June 2018
Government development of order required to give effect to the proposed changes.	July - September 2018 (NB. Parliamentary recess)
Constituent council and WMCA approval of detail of order	October - November 2018
Order enters Parliamentary process	December 2018 - January 2019
Secretary of State approves order	February 2019
The West Midlands Fire and Rescue Authority functions transfer to the WMCA	February/March 2019

3.19. Receipt of the draft order from the Home Office is anticipated following Summer recess this year. To allow for effective adherence to the timeline, it has been requested of constituent councils that authority is delegated to the Leader and Chief Executive as required, to consider the draft order and provide consent to the order being laid before Parliament to enable the proposed governance changes, on behalf of the constituent councils.

#### 4. **EQUALITY IMPACT ASSESSMENT**

4.1 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 lead to and/or do not relate to a policy change.

#### 5. **LEGAL IMPLICATIONS**

5.1 The legal implications and process for devolving powers to the WMCA are set out in this report and were included in the previous reports to the Authority. The WMCA and the Service have consulted legal officers from the seven West Midlands constituent councils for advice and guidance throughout the development of the proposals. All the relevant legislation relating to the proposed governance route are reflected in the Governance Review and

Scheme.

## 6. **FINANCIAL IMPLICATIONS**

- 6.1 The cost of this governance route has and will continue to be met from within existing approved budgets which have largely been delivered through the Service. Support has also been provided from the WMCA and local authority Legal services.
- 6.2 The cost of the consultation exercise was circa £16.5k. The funding for this was provided by the WMCA.
- 6.3 Future reports will detail any additional costs that will need to be met.

## 7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this stage.

## **BACKGROUND PAPERS**

WMFRA 20 FEBRUARY 2017 ROUTE MAP TO A WEST MIDLANDS  
COMBINED AUTHORITY MAYORAL WMCA GOVERNANCE REPORT  
WMFRA 20 FEBRUARY 2017 OUTCOMES OF THE FUTURE  
GOVERNANCE WORKING GROUP  
WMCA 3 MARCH 2017 ROUTE MAP TO MAYORAL WMCA  
GOVERNANCE  
AGM June 2017  
WMCA 8 SEPTEMBER 2017  
Governance Review and WMCA Scheme Report to Local Authorities  
(17 October 2017 Sandwell Metropolitan Borough Council example)  
Scheme  
Governance Review  
WMFRA 20 NOVEMBER 2017  
WMCA Board 8 December 2017 Mayoral WMCA Governance of West  
Midlands Fire Service - Governance Review and Scheme  
CONSULTATION OUTCOMES REPORT TO LOCAL AUTHORITIES  
(21 March 2018 Sandwell Metropolitan Borough Council example)

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

Ref. AU92603181

(Official – WMFS Public)

KAREN GOWREESUNKER  
CLERK TO THE AUTHORITY



## West Midlands Combined Authority Scheme

### Item 6

This scheme is prepared and published following the decision of the West Midlands Combined Authority (WMCA) on 8 September 2017.

The proposals in this scheme will be subject to a further public consultation.

The scheme provides as follows:

1.1 It is proposed that the functions exercisable by the West Midlands Fire and Rescue Authority (WMFRA) across the area that the WMCA covers, should become functions of the WMCA pursuant to sections 105 A of the Local Democracy, Economic Development and Construction Act 2009.

These functions are those as set out in the following acts and other relevant identified sections:

- Local Government Act 1985 (including Part IV, schedule 10).
- Local Government in Housing Act 1989.
- Fire and Rescue Service Act 2004.
- Fire and Rescue Order 2007.
- National Framework for Fire and Rescue Services in England 2012.
- Regulatory (Fire) Reform Order 2005.
- Civil Contingencies Act 2014.

The requirements for change are set in 1.16 of this scheme.

1.2 It is proposed that the properties, rights and liabilities of the WMFRA would become functions of the WMCA.

1.3 It is proposed that the functions relating to fire and rescue referred to in 1.1 should become WMCA functions.

1.4 It is proposed that the fire and rescue functions once they become functions of the WMCA are exercisable only by the Mayor (section 107D (1) Cities and Local Government Devolution Act 2009).

1.5 For the purposes of the exercise of the fire and rescue functions, the Mayor may do anything that the WMCA may do under section 113A of the LDEDC Act 2009 (general power of EPB or combined authority) (1).

1.6 It is proposed that the WMCA has the same borrowing powers in respect to its functions, relating to fire and rescue as are currently exercised by the WMFRA.

1.7 It is proposed that the WMCA retain the same core grant and precept funding arrangements in respect to its functions relating to fire and rescue, as currently exercised by the WMFRA.

1.8 It is proposed that both the funding and reserves for fire are ring fenced within the Mayoral WMCA.

1.9 Any decisions or acts made before abolition of the WMFRA should have effect as if agreed by, or, in relation to the Mayoral WMCA. For example, the setting of the precept for, under section 40 Local Government Finance Act 1988 to the constituent councils in respect of the financial year beginning before transfer in governance, should have effect as if issued by the Mayoral WMCA.

1.10 It is proposed that Members of the WMCA may assist the Mayor in the exercise of the fire and rescue functions in line with delegations, provided that the functions may not include:

- Functions relating to the budget and setting of the precept,
- Functions relating to statutory plans such as the Integrated Risk Management Plan (IRMP) and strategies,
- Functions relating to all properties, rights and liabilities,
- The appointment of the Chief Fire Officer and Principal officers.

### **Mayoral Fire Advisory Committee**

1.11 It is proposed that the Order should contain provision for the Mayor to arrange for a committee of the WMCA (the Mayoral Fire Advisory Committee), consisting of members appointed by the constituent councils, to advise and support the Mayor in relation to West Midlands Fire Service (WMFS).

1.12 It is proposed the committee appointed should consist of a minimum of fifteen elected members from across the constituent councils, the Police and Crime Commissioner (in accordance with the Policing and Crime Act 2017) and two further co-opted members from Health and Ambulance to promote greater challenge, transparency and further collaboration.

1.13 The following additional provisions are proposed to apply to the Mayoral Fire Advisory Committee (the Committee):

### **Governance**

- Appointment of elected members from each of the constituent councils will be made so that the members of the committee taken as a whole, reflect as far as reasonably practicable, the overall balance of political parties prevailing amongst the constituent councils.
- The majority of members of the committee must be members of the constituent councils, all of those members have one vote.
- Where a member is not from a constituent council (a co-opted member) they will not have voting powers.
- Two-thirds of members must be present for a meeting to be quorate.
- The Chair of the Committee will be appointed by the Mayor in consultation with constituent council leaders.

### **Functions**

- The Committee will not be a decision-making committee this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate.
- The Committee will advise the Mayor, support the Mayor and review decisions made by the Mayor.
- Where decisions are reviewed, the Committee will submit a report to the WMCA Overview and Scrutiny Committee.
- The Committee will support the Mayor in providing advice around exercising fire functions, to ensure the right level of detail and understanding is provided to inform the Mayor's role as the Authority.
- The Committee will represent the priorities and strategy of the Mayor and WMFS in their respective local authorities and will report on performance in relation to fire functions.
- The Committee will represent the priorities and strategy of the Mayor and West Midlands Fire Service (WMFS) within the seven constituent councils, regionally with other Fire and

Rescue Services, and nationally through the National Joint Council and Local Government Association.

- The Committee will seek to influence the Government on behalf of the Mayor in matters related to the delivery of fire and rescue services locally, regionally and nationally.
- The Committee will enable the development of partnerships and services to the community through constituent council engagement.

A member's allowance scheme for the committee will be payable by the WMCA.

1.14 The Chief Fire Officer (CFO) as head of paid service will be accountable to the Mayor in the operation of their duties.

1.15 It is proposed that the CFO maintains full accountability for the operational functions of the Fire Service. This will include:

- The management of the Fire and Rescue Service,
- The appointment and development of staff,
- The delivery of WMFS Strategy (including matters relating to exercising functions of the Fire and Rescue Services Act 2004 and other relevant legislation),
- The delivery of staffing structures and models which support current and future Strategy,
- The deployment of resources to meet risk,
- The transformation of services and reform of the workforce to meet WMFS and Mayoral/WMCA priorities.

1.16 Modification requirements of enactments in their application to the WMCA as a Fire and Rescue Authority.

## **Primary Legislation**

### *Local Government Act 1972*

1. In section 138(5) of the Local Government Act 1972 (powers of principal councils with respect to emergencies or disasters) (a), the reference to "metropolitan county fire and rescue authority" is to apply as if it included "the WMCA as a fire and rescue authority".

### *Local Government in Housing Act 1989*

2. (1) The Local Government and Housing Act 1989(c) is modified as follows.

(2) In section 67 (application of provisions about companies in which local authorities have interests), subsection (3)(k) applies as if the reference to "joint authority established by Part IV of that Act" included a reference to "the WMCA as a fire and rescue authority".

(3) In section 155 (emergency financial assistance to local authorities) subsection (4)(g) applies as if the reference to a "joint authority established by Part IV of the Local Government Act 1985" included a reference to "the WMCA as a fire and rescue authority".

### *Crime and Disorder Act 1998*

3.— (1) The Crime and Disorder Act 1998(d) is modified as follows.

(2) In the definition of "fire and rescue authority" in section 5(5) (authorities responsible for strategies), the reference in paragraph (b) to a "metropolitan county fire and rescue authority" is to apply as if it included a reference to "the WMCA as a fire and rescue authority".

(3) In the definition of “relevant authority” in section 115(2), the reference in paragraph (j) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

#### *Local Government Act 2003*

4. Section 23(1) of the Local Government Act 2003 (meaning of “local authority” for purposes of Part 1) (a) the reference in paragraph (k) to “a joint authority established by Part IV of that Act” is to apply as if it included a reference to “the WMCA as a fire and rescue authority.”

#### *Fire and Rescue Services Act 2004*

5.— (1) The FRS Act 2004(b) is modified as follows.

(2) Section 4A (power to provide for police and crime commissioner to be fire and rescue authority) has effect as if at the end of subsection (3)(b) there were inserted—

“, and (c) outside the Area.”;

(3) Section 4B (1) (changes to existing fire and rescue authorities) has effect as if the reference to fire and rescue authorities in England outside Greater London did not include the WMCA.

#### **Secondary legislation**

6. In section 1 of the FRS 2004 Act(1), after subsection (4) insert—

“(5) This section is also subject to an order under Part 6 of the Local Democracy, Economic Development and Construction Act 2009 which transfers the functions of a fire and rescue authority to a combined authority established under section 103 of that Act”.

7. In paragraph (a) of the definition of “local authority” in regulation 2(1) of the Pipelines Safety Regulations 1996 (interpretation)(c) the reference to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

8. In article 1(2) of the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009 (application of order to best value authorities) (d) the reference in paragraph (c) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

9. In regulation 3 of the Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012 (relevant authorities) (e) the reference in paragraph (a) to a “metropolitan county fire and rescue authority established under section 26 of the Local Government Act 1985” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

10.— (1) The Local Government Pension Scheme Regulations 2013(f) are modified as follows. (2) After regulation 64(8), insert—

“(8A) Paragraph (8B) applies where the exiting employer is the WMFRA and the

liabilities of the fund in respect of benefits due to the WMFRA’s current and former employees (or those of any predecessor authority) have been or are to be transferred to the WMCA by virtue of this Order.

(8B) Where this paragraph applies, no exit payment is due under paragraph (1) and paragraph (2) does not apply.”.

11. In regulation 2(1) of the Explosives Regulations 2014 (interpretation)(g) in the definition of “local authority”, the reference in paragraph (c) to “a metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

12. In regulation 2(1) of the Control of Major Accident Hazards Regulations 2015(a) in paragraph (b) of the definition of “local authority”, sub-paragraph (ii) is to apply as if there were substituted for that sub-paragraph—

“(ii) the Area, the WMCA as a fire and rescue authority;”.





# “Have your say”

## Future governance of West Midlands Fire Service



**11 January 2018 - 8 March 2018**

# Introduction:

We want your views on who should run West Midlands Fire Service (WMFS) in the future.

More people are coming to live and work in the West Midlands, new businesses are starting up here and plans for HS2 means our population will continue to rise. Your fire service must be ready to meet these additional demands and tailor how they work to meet future challenges.

We are carrying out a consultation on whether your fire service should be run by the West Midlands Combined Authority (WMCA).

This follows an independent review of how WMFS is currently run and governed, and whether changes need to be made for the future.

The review focused on how a new governance model would impact your community, how WMFS could deliver improved public services across the region, improved scrutiny, transparency and accountability - all while providing value for money.

Several options were considered and evaluated before the WMCA was identified as the best option to ensure your fire service continues to meet its overarching vision: making the West Midlands safer, stronger and healthier.

Following this the WMFS and the WMCA undertook a 'Governance Review' which can be found on the WMCA website. This identified the benefits that could be achieved by coming together.

Possible benefits include a more joined up way of working with the WMCA and its members – including local councils, health providers and the police – contributing to a shared vision for the region. This could result in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.

Following this a 'Scheme' was prepared which details how the WMFS would operate within the WMCA and who would be responsible for making decisions. The scheme can be found on the WMCA website. It would also see existing fire service staff transfer to and be employed by WMCA.

**It is this scheme we are now consulting on to get your views.**

**If WMFS were to move under the WMCA, it would not change the type of incidents and emergencies you are used to seeing firefighters attend.**

Currently WMFS is governed by a Fire Authority, which is made up of 27 councillors from the seven West Midlands local authorities which make up the WMCA.

If the WMCA were to govern WMFS, the elected Mayor would be singularly accountable for the fire service. A Fire Advisory Committee would also be put in place - made up of councillors, the Police and Crime Commissioner, and representatives of the Health and Ambulance Trusts – who would advise and support the Mayor, while reviewing and scrutinising the Mayor's decisions.



The WMCA is made up of seven \*constituent councils which vote on policies and plans to improve the West Midlands. The Mayor is an elected official (a key requirement of the first devolution deal) who chairs the board of the WMCA. To date, the WMCA has secured two devolution deals with government which means money and powers are transferred from central government to local authorities. This means they can decide for themselves locally on the best ways to spend that money for the overall benefit of the region.

By coming under the WMCA, WMFS would work with organisations across the region more effectively. This would include sharing workspaces, better emergency planning and an easier exchange of key information, ensuring your safety is at the heart of everything we do.

We will be consulting across the seven constituent council areas including: local people, businesses, local enterprise partnerships (LEPs), organisations and people who work with the fire service for their views.

The consultation will run for eight-weeks from January 11th to March 8th 2018. Your responses will be fed back to the Home Office and if the government decides this is the best option, they will create a \*Statutory Order, based on the 'Scheme', which will enable the changes to take place.

You can find out more information and give us your views by taking part in the survey through our website <https://www.wmca.org.uk/>

Links to the consultation are also available on the seven constituent council websites.

\*Please see glossary for more information and explanation of terms

# Question 1:

Following an independent review of how your fire service is currently governed, we are proposing that the West Midlands Combined Authority (WMCA) will take on responsibility for West Midlands Fire Service (WMFS). The review examined how a new governance model could impact communities; deliver improved public services across the West Midlands; improve scrutiny, transparency and accountability, while providing value for money. Benefits of changing the WMFS governance include a more joined up way of working with WMCA members - such as local authorities, health providers and the police – contributing to a shared vision for the region, resulting in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.



**Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:**

- ▶ Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)
- ▶ Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils
- ▶ Appointment of the Chief Fire Officer by the Mayor of the Combined Authority

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

Are there any other points you would like to make?

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## Question 2:

If the WMCA ran the fire service, there would be a single point of accountability; the Mayor of the West Midlands. If the changes went ahead, a Fire Advisory Committee made up of 15 councillors, the Police and Crime Commissioner, Health and Ambulance Trust, would be put in place to review decisions taken by the Mayor.



**Do you agree or disagree that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor?**

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

## Question 3:

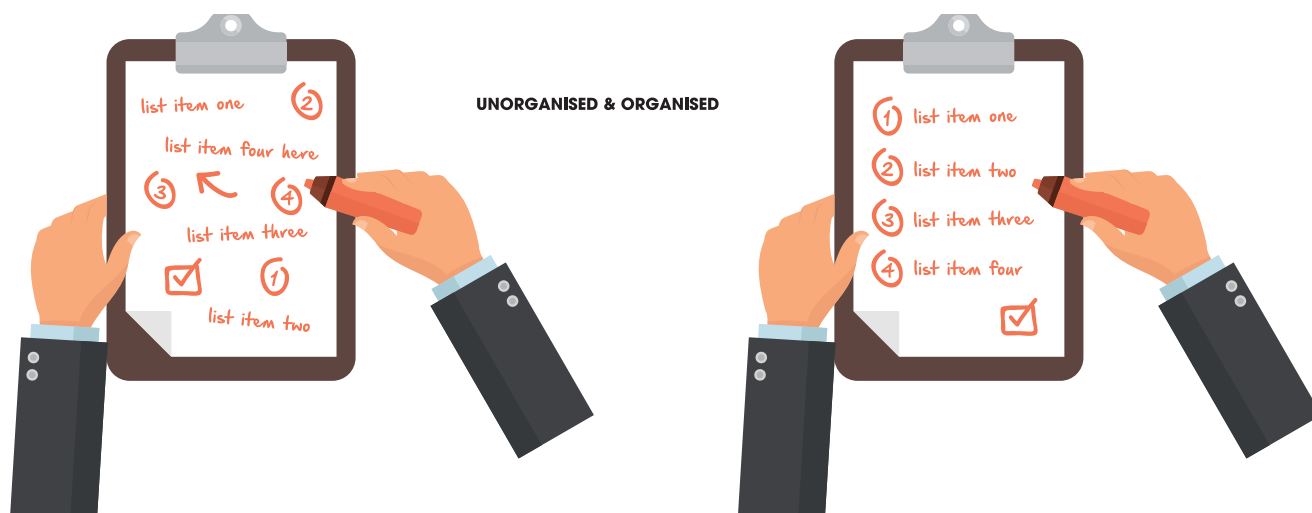
**Do you agree or disagree that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service which will include:**

- ▶ Workforce planning, management, appointment and development of staff
- ▶ The delivery of West Midlands Fire Service strategy
- ▶ Management of the West Midlands Fire Service

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

## Question 4:

The Mayor would be responsible for approving the community safety plan, budgeting, setting the fire Council Tax precept and appointing the Chief Fire Officer (CFO). The CFO currently reports to the Fire Authority, but under new arrangements would report directly to the Mayor. The CFO would still lead the day-to-day running of the fire service, including staff development, management of resources and importantly, delivering the fire service's strategic aims.



**Do you agree or disagree that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would**

- ▶ Improve the services which West Midlands Fire Service deliver
- ▶ Create a stronger strategic focus
- ▶ Improve collaboration to deliver joined-up services
- ▶ Widen and strengthen prevention and protection work with businesses and communities to reduce vulnerability to fire risks

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

# Question 5:



**Do you agree or disagree with the following statement:**

**The Order to transfer the Fire Service into the Combined Authority is likely:**

- ▶ to improve the statutory functions in the Combined Authority area
- ▶ to reflect the local communities
- ▶ to secure effective and convenient local government

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

# Tell us about yourself

The WMCA has a commitment to understanding the views and needs of different members of the community in the region. The "Tell us about yourself" section helps us understand which groups of people have taken part in the consultation and how views may vary between different groups. You are not required to answer these questions but your responses will help us make decisions based on evidence and will help us meet our duties under equality legislation.

## Question 6:



**Could you please tell us your age?**

- ☐ Under 16
- ☐ 16 - 24
- ☐ 25 - 44
- ☐ 45 - 64
- ☐ 65+
- ☐ I do not wish to disclose

## Question 7:

**Could you please disclose your sexual orientation?**

- ☐ Heterosexual
- ☐ Bisexual
- ☐ Gay
- ☐ Lesbian
- ☐ I do not wish to disclose

Other (please specify)

# Question 8:

## Ethnicity

- ☐ Asian British
- ☐ Indian
- ☐ Pakistani
- ☐ Bangladeshi
- ☐ White and black
- ☐ White and Asian
- ☐ Other mixed
- ☐ Black British
- ☐ Black Caribbean
- ☐ Black African
- ☐ White British
- ☐ White other
- ☐ Gypsy or Irish traveller
- ☐ I do not wish to disclose

Other (please specify)

---

# Question 9:

## Religion

- ☐ Christian (all denominations)
- ☐ Hindu
- ☐ Muslim
- ☐ None (includes atheist & Humanist)
- ☐ Sikh
- ☐ I do not wish to disclose

Other (please specify)

---

## Question 10:

**Could you please disclose your gender**

- ☐ Female
- ☐ Male
- ☐ Transgender
- ☐ I do not wish to disclose

## Question 11:

**Do you consider yourself to have a disability which has:**

- ☐ Severe impact on everyday life
- ☐ Mild impact on everyday life
- ☐ No disability
- ☐ Prefer not to state

Other (please specify)

---

## Question 12:

**Which constituent council area do you live in?**

- ☐ Birmingham City Council
- ☐ City of Wolverhampton Council
- ☐ Coventry City Council
- ☐ Dudley Metropolitan Borough Council
- ☐ Sandwell Metropolitan Borough Council
- ☐ Solihull Metropolitan Borough Council
- ☐ Walsall Council
- ☐ I don't live in the West Midlands
- ☐ I don't know which local authority area I live in

Other local authority area (please specify)

---



## Question 13:

**Do you work for the public sector?**

- ☐ Yes
- ☐ No

**if so, could you please tell us which organisation you work for.**

---

## Question 14:

**Where did you hear about this consultation?**

---

**Many thanks for taking part in this consultation. If you would like more information or to be kept updated, please provide an address or email address.**

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# Glossary:

**Community Safety Plan:** Sets West Midlands Fire Services priorities and objectives in a rolling, three-year document which identifies and analyses risks across the West Midlands. It is also known as the Integrated Risk Management Plan or IRMP and helps plan the delivery of prevention, protection and response services.

**Fire Advisory Committee:** A Committee made up of several councillors and partners from across the West Midlands Combined Authority geographical area, which will oversee and scrutinise decisions taken by the Mayor.

**WMCA constituent councils:** Birmingham City Council; Coventry City Council; Dudley Metropolitan Borough Council; Sandwell Metropolitan Borough Council; Solihull Metropolitan Borough Council; Walsall Metropolitan Borough Council; City of Wolverhampton Council.

**Statutory Order:** This is prepared by government and agreed by Parliament which applies further legislation to an existing Act. In this case, meaning the WMCA would be responsible for Fire Service activities. It allows changes to be introduced without having to pass a new act.

**Secretary of State:** A Cabinet Minister in charge of a government department. For the purposes of this consultation the Secretary of State is the Home Secretary.

**Governance Review:** A review of the current arrangements and the benefits that would result from the Fire Service being part of the WMCA.

**Scheme:** The proposed arrangements and responsibilities to enable the WMCA to undertake the role of the Fire Service.

**Once completed please post back to us to the following address: Customer Insight Team, 16 Summer Lane, Birmingham, B19 3SD**

**You can also fill in the consultation online at [www.wmca.org.uk/wmfs](http://www.wmca.org.uk/wmfs)**

**If you require a printed version of this document or if you need this document in a format more suited to your needs please email [Anna.Sirmoglou@wmca.org.uk](mailto:Anna.Sirmoglou@wmca.org.uk).**

**If you require help filling out the consultation call us at : 0345 835 8188 and for any other questions email [ConsultationViews@wmca.org.uk](mailto:ConsultationViews@wmca.org.uk)**



**WEST MIDLANDS**  
COMBINED AUTHORITY

Item 6

## **Summary of Consultation Responses**

Future Mayoral West Midlands Combined Authority  
Governance of the West Midlands Fire Service

**March 2018**

# Contents

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## 1. Executive Summary

The seven Metropolitan Constituent Councils, led by the West Midlands Combined Authority (WMCA) carried out the public consultation on the 'Scheme' document between 11 January 2018 – 8 March 2018.

The Scheme outlines the functions required for the WMCA to deliver the legislative functions of West Midlands Fire and Rescue Authority (the Service). This had followed a review of the governance arrangements of the Service by the multi stakeholder 'Future Governance Working Group' which recommended a Mayoral WMCA Governance arrangement [WMFRA Report - [Future Governance Working Group \(20 February 2017\)](#)]. The group sought to understand which governance model would deliver increased value to local communities through wider collaborative working. These proposed arrangements were further supported through a public consultation undertaken by West Midlands Fire and Rescue Authority (WMFRA) in 2017 and aligns to the wider Strategy of the Authority.

The consultation survey was hosted on the constituent councils' websites and links also provided from the WMCA website. The Survey was also available in easy read, audio and alternative languages on request from the WMCA Equalities and Diversity Manager. The survey consisted of five key questions, eight profile-based questions and a free text option for Q1 to provide any further feedback. 1005 responses were received through this medium (excluding one duplicate).

Paper copies of the consultation were available in public buildings, such as libraries, in the seven constituent council areas. 158 responses were received through this medium (excluding one spoilt paper copy).

Additionally officers from the West Midlands Fire Service (WMFS) shared the consultation with members of the public and key strategic partners through engaging as part of normal prevention duties. A number of command areas also undertook more focused engagement through 'consultation workshops', inviting members of the public and local community groups to understand the purpose of the proposals, as well as an opportunity to complete the survey itself.

### High Level Summary

Consultation Questions	Strongly Agree/ Agree		Neither agree or disagree		Strongly Disagree / Disagree		Don't Know	
	Responses	%	Responses	%	Responses	%	Responses	%
1. Proposed Governance Arrangements	543	47	108	9	473	40	35	3
2. Role of Fire Advisory Committee	680	59	79	7	374	32	23	2
3. Chief Fire Officer to be accountable to the Mayor	624	55	98	9	400	35	26	2
4. Lead to a more joined up and focused service	487	42	145	13	483	42	42	4
5. Meets the Secretary of State's Key Tests	452	39	175	15	476	41	55	5

## 2. Continued development of the West Midlands Combined Authority

In 2015 the seven metropolitan councils in the West Midlands: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton committed to establishing the West Midlands Combined Authority (WMCA). During the process of formalising this commitment, a partnership working across the West Midlands of the Black Country LEP, Coventry & Warwickshire LEP and the Greater Birmingham & Solihull LEP was agreed. This included non-constituent areas within the three LEPs and key economically linked authorities across the West Midlands.

The ongoing commitment to developing the government's devolution agenda created the opportunity for the WMFS to become part of the WMCA, therefore transferring governance from WMFRA. The Policing and Crime Act 2017, (PACA 2017), provides for a new duty to collaborate on each of the blue light emergency services, as well as new powers for Mayors and Police and Crime Commissioner (PCC) to become the Fire and Rescue Authority. Governance through a Mayor as part of a Combined Authority or the PCC are the main options being proposed by Government through the PACA 2017.

Governance through a Mayor as part of a Combined Authority is also enabled through the Cities and Devolution Act 2016. This is the legislative route that the proposed transfer of WMFRA to the WMCA and Mayor is following. This proposed change also aligns effectively to the principles of the PACA 2017 through enabling effective collaboration in the delivery of services and outcomes of efficiency, effectiveness, public safety and single accountability.

A Future Governance Working Group was commissioned at the start of 2017 to provide an options appraisal to enable an evidence based decision to be made on the most appropriate future governance for the WMFS and the best approach to achieving this. The options appraisal undertaken by the Group were supported by:

- the outcomes of a WMFRA public consultation focusing in the delivery of services to communities
- the current and future strategic directions of the Service and the WMCA
- the overall direction set by the Government (both policy and legislation) of reform and wider collaboration to enable efficiency, effectiveness and public safety. This reinforces the overall direction sought for the future governance of the Service through the Mayor as part of the WMCA. [WMFRA Report - [Future Governance Working Group \(20 February 2017\)](#)]

The proposal that the WMFS becomes part of the WMCA with the Chief Fire Officer reporting directly to the Mayor was put to the WMCA and the seven constituent councils at their meeting on the 3 March [Route Map to Mayoral WMCA Governance](#). Following this on the 8 September, '[Mayoral WMCA Governance of West Midlands Fire Service](#)', the WMCA agreed that a Governance Review be undertaken and a Scheme prepared.

The Governance Review and Scheme Documents were prepared and agreed with the Constituent Councils prior to their formal agreement and agreement to Consult at the WMCA meeting on the 8 December, '[Mayoral WMCA Governance of West Midlands Fire Service - Governance Review and Scheme](#)'.

In line with the legislative requirements of the Cities and Local Government Devolution Bill 2016, a consultation has been carried out in relation to the Fire Service proposals in the Mayoral WMCA 'Scheme', and associated documents such as the Governance Review.

The Scheme outlines the functions and legislative changes required for the Mayoral WMCA to govern the delivery of Fire Service functions to the West Midlands.

## **West Midlands Consultation**

The seven constituent councils, led by the WMCA, carried out the public consultation from 11 January to the 8 March 2018.

The consultation was aligned to the proposals in the '[Scheme](#)', to inform the Secretary of State for the Home Office, the Home Secretary's decision regarding the transfer of fire functions to WMCA. This report provides the Home Secretary with a summary of consultation responses.

### 3. Consultation across the West Midlands

#### Consultation Survey

The consultation survey was hosted on constituent councils' websites and the WMCA website.

The survey consisted of five key questions, eight profile-based questions and a free text option to provide any further feedback on the Scheme. 1005 responses were received through this medium (excluding one duplicate).

Paper copies of the consultation were available in public buildings, such as libraries, in the seven constituent council areas. The consultation poster, attached with the supporting documentation at appendix A, was displayed prominently in these public buildings. 158 responses were received through this medium (excluding one spoilt paper copy).

There was also supporting PR across the seven constituent councils, WMFS and the WMCA signposting people to the website to take part in the consultation. Usual council channels were utilised to engage with the public.

#### Awareness and engagement building up to and during the consultation

In order to reach all sections of the society the consultation has been promoted through a comprehensive range of digital and non-digital forums:

- WMCA website,
- Constituent council websites,
- WMFS website and social media pages,
- Press releases,
- Letters to key stakeholders (see Appendix C for stakeholder list),
- Letters to West Midlands MPs whose constituencies fall within the WMCA area,
- Letters to MEPs,
- WMFS stations are promoting the consultation through contact time with the communities as part of normal prevention based activities and focused command based workshop events,
- 1000 printed copies of the survey have been disseminated by staff to date such as youth engagement activities and places of worship,
- 200 copies to each constituent council for distribution at key location such as council offices and libraries,
- Graphics have also been provided to each constituent council for displaying on plasma screens.
- The survey was available in easy read and large print as well as cd audio formats upon request, a helpline was also set up to enable disabled members of the public to complete the survey with the support of a member of staff. A total



of four easy read versions, seven large print versions and four audio versions were requested.

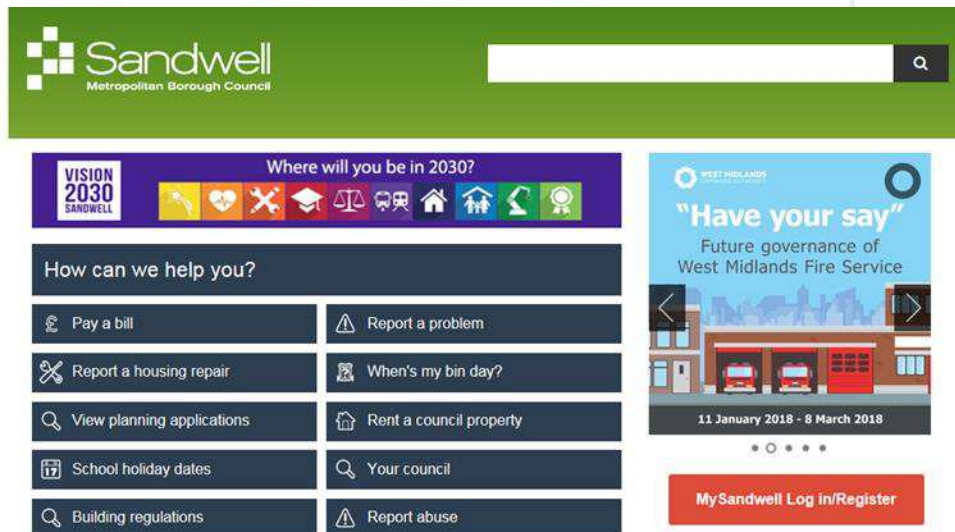
Various channels of communication were utilised, including a social media campaign which spanned the consultation period. The campaign was shared and widely supported by regional communications contacts including the seven constituent councils of the WMCA. A toolkit was provided to these contacts alongside a content planner for the final 10 days of the consultation. The social media campaign was further supported by constituent councils hosting a link to the consultation on their websites.

Advertisements were also utilised mostly across the transport network managed by Network West Midlands, in buses, trams and transport shops. During the final ten days of the consultation Facebook advertisements were also in operation set to target 'hard to reach' constituents such as under 25's, Black and Minority Ethnic Groups (BAME) and those from faith backgrounds. Disabled groups were contacted directly by email and were provided with consultations in easy read and audio formats alongside the provision of a support helpline for filling in the survey. Hardcopies of the consultation were also available across the seven constituent council areas in civic suites, libraries and on request from the councils themselves.

Press releases were issued at the beginning and nearing the end of the consultation which resulted in media coverage and increased reach of the consultation.

### Online Support:





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The Council > Current consultations > Current consultations > Future governance of West Midlands Fire Service

The Council

Current consultations

Current consultations

Future governance of West Midlands Fire Service

Budget Consultation 2018/19

Engagement on the Health and Social Care Commissioning Strategy

The Boundary Commission is conducting a review and needs your help

The Pharmaceutical Needs Assessment (2018) Consultation

Informal Consultation on the Proposed Merger of Whitgreave Infant School with Whitgreave Junior School

Formal Consultation on the Proposed Merger of Springdale Infant School with Springdale Junior

Future governance of West Midlands Fire Service

We are asking for your views on how the West Midlands Fire Service (WMFS) should be run in the future.

There are a number of reasons for proposed changes to this vital emergency service, including central government's public service reform and devolution agendas. Public services across the region have already begun to change and this will continue as West Midlands Combined Authority (WMCA) progresses.

Last year the WMFS commissioned an independent review of its current governance, considering several models, and identified the WMCA as the best possible future option. We are now consulting on the 'Scheme' document which describes the proposed governance structure.

This consultation will run from 11 January to 8 March.

There is a short survey and further information on the West Midlands Combined Authority website and we would welcome your feedback and any additional comments that you would like to make.

#haveyoursay

Please do take the time to #haveyoursay by visiting the WMCA website at: [www.wmca.org.uk/wmfs](http://www.wmca.org.uk/wmfs)

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## 4. Consultation statistics summary

### Overview of consultation format

The consultation was completed by 1163 respondents, this includes 158 paper copies and excludes one duplicated response and one spoilt hard copy.

The survey and supporting documents are appended to this report, in appendix A. A glossary of key terms found within the questions was also provided. This is also located in the appendix to this report.

Questions 1 – 5 of the consultation gave background to the proposed governance changes and posed a question in relation to each function area, with the following options:

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

A separate open text feedback was available after question 1 of the consultation:

*“Are there any other points you would like to make?”*

For the purpose of this summary this free text feedback has been grouped into common themes in pages 16-19 of this report.

## Top line consultation results\*

Consultation Questions	Strongly Agree/ Agree		Neither Agree or Disagree		Strongly Disagree / Disagree		Don't know	
	Responses	%	Responses	%	Responses	%	Responses	%
<p>1. Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:</p> <ul style="list-style-type: none"> <li>➤ Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)</li> <li>➤ Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils</li> <li>➤ Appointment of the Chief Fire Officer by the Mayor of the Combined Authority</li> </ul>	543	47	108	9	473	40	35	3
<p>2. Do you agree or disagree that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor?</p>	680	59	79	7	374	32	23	2
<p>3. Do you agree or disagree that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service which will include:</p> <ul style="list-style-type: none"> <li>➤ Workforce planning, management, appointment and development of staff</li> <li>➤ The delivery of West Midlands Fire Service strategy</li> <li>➤ Management of the West Midlands Fire Service</li> </ul>	624	55	98	9	400	35	26	2
<p>4. Do you agree or disagree that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would:</p> <ul style="list-style-type: none"> <li>➤ Improve the services which West Midlands Fire Service deliver</li> <li>➤ Create a stronger strategic focus</li> <li>➤ Improve collaboration to deliver joined-up services</li> <li>➤ Widen and strengthen prevention and protection work with businesses and communities to reduce vulnerability to fire risks</li> </ul>	487	42	145	13	483	42	42	4
<p>5. Do you agree or disagree with the following statement: The Order to transfer the Fire Service into the Combined Authority is likely:</p> <ul style="list-style-type: none"> <li>➤ to improve the statutory functions in the Combined Authority area</li> <li>➤ to reflect the local communities</li> <li>➤ to secure effective and convenient local government</li> </ul>	452	39	175	15	476	41	55	5

\*Respondents may not have answered all questions and % are rounded and so may not add up to 100%.

## 5. Response breakdown by question

### Question 1

Following an independent review of how your fire service is currently governed, we are proposing that the West Midlands Combined Authority (WMCA) will take on responsibility for West Midlands Fire Service (WMFS). The review examined how a new governance model could impact communities; deliver improved public services across the West Midlands; improve scrutiny, transparency and accountability, while providing value for money. Benefits of changing the WMFS governance include a more joined up way of working with WMCA members - such as local authorities, health providers and the police – contributing to a shared vision for the region, resulting in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.

**Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:**

- **Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)**
- **Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils**
- **Appointment of the Chief Fire Officer by the Mayor of the Combined Authority**

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

[please tell us why below]

### Question 1 Response summary

47% of respondents 'strongly agreed' or 'agreed' that the WMCA should take on the responsibility for the functions of the West Midlands Fire and Rescue Authority. Conversely, 40% of respondents strongly disagreed or disagreed with the proposed governance change.

An option to provide an open text feedback response to Question 1 was provided on the questionnaire. The most frequent comments/responses to this question included:

- *The proposals would represent a decline in the accountability of those in charge of the fire service, as well as local councillors.*
- *Lack of expertise/capacity within the WMCA to run the fire service.*

- *Satisfied with the current arrangements, which do not need changing.*
- *Concern/fear that various aspects of the fire service and other services are becoming increasingly politicised.*
- *Support for fire service to be within a larger regional organisation such as the WMCA to form a more coordinated approach/make more accountable.*

**A comprehensive analysis of the literal responses provided as part of question 1 of the questionnaire can be found in Section 6 of this consultation report.**

<b>Response</b>	<b>Frequency</b>	<b>%</b>
Strongly Agree	263	23
Agree	280	24
Neither agree or disagree	108	9
Disagree	133	11
Strongly Disagree	340	29
Don't know	35	3

## **Question 2**

If the WMCA ran the fire service, there would be a single point of accountability; the Mayor of the West Midlands. If the changes went ahead, a Fire Advisory Committee made up of 15 councillors, the Police and Crime Commissioner, Health and Ambulance Trust, would be put in place to review decisions taken by the Mayor.

**Do you agree or disagree that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor?**

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

## **Question 2 Response summary**

59% of respondents 'strongly agreed' or 'agreed' that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor. Conversely, 32% of respondents either 'strongly disagreed' or 'disagreed' with this element of the proposed governance changes.

<b>Response</b>	<b>Frequency</b>	<b>%</b>
Strongly Agree	349	30
Agree	331	29



Neither agree or disagree	79	7
Disagree	118	10
Strongly Disagree	256	22
Don't know	23	2

### Question 3

**Do you agree or disagree that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service which will include:**

- **Workforce planning, management, appointment and development of staff**
- **The delivery of West Midlands Fire Service strategy**
- **Management of the West Midlands Fire Service**

- ☐ Strongly agree  
☐ Agree  
☐ Neither agree or disagree  
☐ Disagree  
☐ Strongly disagree  
☐ Don't know

### Question 3 Response summary

55% of respondents 'strongly agreed' or 'agreed' that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service, whereas 35% either 'disagreed' or 'strongly disagreed'.

<b>Response</b>	<b>Frequency</b>	<b>%</b>
Strongly Agree	308	27
Agree	316	28
Neither agree or disagree	98	9
Disagree	141	12
Strongly Disagree	259	23
Don't know	26	2

### Question 4

The Mayor would be responsible for approving the community safety plan, budgeting, setting the fire Council Tax precept and appointing the Chief Fire Officer (CFO). The CFO currently reports to the Fire Authority, but under new arrangements would report directly to the Mayor. The CFO would still lead the day-to-day running of the fire service, including staff development, management of resources and importantly, delivering the fire service's strategic aims.

**Do you agree or disagree that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would:**

- **Improve the services which West Midlands Fire Service deliver**
- **Create a stronger strategic focus**
- **Improve collaboration to deliver joined-up services**
- **Widen and strengthen prevention and protection work with businesses and communities to reduce vulnerability to fire risks**

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

#### **Question 4 Response summary**

42% of respondents 'strongly agreed' or 'agreed' that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would achieve those aims outlined within the questions posed. Conversely, 42% of respondents 'strongly disagreed' or 'disagreed' with one or more of the aims listed.

<b>Response</b>	<b>Frequency</b>	<b>%</b>
Strongly Agree	234	20
Agree	253	22
Neither agree or disagree	145	13
Disagree	163	14
Strongly Disagree	320	28
Don't know	42	4

#### **Question 5**

**Do you agree or disagree with the following statement: The Order to transfer the Fire Service into the Combined Authority is likely:**

- **to improve the statutory functions in the Combined Authority area**
- **to reflect the local communities**
- **to secure effective and convenient local government**

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree or disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

## Question 5 Response summary

39% of respondents 'strongly agreed' or 'agreed' that the Order to transfer the Fire Service into the Combined Authority is likely to: improve the statutory functions in the Combined Authority area; reflect the local communities; and secure effective and convenient local government. 41% of respondents either 'strongly disagreed' or 'disagreed' with the question.

Response	Frequency	%
Strongly Agree	198	17
Agree	254	22
Neither agree or disagree	175	15
Disagree	151	13
Strongly Disagree	325	28
Don't know	55	5

## Questions 1 – 5: 'Don't know' responses received

The highest area of 'Don't know' responses received were in relation to Question 5 of questionnaire with 55 respondents choosing this option equating to 5%.

Questions 1 (Proposed Governance Arrangements), 2 (Role of Fire Advisory Committee), 3 (Chief Fire Officer to be accountable to the Mayor) and 4 (Lead to a more joined up and focused service) received the least 'don't know' responses, with 3%, 2%, 2% and 4% respectively. They were also the questions which received the most 'strongly agree' responses across the consultation.

## Responding to feedback

Both positive and negative feedback received will be addressed in various ways, including sharing information/feedback with the appropriate subject area lead/s, adapting frequently asked questions and incorporating feedback into communications plans to ensure continuous development, improvement and engagement.

## Tell us about yourself

In addition to the questions relevant to the proposed Fire Service governance changes, additional questions were also asked to analyse the demographics of the consultation respondents.

### Question 6

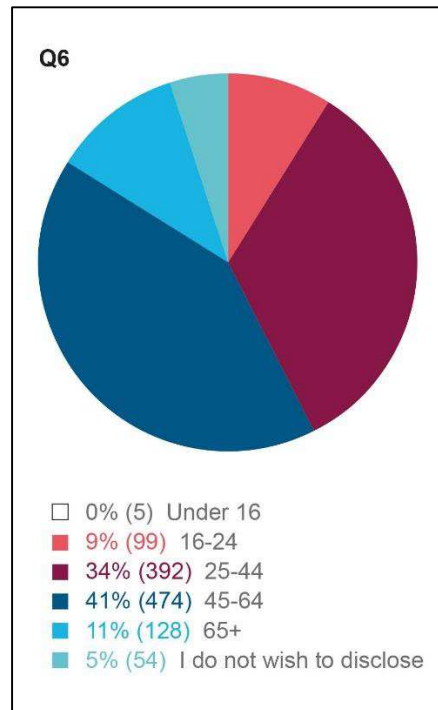
Respondents were asked:

**Could you please tell us your age?**

- ☐ Under 16
- ☐ 16-24
- ☐ 25-44

- ☐ 45-64
- ☐ 65+
- ☐ I do not wish to disclose

Responses are illustrated below:



## Question 7

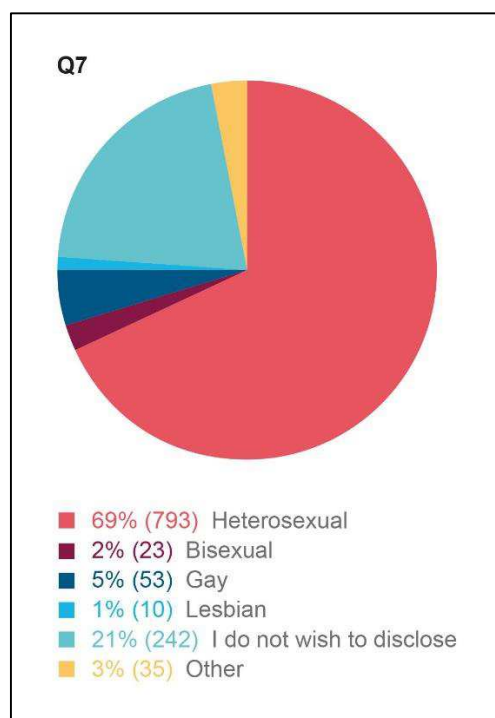
Respondents were asked:

**Could you please disclose your sexual orientation?**

- ☐ Heterosexual
- ☐ Bisexual
- ☐ Gay
- ☐ Lesbian
- ☐ I do not wish to disclose

Other (please specify)

Responses are illustrated below:



## Question 8

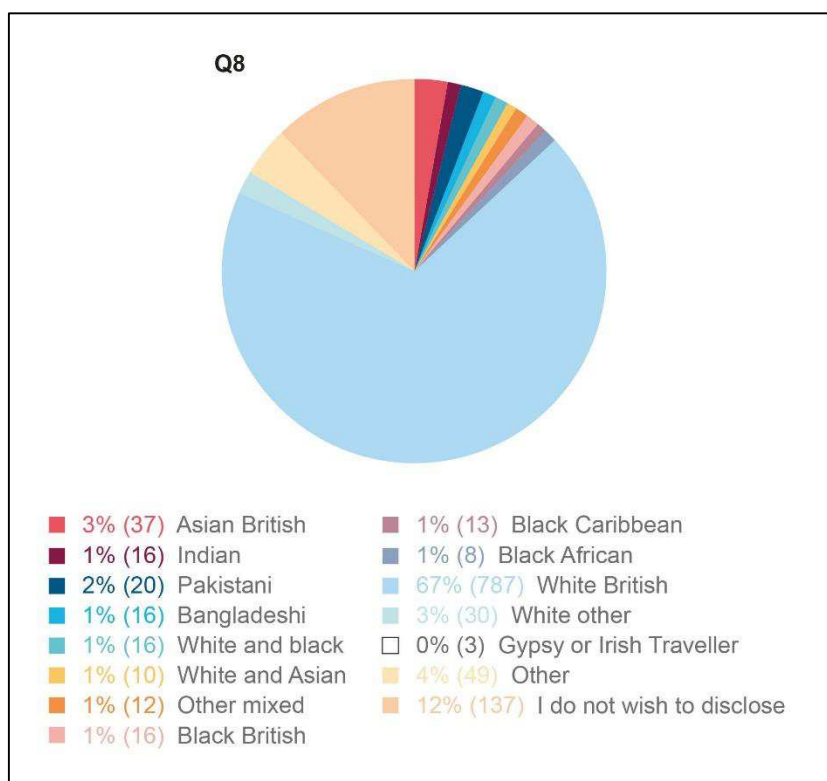
Respondents were asked:

### Ethnicity

- ☐ Asian British
- ☐ Indian
- ☐ Pakistani
- ☐ Bangladeshi
- ☐ White and black
- ☐ White and Asian
- ☐ Other mixed
- ☐ Black British
- ☐ Black Caribbean
- ☐ Black African
- ☐ White British
- ☐ White other
- ☐ Gypsy or Irish traveller
- ☐ I do not wish to disclose

Other (please specify)

Responses are illustrated below:



## Question 9

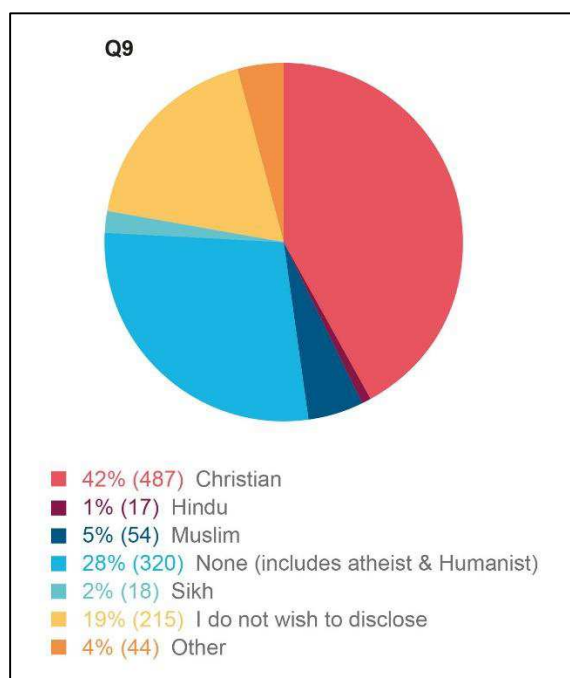
Respondents were asked:

### Religion

- ☐ Christian (all denominations)
- ☐ Hindu
- ☐ Muslim
- ☐ None (includes atheist & Humanist)
- ☐ Sikh
- ☐ I do not wish to disclose

Other (please specify)

Responses are illustrated below:



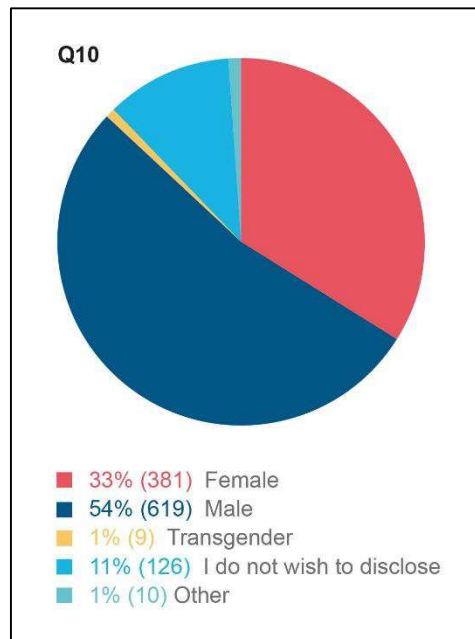
## Question 10

Respondents were asked:

**Could you please disclose your gender**

- ☐ Female
- ☐ Male
- ☐ Transgender
- ☐ I do not wish to disclose

Responses are illustrated below:



## Question 11

Respondents were asked:

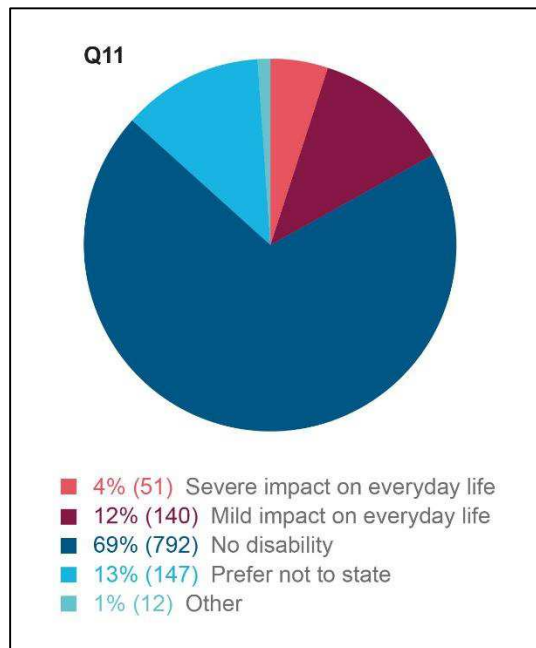
**Do you consider yourself to have a disability which has:**

- ☐ Severe impact on everyday life
- ☐ Mild impact on everyday life
- ☐ No disability
- ☐ Prefer not to state

Other (please specify)

Responses are illustrated below:





## Question 12

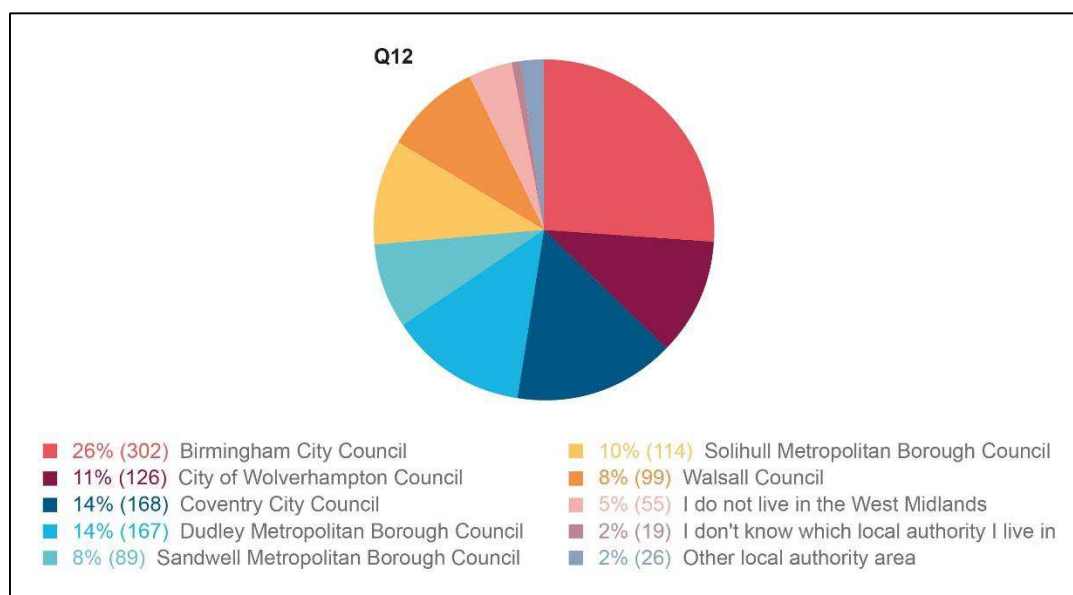
Respondents were asked:

**Which constituent council area do you live in?**

- ☐ Birmingham City Council
- ☐ City of Wolverhampton Council
- ☐ Coventry City Council
- ☐ Dudley Metropolitan Borough Council
- ☐ Sandwell Metropolitan Borough Council
- ☐ Solihull Metropolitan Borough Council
- ☐ Walsall Council
- ☐ I don't live in the West Midlands
- ☐ I don't know which local authority area I live in

Other local authority area (please specify)

Responses are illustrated below:



As required, the consultation was carried out by the constituent councils across the seven metropolitan council areas of the WMCA.

Additionally, several respondents from areas outside of the WMCA area have provided feedback in relation to proposals in the Scheme, which are included in the table below:

Local Authority	Number of respondents
Warwickshire	8
Staffordshire	5
Worcestershire	5
Gloucestershire	1
Shropshire	1
Telford and Wrekin	1
Unspecified	3

## Question 13

Respondents were asked:

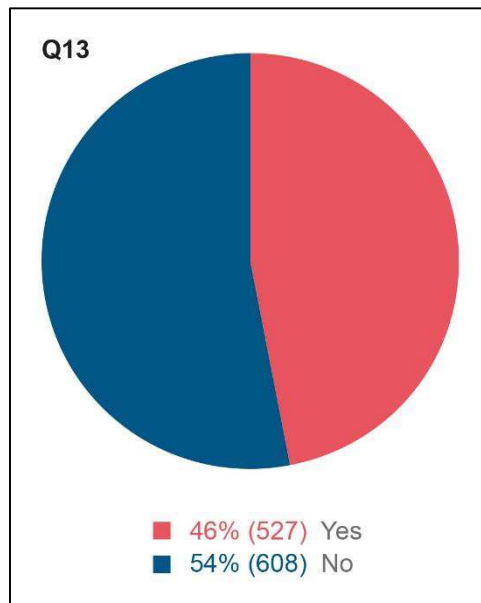
**Do you work for the public sector?**

☐ Yes

☐ No

If so, could you please tell us which organisation you work for.

Responses are illustrated below:

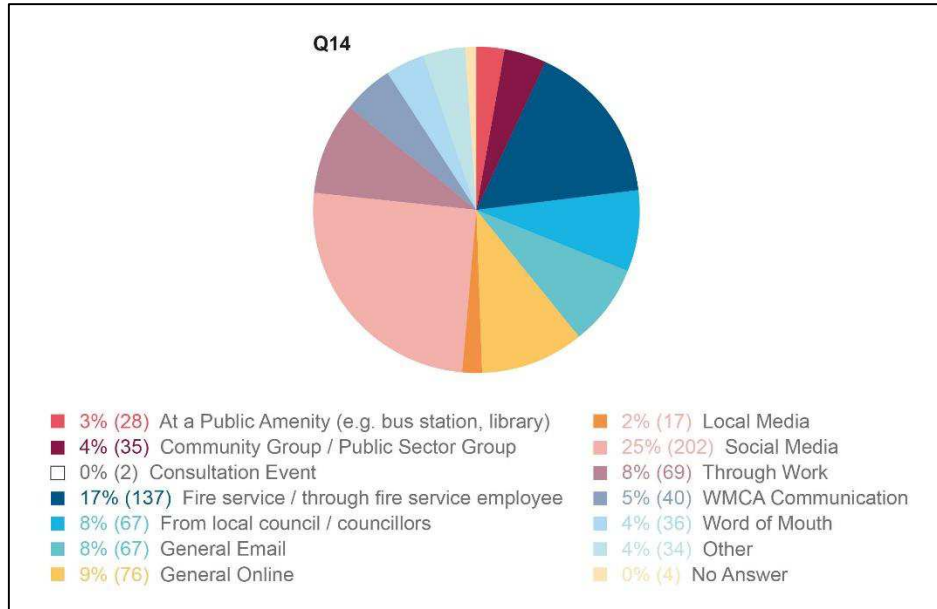


## Question 14

Respondents were asked:

**Where did you hear about this consultation?**

Responses are illustrated below:



## 6. Open text feedback by theme

The consultation contained an open text feedback option as part of Question 1, as below:

***Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:***

- ***Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)***
- ***Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils***
- ***Appointment of the Chief Fire Officer by the Mayor of the Combined Authority***

***Are there any other points you would like to make?***

171 comments were submitted under this free text option. The comments varied in tone, theme and relevance. Some of the responses may not be directly related to the proposals in the Scheme itself but are still relevant to consider as part of the overall consultation.

The free text responses which had a frequency of two or more are summarised by theme below (those with a frequency of one are detailed in a table after the summary):

- 18 of the comments received (11%) stated that the proposals would represent a decline in the accountability of those in charge of the fire service, as well as local councillors.
- 18 of the comments received (11%) raised fears over a lack of expertise/capacity within the WMCA to run the Fire Service.
- 17 of the comments received (10%) expressed satisfaction with the current arrangements while suggesting the current governance scheme does not need changing.
- 16 of the comments received (9%) raised concerns that various aspects of the fire service and other services are becoming increasingly politicised.
- 12 of the comments received (8%) expressed support for fire service to be within a larger regional organisation such as the WMCA to form a more coordinated approach/make more accountable.
- Nine of the comments received (5%) referred to a lack of faith that enough money will be spent to support the Fire Service across the region.
- Nine of the comments received (5%) raised concern over perceived additional expenditure and/or bureaucracy changes would bring.

- Seven of the comments received (4%) said that the running of the fire service should stay with the Chief Fire Officer.
- Five of the comments received (3%) stated their general opposition to the WMCA/Mayor, but did not comment on the proposals specifically.
- Four of the comments received (3%) said that the WMCA is taking on too many responsibilities too quickly since its inception.
- Four of the comments received (3%) said local councils/councillors should decide whether the proposals go ahead.
- Three of the comments received (2%) suggested the Council Tax income should be apportioned to reflect the needs of each individual local authority.
- Three of the comments received (2%) said there should be safeguards to protect the WMFS budget and specialist decision making.
- Three of the comments received (2%) felt the new proposals suggested as part of the consultation are already a foregone conclusion.
- Three of the comments received (2%) said that the WMCA running the Fire Service would be preferable to the Fire Service being run under the Police and Crime Commissioner instead.
- Three of the comments received (2%) raised concern that the quality of the Fire Service would decrease.
- Three of the comments received (2%) said the proposed changes were too difficult for the average person to understand.
- Three of the comments received (2%) said they would like to see a decent level of savings made as part of the proposals.
- Two of the comments received (1%) raised general opposition to the proposals.
- Two of the comments received (1%) argued the current fire authority isn't working as WMFS has too much middle/senior management.
- Two of the comments received (1%) were concerned that the new governance structure could hamper current partnerships with the NHS and third sector.
- Two of the comments received (1%) said the Fire Service is unable to budget properly under the current arrangement.
- Two of the comments received (1%) from respondents were not worried how the Fire Service is managed as long as it is done well and the relevant staff are happy.

- Two of the comments received (1%) stated that the Fire Unions should have been involved at an earlier stage.
- Two of the comments (1%) said the Fire Authority is currently democratic with a mix of views.

Further comments which were received during the consultation are listed in the table below:

Response by theme	Frequency
Police should be governed by WMCA and Mayor to be PCC as in London & Manchester.	1
Birmingham City Council cannot be trusted to utilise taxpayers' money.	1
Communications need to be improved.	1
Current staff should be protected and be given opportunities for transfer to new authority or voluntary redundancy.	1
The Fire Service should be run and funded by central government.	1
The Fire Service should be privatised to allow choice for tax payers.	1
'Yet another American system'.	1
Only the benefits of WMCA taking control of WMFS have been presented, you do not show the other side.	1
I would expect the Community Safety Plan to be subject to public consultation.	1
More fire engines and rescue boats are needed.	1
Open Walsall Fire Station.	1
Hand Coventry area to Warwickshire Fire & Rescue - better value for money for all parties.	1
Would like to see the Mayor engage regularly with firefighters.	1
There is also scope for closer collaboration with WMAS perhaps with some shared stations.	1
What are the thoughts of the PCC?	1
The appointment of the Chief Fire Officer should not be by the Mayor.	1
Would describe the proposals as 'micromanaging'.	1
Expressed wish not to alter firefighters contracts.	1
The WMFS are not being updated when residents have already had their free Safe and Well Check.	1
Insufficient room provided to submit response.	1
Making the WMCA larger doesn't necessarily mean the service will be better.	1
Fire station in West Bromwich is a vital part of the town.	1
The number of councillors should be reduced	1
Lack of trust for local councils	1

Segregation of budget decisions and safety decisions are limited.	1
The mayor was not voted in to take on this role	1
Perception the proposals would mean the closure of local facilities for emergency services.	1
Would like to see other options available	1
The firefighters should have their say first	1
Please bring back the West Midlands county boundary	1
The Mayor is governed by the Councils	1
There is not enough information to make an informed decision	1
Preference for more than one person to be in charge	1
Preference for Aldridge Fire Station to remain open	1
No one but Phil Loach will have any idea how a fire service runs	1

## 7. Stakeholder Representations

As well as formal consultation responses via online or paper methods, stakeholder representations were made regarding the proposals in connection with the Mayoral West Midlands Combined Authority Scheme Appendix B.

Stakeholder representations were received from:

Fire Brigades Union FBU

Anthea McIntyre MEP

Full details are provided in Appendix C



## Appendix A – Consultation Documentation

### Consultation Poster



### Consultation Survey

## Appendix B - Stakeholder List

<u>Title</u>	<u>Saluation</u>	<u>Constituency</u>
<b>MPs</b>		
Wendy Morton MP	Ms Morton	Aldridge-Brownhills
Preet Gill MP	Ms Gill	Birmingham Edgbaston
Jack Dromey MP	Mr Dromey	Birmingham Erdington
Roger Godsiff MP	Mr Godsiff	Birmingham Hall Green
Rt Hon Liam Byrne MP	Mr Byrne	Birmingham Hodge Hill
Shabana Mahmood MP	Ms Mahmood	Birmingham Ladywood
Richard Burden MP	Mr Burden	Birmingham Northfield
Khalid Mahmood MP	Mr Mahmood	Birmingham Perry Barr
Steve McCabe MP	Mr McCabe	Birmingham Selly Oak
Jess Phillips MP	Ms Phillips	Birmingham Yardley
Colleen Fletcher MP	Ms Fletcher	Coventry North East
Geoffrey Robinson MP	Mr Robinson	Coventry North West
Jim Cunningham MP	Mr Cunningham	Coventry South
Ian Austin MP	Mr Austin	Dudley North
Mike Wood MP	Mr Wood	Dudley South
James Morris MP	Mr Morris	Halesowen and Rowley Regis
Rt Hon Dame Caroline Spelman	Dame Caroline	Meriden
Julian Knight MP	Mr Knight	Solihull
Rt Hon Andrew Mitchell MP	Mr Mitchell	Sutton Coldfield
Rt Hon Eddie Hughes MP	Mr Hughes	Walsall North
Valerie Vaz MP	Ms Vaz	Walsall South
Rt Hon John Spellar MP	Mr Spellar	Warley
Tom Watson MP	Mr Watson	West Bromwich East
Adrian Bailey MP	Mr Bailey	West Bromwich West
Emma Reynolds MP	Ms Reynolds	Wolverhampton North East
Rt Hon Pat McFadden MP	Mr McFadden	Wolverhampton South East
Eleanor Smith MP	Ms Smith	Wolverhampton South West
Margot James MP	Ms James	Stourbridge
Rt Honourable Sajid Javid MP		
Rt Honourable Nick Hurd MP		
Ms Chloe Dunnett		Home Office
Mr Stephen Polly		Home Office

**MEPs**

Jill Seymour MEP	Ms Seymour	UKIP
Neena Gill MEP CBE	Ms Gill	Labour
Dan Dalton MEP	Mr Dalton	Conservative
James Carver MEP	Mr Carver	UKIP
Siôn Simon MEP	Mr Simon	Labour
Anthea McIntyre MEP	Ms McIntyre	Conservative
Bill Etheridge MEP	Mr Etheridge	UKIP

**Black and Ethnic Minorities**

The Manager	Sir/Madam	Birmingham Muslim Foundation Islamic Society of Britain (Birmingham branch) Jami Masjid and Islamic Centre Birmingham
Ms Mehmooda Qureshi	Ms Qureshi	Arrahma Islamic Centre Birmingham Central Mosque
The Manager	Sir/Madam	Nishkam Centre
To whom it may concern	Sir/Madam	Guru Nanah Gurdwara Sahib Walsall
To whom it may concern	Sir/Madam	Sikh Community and Youth Service UK
Bhai Sahib Bhai (Dr) Mohinder Singh OBE KSG	Dr Singh	West Midlands Police Sikh Association
To whom it may concern	Sir/Madam	Shree Hindu Community Centre Bengali Association Midlands Shree Geeta Bhawan Temple & Hindu Priest Services
The Manager	Sir/Madam	Hindu Cultural Resource Centre Durga Bhawan
The Manager	Sir/Madam	The Polish Centre
To whom it may concern	Sir/Madam	Emerging Communities Network
To whom it may concern	Sir/Madam	Emerging Communities Network Afro Caribbean Millennium Centre
The Manager	Sir/Madam	African Community Council For the Regions
To whom it may concern	Sir/Madam	

## **Future Governance Working Group**

Brian Nash

Jonathon Jardine

Paul Faulkner

Keith Ireland

Nick Page

Tony Yeaman

Barbara Watt

Simon Brake

Richard Bacon

Home Office

WM PCC Office

Birmingham Chamber of  
Commerce

MD City of Wolverhampton  
Council

CEx Solihull Council

Weightmans

Walsall Council

Coventry Council

PwC





**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**16 APRIL 2018**

1. **EXTERNAL AUDIT WORK PROGRAMME AND SCALE OF FEES FOR 2018/19**

Report of the Chief Fire Officer

RECOMMENDED

THAT the Authority note the external audit work programme and scale of fees for the 2018/19 audit work to be undertaken by Grant Thornton UK LLP.

2. **PURPOSE OF REPORT**

This report is submitted to inform the Authority of the external audit work programme and scale of fees for 2018/19 as set out in the Planned Audit Fee for 2018/19 letter attached as Appendix 1.

3. **BACKGROUND**

- 3.1 Members will recall that following an exercise to outsource the public body audit work of the Audit Commission's in-house audit practice, the contract for undertaking of the external audit of this Authority was awarded to Grant Thornton UK LLP.
- 3.2 When the Audit Commission announced the contract awards, it also confirmed that the scale of fees for the delivery of the work programme would be reduced by 40% in comparison to the 2011/12 scale of fees. The scale of fees proposed for the delivery of the 2018/19 work programme is £29,750, a reduction of £8,886 compared to the 2017/18 fee of £38,636.
- 3.3 Similarly, the work programme proposed for 2018/19 is broadly the same as the 2017/18 work programme. Essentially, the work programme will consist of an audit of the financial statements, audit work to enable a value for money conclusion and on the Whole of Government Accounts (WGA) return. This

is applicable to all public bodies.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment has not been carried out. The matters contained in this report will not lead to policy change.

6. **LEGAL IMPLICATIONS**

The Local Audit Bill sets out the framework to support the delivery of local public audit arrangements.

7. **FINANCIAL IMPLICATIONS**

The proposed scale fee for the 2018/19 external audit work programme is £29,750.

The contact officer for this report is Phil Hales, Deputy Chief Fire Officer, 0121 380 6907.

PHIL LOACH  
CHIEF FIRE OFFICER





Our ref: Our ref: RDP/EJMW09000020/Fee\_Letter\_18-19

Mr M Griffiths  
Strategic Enabler of Finance and Resources  
West Midlands Fire & Rescue Authority  
West Midlands Fire Service Headquarters  
99 Vauxhall Road  
Birmingham  
B7 4HW

26 March 2018

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**Grant Thornton UK LLP**

The Colmore Building  
20 Colmore Circus  
Birmingham  
B4 6AT

T +44 (0)121 212 4000  
F +44 (0)121 212 4014

Dear Mike

## Planned audit fee for 2018/19

The Local Audit and Accountability Act 2014 (the Act) provides the framework for local public audit. Public Sector Audit Appointments Ltd (PSAA) has been specified as an appointing person under the Act and the Local Authority (Appointing Person) Regulations 2015 and has the power to make auditor appointments for audits of opted- in local government bodies from 2018/19.

For opted- in bodies PSAA's responsibilities include setting fees, appointing auditors and monitoring the quality of auditors' work. Further information on PSAA and its responsibilities are available on the [PSAA website](#).

### Scale fee

PSAA published the 2018/19 scale fees for opted-in bodies in March 2018, following a consultation process. Individual scale fees have been reduced by 23 percent from the fees applicable for 2017/18. Further details are set out on the [PSAA website](#). The Fire Authorities scale fee for 2018/19 has been set by PSAA at £29,750.

PSAA prescribes that 'scale fees are based on the expectation that audited bodies are able to provide the auditor with complete and materially accurate financial statements, with supporting working papers, within agreed timeframes'.

The audit planning process for 2018/19, including the risk assessment, will continue as the year progresses and fees will be reviewed and updated as necessary as our work progresses.

### Scope of the audit fee

There are no changes to the overall work programme for audits of local government audited bodies for 2018/19. Under the provisions of the Local Audit and Accountability Act 2014, the National Audit Office (NAO) is responsible for publishing the statutory Code of Audit Practice and guidance for auditors. Audits of the accounts for 2018/19 will be undertaken under this Code. Further information on the NAO Code and guidance is available on the [NAO website](#).

The scale fee covers:

- our audit of your financial statements;

- our work to reach a conclusion on the economy, efficiency and effectiveness in your use of resources (the value for money conclusion); and
- our work on your whole of government accounts return (if applicable).

PSAA will agree fees for considering objections from the point at which auditors accept an objection as valid, or any special investigations, as a variation to the scale fee.

## Value for Money conclusion

The Code requires us to consider whether the Fire Authority has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources. This is known as the Value for Money (VfM) conclusion.

The NAO issued its latest guidance for auditors on value for money work in November 2017. The guidance states that for local government bodies, auditors are required to give a conclusion on whether the Fire Authority has put proper arrangements in place.

The NAO guidance identifies one single criterion for auditors to evaluate:

*In all significant respects, the audited body had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.*

## Billing schedule

Fees will be billed as follows:

Main Audit fee	£
September 2018	7,438
December 2018	7,438
March 2019	7,437
June 2019	7,437
<b>Total</b>	<b>29,750</b>

## Outline audit timetable

We will undertake our audit planning and interim audit procedures in November 2018 to March 2019. Upon completion of this phase of our work we will issue a detailed audit plan setting out our findings and details of our audit approach. Our final accounts audit and work on the VfM conclusion will be completed in July 2019 and work on the whole of government accounts return in July 2019.

Phase of work	Timing	Outputs	Comments
Audit planning and interim audit	January to March 2019	Audit plan	The plan summarises the findings of our audit planning and our approach to the audit of the Authority's accounts and VfM.
Final accounts audit	June 2019	Audit Findings (Report to those charged with governance)	This report sets out the findings of our accounts audit and VfM work for the consideration of those charged with governance.

VfM conclusion	January to July 2019	Audit Findings (Report to those charged with governance)	As above
Whole of government accounts	July 2019	Opinion on the WGA return	This work will be completed alongside the accounts audit.
Annual audit letter	September 2019	Annual audit letter to the Authority	The letter will summarise the findings of all aspects of our work.

## Our team

The key members of the audit team for 2018/19 are:

	Name	Phone Number	E-mail
Engagement Lead	Richard Percival	07584 591508	<a href="mailto:richard.d.percival@uk.gt.com">richard.d.percival@uk.gt.com</a>
Senior Manager	Emily Mayne	07880 456112	<a href="mailto:emily.j.mayne@uk.gt.com">emily.j.mayne@uk.gt.com</a>
In charge Auditor	Steph Quartermaine	0121 232 5238	<a href="mailto:steph.quartermaine@uk.gt.com">steph.quartermaine@uk.gt.com</a>

## Additional work

The scale fee excludes any work requested by the Fire Authority that we may agree to undertake outside of our Code audit. Each additional piece of work will be separately agreed and a detailed project specification and fee agreed with the Fire Authority.

## Quality assurance

We are committed to providing you with a high quality service. If you are in any way dissatisfied, or would like to discuss how we can improve our service, please contact me in the first instance. Alternatively you may wish to contact Mark Stocks, our Public Sector Assurance regional lead partner, via [mark.c.stocks@uk.gt.com](mailto:mark.c.stocks@uk.gt.com).

Yours sincerely



Richard Percival  
Engagement Lead  
For Grant Thornton UK LLP



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**16 April 2018**

1. **CONTRACT AWARDS SUMMARY FOR PERIOD TO 31 MARCH 2018**

Report of the Chief Fire Officer

RECOMMENDED

THAT the Authority note the attached Appendix which summarises the contracts in excess of £250,000 that have been awarded since September 2017.

2. **PURPOSE OF REPORT**

This report provides a six-month summary of all contracts that have been awarded since September 2017.

3. **BACKGROUND**

3.1 At the Authority meeting on the 29 June 2015, Members approved a number of revisions to the Constitution. One of the revisions was that a retrospective twice yearly summary report of tender contract awards in excess of £250,000 be submitted to the Fire Authority for information purposes.

3.2 In accordance with the above requirement, a summary of those contracts awarded is attached as 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 lead to a policy change.

5. **LEGAL IMPLICATIONS**

The procurement processes that were followed for the procurement exercises detailed in the Appendices to this report were conducted in

accordance with the Authority's Procurement Standing Orders and the Public Contract Regulations 2015.

6. **FINANCIAL IMPLICATIONS**

These are contained in the attached Appendices.

7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

**BACKGROUND PAPERS**

Authority Meeting 21 September 2015

Standing Order 1/8 – Procurement Procedures

The contact name for this report is Phil Hales, telephone number 0121 380 6907.

PHIL LOACH  
CHIEF FIRE OFFICER

## APPENDIX 1

Contract Title	Winning Supplier	Approval Date	Contract Period (Including Extension Options)	Annual Contract value or Total Value for one off Purchase	Total Contract Value (including extension periods)	Budget PA	Basis of award e.g. Lowest Price or MEAT*	Date and Minute Number of Planned Tender Report	Any Other Relevant Information
Boiler Refurbishment works at Dudley, Northfield and Willenhall Fire Stations	Lot 1 – Dudley: Senate (Mech) Ltd	19 December 2017	One off purchase	Dudley - £105,000	£260,000	£260,000	MEAT	20 February 2017	
	Lot 2 – Northfield: Arrow Services (Midlands) Limited			Northfield: £79,000					
	Lot 3 – Willenhall: Carter Synergy Ltd			Willenhall: £76,000					
Repair and Maintenance of Appliance Bay Doors	BID Group Limited	9 February 2018	4 years	£65,000	£260,000	£65,000	MEAT	20 February 2017	
Window and Door Replacements at Aldridge, Billesley, Foleshill, Hay Mills, Perry Barr, Smethwick and Solihull Fire Stations	Aldridge, Billesley, Foleshill, Hay Mills and Smethwick: Hazelmere Ltd	5 December 2017	One off purchase	£430,000	£453,000	£453,000 Includes £120,000 carried forward for Smethwick Fire Station	MEAT	20 February 2017	
	Perry Barr and Solihull: Bell Limited			£23,000					
Pump Rescue Ladders (PRLs)	Angloco Limited	28 November 2017	3 years	£1,290,000	£3,870,000	£1,290,000	MEAT	20 February 2017	

Framework Agreement for supply of Gas Monitors	Life Safety Distribution GmbH	29 January 2018	4 years	Unknown	Up to £20m	£50,000*	MEAT	18 September 2017	Framework available to all UK Police, Fire and Ambulance Services. *The Authority's expenditure is £50,000 in the first year
Vehicle Leasing Agreement	Various Suppliers	25 September 2017	2 years	Unknown	Unknown	Zero	Price only	18 September 2017	A mini-competition will be run electronically when an employee requests a vehicle. All costs will be met by the employee, therefore zero cost to the Authority
ENERGY	Corona - Gas Supply	9 March 2018	2 years	£320,000	£640,000	£1,010,000	Direct Award through national framework agreement	20 February 2018	
	British Gas - non-half hourly Electricity supply			£380,000	£760,000				
	EDF - half hourly Electricity			£310,000	£620,000				

\* Most Economically Advantageous Tender (MEAT)



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**16 APRIL 2018**

1. **STATEMENT OF ASSURANCE 2016-2017**

Joint report of the Chief Fire Officer, the Clerk to the Authority, and the Monitoring Officer.

RECOMMENDED

THAT the Authority approves the Statement of Assurance 2016-17.

2. **PURPOSE OF REPORT**

This report is submitted to seek approval for the Statement of Assurance 2016-17, which the Authority are legally obliged to produce and review on an annual basis under the Fire and Rescue National Framework.

3. **BACKGROUND**

3.1 The Fire and Rescue National Framework for England published in July 2012 sets out a requirement for Fire and Rescue Authorities to publish 'Statements of Assurance' and review them annually. The requirement is contained within Chapter 3 of the Framework which focuses entirely on 'assurance'.

3.2 In line with this expectation, the Authority's Statement of Assurance (attached as Appendix 1) has been reviewed for the year 2016-17 and is submitted for approval.

3.3 The Government has indicated that there are four key areas that should form part of any Statement of Assurance. These are:

- Financial
- Governance
- Operational

- Future improvements

3.4 With regard to our arrangements the following are all part of West Midlands Fire and Rescue Service's (WMFS) assurance process.

#### 3.4.1 **Financial**

The Authority publishes its Statement of Accounts, pay policy, transparency data, internal and external audit information. Each year the auditors discharge pre-agreed audit plans and are invited to the Fire Authority and Audit Committee to give their findings.

Additionally, the outcomes are published via Fire Authority meetings, the Internet and contained within the Annual Report.

#### 3.4.2 **Governance**

Each year the Authority produces its Annual Governance Statement in support of its accounts. This statement expresses the measures undertaken to ensure propriety. In addition, the Fire Authority maintains a level of scrutiny of the Service through its governance framework, the reports of which are all publicly available.

#### 3.4.3 **Operational**

The Fire Authority publishes and consults on its Community Safety Strategy (Integrated Risk Management Plan) on at least a three-yearly basis. This process of consultation is robust and is in line with the Fire Authority's own consultation strategy which is based on government guidance.

#### 3.4.4 **Future Improvements**

Future improvements reflect on our work to continuously improve our Service Delivery model through the Prevention, Protection and Response integration project in order to deliver our vision of 'Making West Midlands safer, stronger and healthier'.

- 3.5 It is reassuring to note that the overwhelming majority of the information required as part of the Statement of Assurance is established within the organisation and the vast majority of the documents are already within the public domain. However, we do acknowledge the benefits of bringing these together within a single document in terms of providing transparency. The Statement of Assurance also ensures compliance with our specific data transparency requirements, for example the Local Government Transparency Code.
- 3.6 The Statement of Assurance brings together our key financial, governance and operational assurances together within one publication. It is the intention that the document will be live and to this end there will be electronic links from it to other corporate documents referenced therein. This will enable the reader to evaluate and make a valid assessment of our performance.
- 3.7 The Authority is required to review this document annually to reflect the previous year's activity.

#### 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 do not relate to a policy change.

#### 5. **LEGAL IMPLICATIONS**

The preparation of the Statement of Assurance document is a legal requirement as part of the Fire and Rescue Services National Framework for England.

#### 6. **FINANCIAL IMPLICATIONS**

The Statement of Assurance will be a web based publication. No hard copies will be produced and as such there are no direct financial implications.

## **BACKGROUND PAPERS**

Fire and Rescue National Framework for England, DCLG, 2012

Guidance on statements of assurance for Fire and Rescue Authorities in England, DCLG, May 2013

Report by the Home Secretary on Fire and Rescue Authorities' progress with the Fire and Rescue National Framework for England (July 2016)

Firefighter fitness: addendum to the Fire and Rescue National Framework for England

The contact name for this report is DCFO Phil Hales, telephone number 0121 380 6004

PHIL LOACH  
CHIEF FIRE OFFICER

KAREN GOWREESUNKER  
CLERK TO THE AUTHORITY

SATINDER SAHOTA  
MONITORING OFFICER



WEST MIDLANDS FIRE SERVICE

Making the West Midlands Safer, Stronger and Healthier

[wmfs.net](http://wmfs.net) @WestMidsFire

# West Midlands Fire and Rescue Authority Statement of Assurance

**2016 - 2017**

Published April 2018

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Statement of Assurance

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Governance ..... 8

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Future Improvements ..... 20



## New Foreword To Follow

West Midlands Fire Service prides itself on delivering excellent Prevention, Protection and Response activities and are committed to providing confidence to communities, partners and businesses that our organisation delivers these priorities in an excellent way. This Statement of Assurance is designed to provide information for people in the West Midlands about the structures, systems, processes and evaluation in place to deliver these services in a well governed, legally compliant and value for money way.

Driving down risk forms a key aim of our integrated risk management. Whilst this spans across all of our priorities, at the heart of our service delivery model is the commitment we have made to a 5 minute risk based attendance standard for incidents which pose the greatest threat to our communities. This standard is grounded in academic research and evidence from a wide range of sectors including health, fire and academic institutes.

We maintain our commitment to this despite reducing budgets over the last 12 month, seeking to identify opportunities to enhance and expand the services we provide our communities. With core funding reductions of circa £10 million between 2016-2020, through partnership and collaboration we have sought to explore flexible funding streams which will generate income to support our service delivery model. This with the aim to achieving joint outcomes which better the lives of individual's in some of our highest risk communities. Examples include:

- Utilisation of Exeter Data from the NHS to identify the location of high risk individuals
- Delivering falls response services in Coventry as part of our growing involvement in delivering the health agenda
- Evolving our Home Fire Safety Check programme into the newly formed Safe and Well Check which improves the health and wellbeing of individuals
- Establishing a business development team designed to begin exploring how we can develop a flexible funding streams to offset some of the budget reductions from our core funding.

As a result we revised our vision to reflect the modern role we play in making the West Midlands Safer, Stronger and Healthier.



**Councillor John Edwards**

Chair, West Midlands  
Fire & Rescue Authority



**Phil Loach**

Chief Fire Officer  
West Midlands Fire Service

## New Foreword To Follow

Key to our success over the last 12 months has been the flexibility and commitment all staff who have been change ready, leading on delivering innovative solutions to the challenges we face. Continuing with the evidence based approach we take to our decision making, we deliver our service through our well established Community Safety Strategy (Integrated Risk Management Plan). We use the risk analysis to inform us of the optimum locations for our resources to deliver prevention, protection and response services to reduce the risk to our communities. The Community Safety Strategy also provides the evidence base for our service delivery model, consisting of:

- 38 Fire Stations;
- Staffed by 1168 full time firefighters who are able to deliver integrated prevention, protection and response services 24/7 to our communities; using
- 41 Fire Engines to respond to the most serious emergencies; supported by
- 19 Brigade Response Vehicles; and
- 58 Technical Rescue specialists
- 61 Protection Specialists
- Fire Control Staff.

We continue to consider flexible deployment options which supports our service delivery model and integrated Prevention, Protection and Response activities. Our whole-time establishment is complemented by on call arrangements which includes: Personnel undertaking specialist roles on an on call basis in addition to their day to day roles; Personnel volunteering to be on call to undertake additional shifts when needed and uniformed department personnel who crew appliances to maintain our service delivery model. The activities undertaken by our firefighters are wide ranging within the integrated service delivery model. What we mean by this is that the people who attend emergency incidents are also the same people who have delivered our 30,000 safe and well checks over the last 12 months or participated in reducing the risk to businesses through the delivering of legislative protection.



## New Foreword To Follow

Delivering the highest standards of service requires a highly trained workforce which is not only competent and able to deliver what is expected of it, but strives for excellence in everything it does. Over the last 12 months we have fully implemented the distributed training model (DTM) which has ensured that we have been able to develop a highly trained and motivated workforce able to deliver a professional service to the public in often difficult circumstances. This is a critical element to our service delivery model as we strive to deliver operational excellence. Our DTM has achieved this through ensuring that our training is delivered in high quality training facilities located at our community fire stations. An additional benefit of our DTM is that it ensures our resources are available to attend incidents where required. This supports our priority of ensuring we put the right people, in the right place, at the right time. Our full time firefighters, undertake up to 14 hours of training a week in order to achieve operational excellence and respond assertively, effectively and safely to emergencies.

Whilst the next 12 months will continue to be challenging for us, we recognise the opportunities which exist through devolution and a growing emphasis from central government for public services to work closer together to deliver for the benefit of the public. During this time of both challenge and change, it is essential that our communities and partners are confident we are doing the right things in the best way possible. Our Statement of Assurance provides the evidence to inform this view. We hope you enjoy reading it and encourage you to contact us if you want more details or information.

All public bodies are responsible for ensuring that their business is conducted in accordance with the law and proper standards and that public money is properly accounted for and spent in a value for money way.

It is a legal requirement under the Accounts and Audit Regulations 2015 for public bodies to publish the financial results of their activities for the year. This document, which is called the [Statement of Accounts](#) shows the annual cost of providing West Midlands Fire and Rescue Authority and is available on our website. Alternatively, the accounts can be viewed in summary format - [Summary of Accounts](#). The statement of accounts is published in September of each year following approval by the Fire Authority. The Authority is composed of 27 members, all of whom are Councillors elected to one of the seven constituent district councils within the West Midlands.

West Midlands Fire and Rescue Authority's Statement of Accounts are independently verified on an annual basis by an external auditor. Members of the public and local government electors have certain rights in the audit process prior to the formal approval and publication of the statement of accounts. These rights are set out in [Audit of Accounts](#).

The Authority's external audit work is undertaken by Grant Thornton UK LLP a private audit practice who were awarded a 5 year contract from 2012-13 following a tendering process, which was subsequently extended to 6 years. The full external audit work programme and the risk based approach to its determination are explained in the external auditor's [Audit Plan](#). As well as auditing the accounts, the external auditor is required to conclude whether the Authority has in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources. This is known as the value for money conclusion.

The National Audit Office (NAO) issued guidance for auditors on value for money. The guidance states that for local government bodies, auditors are required to give a conclusion on whether the Authority has proper arrangements in place. The guidance identifies one single criteria for auditors to evaluate:

'In all significant respects, the audited body takes properly informed decisions and deploys resources to achieve planned and sustainable outcomes for tax payers and local people'.



The external auditor will report their findings and provide their opinion on the Authority's accounts and the value for money conclusion to the Fire Authority in September of each year. This information is detailed within the external auditors [Audit Findings Report](#) and will be laid out in the [Authority's Statement of Accounts](#) (Independent Auditor's Report). As a result of the external audit work in 2016/17, there were no significant matters arising that required the authority to implement an action plan for improvement.

The external auditor has produced the [Annual Audit Letter](#) which summarises the outcomes arising from the audit of the Authority. This document is available on the Service's website and confirms that the external auditor issued:

- an unqualified opinion on the accounts which give a true and fair view of the Authority's financial position as at financial year end and its income and expenditure for the year;
- an unqualified conclusion in respect of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources;
- an unqualified opinion on the authority's Whole of Government Accounts submission.

As part of the 2016/17 Finance Settlement, the Government offered four-year funding allocations to 2019-20 in return for robust and transparent efficiency plans. The Service's [Efficiency Plan](#) was submitted to the Home Office in October 2016, outlining how the Service planned to introduce further efficiencies over the four year period, during which the Authority would receive reductions in core funding of approximately £10 million. The Efficiency Plan is monitored by the Service and progress is reported on an annual basis to the Authority as part of the [budget setting process](#).





The Accounts and Audit Regulations 2015 requires Authorities to prepare an annual governance statement in support of the statement of accounts. The governance statement explains the measures taken by the Authority to ensure appropriate business practice, high standards of conduct and sound governance.

The governance framework comprises the systems and processes, culture and values by which the Authority is directed and controlled, including its activities through which it engages with, and is accountable to, the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, value for money services.

The system of internal control is a significant part of the framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised, the impact should they be realised and to manage them in an efficient, effective and economic manner.

The [Authority's Annual Governance Statement](#), which is considered by the Authority's Audit Committee in June of each year, and is included within the published statement of accounts, sets out in detail the purpose of the governance framework and the key elements of the systems and processes that make it up.



The key elements of the systems and processes that comprise the Authority's governance arrangements include the following:

The Authority has an agreed [Constitution](#) which sets out how the Authority operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local citizens. The Authority facilitates policy and decision-making via regular Policy Planning Forums and Authority and Executive Committee meetings. An Audit Committee provides independent assurance to the Authority on risk management and internal control, and the effectiveness of the arrangements the Authority has for these matters. The Authority reviews its [governance arrangements](#) including its Committees and their terms of reference annually.

The Authority has a Corporate Strategy ([The Plan](#)) setting out its objectives and there is quarterly performance monitoring in which achievement of the Authority's objectives are measured and monitored by the Scrutiny Committee.

The Authority has established clear channels of communication with the community and stakeholders regarding the production of the [Annual Report](#) and consultation on the key priorities of the Service, encouraging open communication.

The Authority ensures compliance with established strategies, procedures, laws and regulations – including risk management. The Authority also maintains and reviews regularly its [Code of Conduct](#) and [Whistle Blowing Policy](#). There is a comprehensive induction and [Member Development Strategy](#) in place and information regarding strategies and procedures are held on the intranet. The Authority has a strong Internal Audit function and has established protocols for working with External Audit.

West Midlands Fire and Rescue Authority will continue to enhance and strengthen its internal control environment through regular review of current policies and procedures.

The Authority has corporate risk management arrangements in place which are supported by an approved [Risk Management Strategy](#), enabling managers and other senior officers to identify, assess and prioritise risks within their own work areas which impact on the ability of the Authority and its service to meet objectives. To consider



the effectiveness of the Authority's risk management arrangements is a specific term of reference for the Audit Committee and risk management is a specific responsibility of both the Chair and Vice Chair.

The Authority's [Corporate Risk Assurance Map Summary](#) identifies the principal risks to the achievement of the Authority's objectives and assesses the nature and extent of those risks (through assessment of impact and likelihood). The Assurance Map identifies risk owners whose responsibility includes the identification of controls and actions to manage them efficiently, effectively and economically. Corporate Risk matters are discussed with the Audit Committee on a quarterly basis.

The Authority ensures the economical, effective and efficient use of resources, and secures continuous improvement in the way in which its functions are exercised, by having regard to a combination of economy, efficiency and effectiveness as required by the Best Value duty. The Authority plans its spending on an established planning cycle for policy development, budget setting and performance management through its business planning process. This ensures that resources are aligned to priorities and secures best value from the resources that are available.

The Authority's financial system is an ORACLE based general ledger and management information system, which integrates the general ledger function with those of budgetary control and payments. [Financial Regulations](#) and [Contract Procedure Rules](#) are approved and regularly reviewed by the Authority. A rigorous system of monthly financial monitoring by the Strategic Enabling Team ensures that any significant budget variances are identified in a timely way, and corrective action initiated. Performance is reported to Authority on a quarterly frequency.

Performance management against our Corporate Strategy including The Plan, priorities and outcomes, is reported on a quarterly basis to senior managers via the Quarterly Performance Review framework and to Members through [Scrutiny Committee](#).

[The Report](#) sets out our achievements and demonstrates our performance in delivering our key priorities, strategic objectives and outcomes during the previous financial year.





The Authority has a Standards Committee which promotes high [ethical standards amongst Members](#). This Standards Committee leads on developing policies and procedures to accompany the revised [Code of Conduct for Members](#) and is responsible for local assessment and review of complaints about members' conduct.

The Authority has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the statutory officers and principal managers of the Authority who have responsibility for the development and maintenance of the governance environment, the internal audit annual report and comments made by the external auditors in their [Annual Audit Letter](#) and other reports.

The Treasurer is responsible for ensuring that there is an adequate and effective system of internal audit of the Authority's accounting and other systems of internal control as required by the Accounts and Audit Regulation. The internal audit provision operates in accordance with the CIPFA Code of Practice for Internal Audit in Local Government. The arrangements for the provision of internal audit are contained within section 3 of the [Authority's Financial Regulations](#). The purpose of internal audit is to provide the Authority with an independent and objective opinion on risk management, control and governance and their effectiveness in achieving the Authority's agreed objectives.

In order to achieve this, the [Internal Audit Strategy and Plan](#) has been developed. The strategy sets out the internal audit work to be undertaken on a rolling three year basis and includes a detailed annual internal audit plan for the current fiscal year. This work is prioritised by a combination of the key internal controls, assessment and review on the basis of risk and the Authority's corporate governance arrangements, including risk management. Provision is made within the internal audit strategy to audit aspects of the Authority's governance and risk management arrangements on an annual basis. The work is further supplemented by reviews around the main financial systems, scheduled visits to Authority establishments, fraud investigations and counter-fraud activity including training for managers. The Authority has in place an [Anti-Fraud and Corruption Policy](#).

The internal audit strategy is discussed and agreed with Principal Officers and the Audit Committee, and shared with the Authority's external auditor. Meetings between the internal and external auditor ensure that duplication of effort is avoided. All Authority internal audit reports include an assessment of the adequacy of internal control and prioritised action plans to address any areas needing improvement.



The Authority's review of the effectiveness of the system of internal control is informed by:

- The work undertaken by Internal Audit during the year reported in the Annual Internal Audit Report;
- The work undertaken by the external auditor reported in their Annual Audit Letter; and
- Other work undertaken by independent inspection bodies.

In fulfilling the internal audit plan, quarterly reports will be provided to the Authority's Audit Committee detailing matters arising from internal audit work undertaken within the audit year. The purpose of these reports is to bring the Audit Committee up to date with progress made. The information included in progress reports informs the end of year [Internal Audit Annual Report](#). This report provides an opinion on the adequacy and effectiveness of the Authority's governance, risk management and internal control processes.

Based on the work undertaken during the year and the implementation by management of the recommendations made, internal audit has provided reasonable assurance that the Fire Authority has adequate and effective governance, risk management and internal control processes. This is an unqualified opinion and the highest level of assurance available to the internal audit function. The most that internal audit can provide is reasonable assurance that there are no major weaknesses in the Authority's governance, risk management and control processes.

In order to provide assurance of the high quality of the work of the internal audit service, an annual [Review of Effectiveness of Internal Audit](#) is undertaken, the findings of which are approved by the Audit Committee.

The Audit Committee undertakes an annual self assessment / review of its effectiveness using the industry standard toolkit. This year's review highlighted that the Committee was operating within a recognised best practice framework. The Audit Committee is required to produce an [Annual Report](#). This report sets out in detail the business undertaken by the Committee, its achievements and its conclusion upon the adequacy of the system of internal control, governance and risk management in the Authority. The conclusion of the Audit Committee is derived from, and informed by, the work of internal audit and the compilation of the [Annual Governance Statement](#). As a consequence of this work the Audit Committee was able to confirm:





'That the system of internal control, governance and risk management in the authority was adequate in identifying risks and allowing the authority to understand the appropriate management of these risks. That there were no areas of significant duplication or omission in the systems of internal control, governance and risk management that had come to the Committee's attention, and had not been adequately resolved.'  
(ref: Annual Report of the Audit Committee 2016/17).

In preparing this Statement of Assurance, the Authority has considered the principles of transparency as set out in the Code of Recommended Practice for Local Authorities on Data Transparency and is mindful that greater transparency is at the heart of enabling the public to hold politicians and public bodies to account. Where public money is spent is a matter of public interest. The information provided in the links below, provides additional information on how the Authority has spent its public money and further demonstrates the Authority's commitment to transparency and accountability.

- [Contracts information & expenditure over £500](#)
- [Salary information](#)
- [Pay Policy Statement](#)
- [Member allowances scheme](#) – (Appendix 5 of the link) and [Member allowances](#)
- [The location of land and building assets](#)
- [Counter Fraud Information](#)
- The democratic running of the Authority including [The Constitution](#), committee minutes, decision making processes and records of decisions are maintained on our website via the [Committee Management Information System](#) (CMIS)

In supporting the transparency agenda, the Authority is compliant with its responsibility set out in the Local Government Transparency Code 2015.

A table of requirements of the Fire and Rescue National Framework for England, and reference to how each requirement is met by West Midlands Fire and Rescue Authority is available [here](#).

The Fire Authority meets the requirements set out in the Fire and Rescue Service Act 2004, Civil Contingencies Act 2004, the Regulatory Reform (Fire Safety) Order 2005, Fire and Rescue Services (Emergencies) (England) 2007, Localism Act 2011 and the Fire and Rescue National Framework for England.

All Fire and Rescue Authorities are required to produce and publish an integrated risk management plan. The Authority's integrated risk management plan is called the [Community Safety Strategy](#) and sets out how we will keep people of the West Midlands safe through our Service Delivery Model.

The [Community Safety Strategy](#) contains our analysis of fire and rescue related risks in the West Midlands. It shows how we will target our resources so that we can prevent incidents from happening, while also making sure resources are located to best protect the community therefore enabling us to continue providing the highest standards of service in the areas of prevention, protection and emergency response through our Service Delivery Model.

Our Community Safety Strategy is the foundation on which we build our Service Delivery Model which is set out here:



The [Community Safety Strategy](#) is integral to informing and shaping our key priorities, desired outcomes, Service Delivery Model and corporate objectives as set out in [The Plan](#). The Authority consults on its Community Safety Strategy in accordance with national guidance. The most recent formal consultation took place late 2016. There were over 5587 responses of which there was strong support for our 5 minute response standard and strong support for West Midlands Fire Service to seek alternative funding sources. The results from the consultation in relation to Governance will be made available to the working group.

In April 2016, West Midlands Fire Service launched the online interactive community safety strategy as a tool to enable individuals to view information contained within Community Safety Strategy which is relevant to their geographical area (by postcode), making it more personal and tailored to the individual.

In accordance with Section 13 of the Fire and Rescue Services Act 2004, arrangements are in place to give mutual assistance to neighbouring Fire Authorities due to a lack of available resources in a geographical area in the event of large-scale incidents, or where the resources of the recipient authority are seriously reduced. Similarly, the Authority has reciprocal arrangements in place to receive assistance from neighbouring Authorities when required.

Agreements can be made with other Fire Authorities in accordance with Section 16 of the Fire and Rescue Services Act 2004 in respect of calls received from outside the West Midlands border. These agreements vary in detail from Authority to Authority but essentially they are a commitment to a neighbouring Fire and Rescue Authority to mobilise appliances to pre-agreed areas, known as Section 16 areas in the event of an emergency call being received.

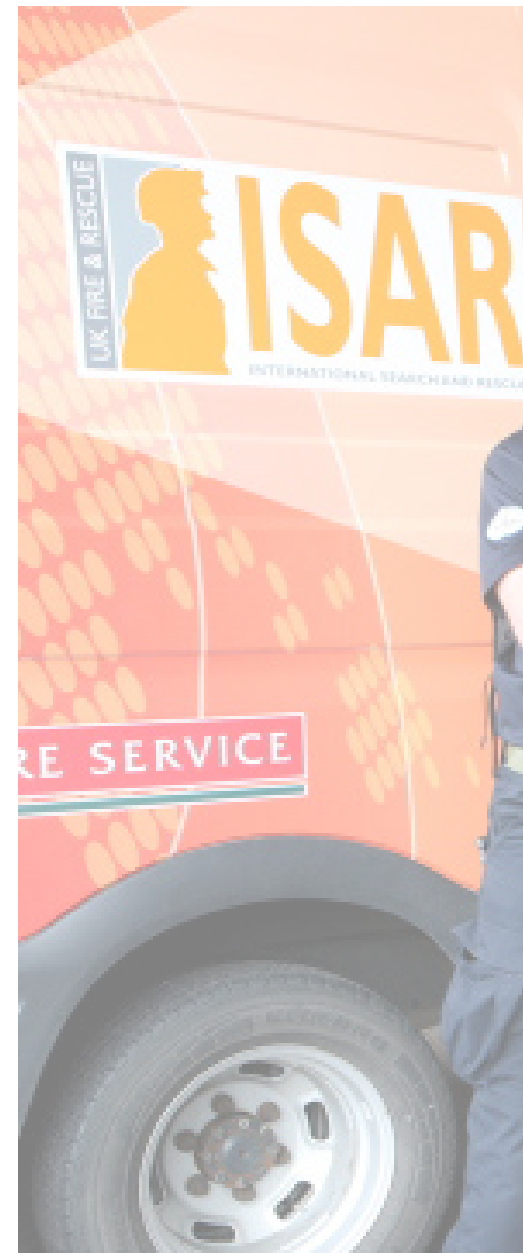


WMFS has mutual assistance arrangements with all Fire and Rescue Services surrounding the West Midlands (Shropshire, Staffordshire, Warwickshire and Hereford and Worcester Fire and Rescue Services.)

In order to meet our specific responsibilities under the Civil Contingencies Act 2004, the Authority is a partner in the multi agency [West Midlands Conurbation Local Resilience Forum \(LRF\)](#). This forum is chaired by the West Midlands Fire Service and brings together local emergency services and other partner agency responders including the military and voluntary sectors to plan and prepare for localised incidents and catastrophic emergencies that may impact the communities of the West Midlands. The strategic objectives of the LRF are enabled through the General Working Group (GWG) which involves members from all agencies who attend the LRF. More localised planning arrangements are further considered within each of the Local Authority areas across the West Midlands Conurbation through Local Resilience Groups (LRG). West Midlands Fire Service Operations and Station Commanders are engaged within these groups and work collaboratively with other responders and partner agencies to protect local communities.

In support of [National Resilience](#) we have enhanced our capability to respond to major emergencies such as terrorist attacks, industrial and domestic accidents and natural disasters. We are a partner in the Multi Agency Initial Assessment Team (MAIAT) which provides an initial assessment of potential Chemical, Biological, Radiological, Nuclear or Explosive (CBRNE) incidents. Our Urban Search and Rescue (USAR) and International Search and Rescue (ISAR) teams are on call 24/7 providing the ability to rapidly respond to incidents locally, nationally, and internationally, assisting and undertaking search and rescue operations. Our ISAR team are able to respond to humanitarian accidents or disasters anywhere in the world.

Each of the UK's emergency services works to keep our country safe and secure as well as protecting their communities. This means that we work together at major incidents and emergencies on an ever increasing basis. The introduction of the [Joint Emergency Services Interoperability Principles](#) (JESIP) provides the pathway as to how emergency services can work together more effectively. We also run the regional arrangements for the National Inter-Agency Liaison Officer cadre (NILO) which supports cross Blue Light organisational information sharing to support complex incident resolution.



A major incident is an event or situation, with a range of serious consequences, which requires special arrangements to be implemented by one or more emergency responder agencies. Such an incident can be thought of as an emergency arising with or without warning, can threaten or cause death, injury or serious disruption to a significant number of people, property or the environment, and may require the implementation of specialist arrangements and response teams.

When police, fire and ambulance services respond to major incidents, along with other agencies, each organisation brings their own expertise to that situation. JESIP will help the emergency services better understand each other's expertise and ways of working so they can improve how they can jointly deal with an emergency. The clarity that JESIP will bring to a major emergency scene will enable for the better integration and more efficient and effective management of such incidents.

We support business growth and economic sustainability through our fire protection work, helping business communities to become safer from fire and assisting businesses to comply with the [Regulatory Reform \(Fire Safety\) Order 2005](#). This assistance may take the form of educational events, signposting to relevant guidance and the checking and auditing of fire protection measures. We are committed to enforcing the law so that members of the public and local employees are protected from the risk of death or injury caused by fire.

We continue to develop and enhance our risk-based inspection programme as per the requirements of the [National Framework](#) and we support the [Regulators' Code](#), improving the way regulation is delivered at the frontline, by adopting the principles of the Code. We ensure the professionalism of our Fire Safety Officers via the application of the [Competency Framework for Business Fire Safety Regulations](#) which has been embedded within the Service.

The West Midlands Fire Service strives for a commitment to excellence through a framework of learning and development defined by a culture of personal accountability.





Our “Emergency Response Cycle” breaks down the key elements that underpin this learning and development framework leading to assertive, safe and effective firefighting and excellent emergency response. The response cycle complements our commitment to the Health & Safety Executive guidance, ‘Managing for Health and Safety’ (HSG 65) and defines a simple but effective approach to Plan-Do- Check-Act. It starts with our people being highly skilled with our equipment, policy and procedures (acquisition of skills), with the cycle then moving through to the emergency response phase (application and maintenance of competence). We use reflective learning and direct observation of performance to look for both areas of excellence and improvement through our debrief and operational intelligence policy. The outcomes of this learning then directly impacts on continuous improvement influencing changes in policy, procedure and people leading to even safer firefighters delivering an even greater service.

West Midlands Fire Service is committed to supporting the health, fitness and wellbeing of all its employees and recognises its duty to ensure employees maintain the required level of fitness to fulfill their role safely. To support that commitment, the Service launched a Fitness Framework and a Fitness Assessment of all Operational Employees in December 2016, aligned to the recommendations of the Fire Fit working group and the [National Fire Chiefs Council](#) (CFOA at the time).



It is intended that an annual fitness assessment for all operational staff will be launched in June 2017, with the newly restructured Wellbeing Team continuing to monitor and support staff. The assessments will be carried out on each site and recorded centrally where the team will be able to react and support where required. It is envisaged that further consideration will be focused in 2018 on utilising a role-specific fire ground assessment to enable the team to provide a more functional approach for support.

The Service conducted the fire sector specific Operational Assessment (OpA) in the summer of 2016, which comprised a self-assessment against the OpA toolkit. The Service undertook a Fire Peer Challenge, welcoming a team of peers from across the fire sector and wider public sector in October 2016, who conducted a four day fieldwork visit.

The findings of the team of peers, based on the OpA self-assessment and fieldwork visit, was compiled into the [Fire Peer Challenge Report](#) which was submitted to the Authority. The report highlighted a number of areas for consideration which has resulted in the Service developing an [Improvement Register](#) to address the areas raised. Progress of the Improvement Register is monitored by the Authority via the Scrutiny Committee.



A great deal of progress continues to be made, in the drive to adopt an intelligence-led approach to risk management and the allocation of resources based on the outcomes of data and risk analysis. The future, whilst posing a number of challenges in terms of both financial constraints arising from the ongoing central government grant funding reductions, and the forthcoming Fire Reform programme and wider public sector reform, will see WMFS continuing to innovate and adopt increasingly flexible and creative ways to provide the highest standards of service delivery. Additionally, we will make the most out of the opportunities that may arise during this continuing period of significant change, including opportunities, amongst others, to build upon the considerable level of collaboration currently undertaken with partners via the incoming statutory duty for Fire, Police and Ambulance services to collaborate, and the establishment of the West Midlands Combined Authority.

The formal creation of the West Midlands Combined Authority (WMCA) presents us with the opportunity to assess and influence our contribution to the regions strengths, successes and safety. As part of our close working relationship and engagement with our partners, we have secured 'observer' status on the WMCA (as of early 2016), allowing WMFS to fully participate in the debate and work of the WMCA. Chief Fire Officer Phil Loach is Chief Executive of the Public Service Reform programme, and WMFS are leading the Multiple and Complex Needs workstream within this programme.

Based upon our IRMP and through taking an evidence based approach, we believe that response times matter in relation to survivability and economic growth. Our WMFS Service Delivery Model is built upon a resource configuration that enables us to meet our risk based 5 minute response standard and deliver an assertive, safe and effective intervention. Based upon risk, a blended fleet of vehicles, crewing levels and skill sets are dynamically mobilised to provide the right weight of response. This blended fleet is made up of 3 Business Support Vehicles crewed by a fire safety officer, 19 Brigade Response Vehicles crewed by 2 firefighters and a supervisory officer, and 41 Fire Engines crewed by 4 firefighters and a supervisory officer, two of which also have Technical Rescue capability, plus a small number of specialist vehicles that are dual crewed.

Demonstrating Public Sector Reform, we have developed a new and innovative approach to staffing through the use of a lean whole-time workforce supported through voluntary Additional Shifts





(VAS ) and Integrated Resilience. Similar to voluntary on call arrangements, firefighters during their rota days, have the opportunity to undertake VAS. This has enabled us to reduce our whole-time workforce naturally to 1220 Firefighters, which includes 52 Technical Rescue firefighters, with VAS being used to cover shortfalls. This results in significant budget savings whilst maintaining services to the community. Integrated Resilience enables uniformed personnel undertaking roles in departments, to regularly staff response vehicles which covers staffing deficiencies, enables skills and knowledge transfer and maintains core competencies.

We continue to review our fleet, ensuring the correct vehicle types are being deployed, with state of the art equipment and technology, so that fast response times can be maintained with fewer firefighters.

We continue to review our estate (stations and other building assets) on a regular basis, with a view to streamline local resources, ensuring efficiencies are maximised.

We continue to challenge some calls received by our Fire Control centre, to minimise the number of false alarms responded to and to ensure we always have sufficient resources to mobilise most effectively to the calls where lives and property are in danger. We are currently trialling an innovative approach to mobilising which we have developed called 999eye. This allows the caller to send a live feed of the incident to Fire Control via a onetime only URL link from their own mobile phone, passing vital information to support Fire Control to appropriately resource the incident and give on coming crews vital information. Additionally, following the establishment of the nature of the call via a robust call challenging system, our Fire Control can mobilise one of the three Business Support Vehicles which have been recently introduced to our service delivery model, to false alarm calls who can provide support to the business or trust ensuring they are doing all they can to keep their employees and the public safe. Where necessary this may involve commencing relevant and proportionate enforcement of the Regulatory Reform (Fire Safety) Order 2005. In particular, advice can be provided on the management and suitability of the fire alarm, leading to a reduction in automatic false alarm calls.

Working with Staffordshire FRS, the combined Fire Control function continues to reap financial savings whilst improving the level of operational collaboration and inter-agency working in the region.



At the same time, we are actively engaging in productive partnerships and sharing data with key agencies to accurately target our preventative and educational activities, in the drive to moderate and improve behaviours in those most vulnerable from fire and other emergencies. In addition, we have a desire to operate in the wider prevention arena by working with a combination of organisations including the NHS, Local Authority health services and key partners across the health agenda, supporting the prevention work we undertake linked to the Marmot principles.

Our service delivery model blends our prevention, protection and response activity to reduce the effects and the number of emergency incidents. We have seen the benefits of our core delivery areas working together on many occasions in the past and we recognise the time is right to encourage further integration in a more co-ordinated way. This is the aim of the prevention, protection and response integration work stream.

We continue to work together more closely as 'one team' for the benefit of the community. So, where prevention is currently delivered by firefighters we believe that by providing the right training and support to our fire safety team, they will be able to support our prevention priorities. It could be that they are carrying out an inspection at a business premises and they identify some vulnerable people; we want them to be able to help.

Likewise, whilst spending time amongst their community, firefighters might encounter fire safety concerns. In future, through closer working arrangements, we believe that our frontline crews will be able to offer appropriate advice.

Finally, as we aim to do all we can to achieve our risk based five minute attendance time we believe that we can provide resilience to our response teams through utilising fire safety officers to provide operational cover when appropriate. There will be other benefits to operating as one team including sharing information, joint training and closer relationships – all contributing to Making West Midlands Safer.



<b>Notes of the Policy Planning Forum</b>
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**5 February 2018 at 10.00 am  
at Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present:** Members of the Authority  
Councillor Edwards (Chair)  
Councillor Idrees (Vice Chair)  
Councillors Aston, Atwal Singh, Barlow, Barrie, Booth,  
Brackenridge, Cartwright, Clinton, Craddock, Davis, Hogarth,  
Male, Mks, Mottram, P Singh, T Singh, Spence, Tranter, Walsh,  
Williams, and Young  
Mr Ager

**Officers:** West Midlands Fire Service  
Chief Fire Officer (P Loach)  
Deputy Chief Fire Officer (P Hales)  
Assistant Chief Fire Officer (G Taylor)  
B Brook, J Campbell, J Connor, P Fellows, M Pym, P Shergill, N  
Spencer, S Timmington, S Warnes, M Ward-White

**Clerk and Monitoring Officer**

K Gowreesunker (Clerk)  
S Sahota (Monitoring Officer)  
M Griffiths (Treasurer)

**Apologies:** Councillors Allcock, Eustace, and Sealey

**Observers:** Nil

**1/18 Chair and CFO Announcements**

Cllr John Edwards, Chair of WMFRA, welcomed all attendees to the Policy Planning Forum.

All Members and officer present congratulated Chief Fire Officer Phil Loach who had been awarded the Queen's Fire Service Medal in the New Year Honours list.

The WMFS twitter feed had been very active, and members were reminded to retweet posts if possible.

## **Policy Planning Forum 5 February 2018**

Members were reminded to begin using Office 365 if they had not already, ahead of the move to the reformed Fire Authority in June 2018.

The Director of Policing and Fire Services along with other members of the Home Office had visited the Service in January. They had been impressed and stated that they were not aware of all the activity that the Service carried out to minimise risk and vulnerability.

The West Midlands branch of the Fire Brigade Union (FBU) had launched a campaign called Fired Up which included encouraging people to sign a petition regarding a number of issues such as updated contracts for firefighters, and the additional work involving falls response and hospital discharges. Additionally, Members and the Service had received correspondence from the FBU highlighting concerns raised as part of the campaign.

In answer to Members' questions, the following points were raised:

- Response times continued to decrease with response times at an all-time low, including for category one incidents.
- The Service had received a Fire Peer Challenge as part of the Operational Assessment in October 2016. The peer challenge team had noted that response times were 'impressive'.
- Fleet availability during January 2018 had been in excess of 98%, which was an all-time high. The response time to category one incidents were 4 minutes 40 seconds during quarter two (an all-time low) and 4 minutes 48 seconds during quarter three. Response times to category two, three and four incident types continued to out-perform targets.
- Prevention work included moving upstream to tackle vulnerability and in turn, risk. It was known that users of falls response services such as telecare were more at risk of experiencing a fire, and at a higher risk if a fire did occur.
- Service users overwhelmingly supported the service provided, with the Service able to provide faster response times than previously experienced (in part due to the demands that other services experienced).
- The Service was in negotiations with the FBU to find a local agreement. The local and national negotiation situation was influenced by the FBU engaged in a campaign regarding firefighter pay.
- Members of SET would be able to support Section 41 Members.
- Commissioning had been identified as part of the Service's efficiency plan, with a target of £2 million by the end of the four year period. Falls response was just one element amongst a range of different services. Other examples included the provision of support services for the National Fire Chiefs

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Council, and potentially developing business continuity plans for Local Authorities.

### **2/18 Delivering ‘The Plan’**

Phil Loach, Chief Fire Officer, delivered a presentation on delivering The Plan:

2018 would see Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (the Inspectorate) commence its schedule of inspections, following the three pilots which were due to be conducted shortly.

The Inspectorate would examine the following aspects:

- Operational service delivery – prevention, protection, response, resilience
- Efficiency – leadership, training, diversity, values and culture
- Organisational effectiveness – value for money, matching resources to demand, collaboration

The Inspectorate would not inspect the governance model, just the services delivered.

Productivity would be a feature of the inspections, and it was noted that there had been pressure for Fire and Rescue Services (FRS) to utilise retained staff for a number of years, an issue that could be particularly pertinent with the Service being a fully wholetime service.

With regard to matching resources to demand, the Inspectorate had been clear that FRS’s were to manage vulnerability on a risk basis, and resources on a demand basis. There was the potential for the FRS model to be similar to that of Ambulance but levels of demand were massively different. The amount of emergency responses for FRS’s was a small percentage due to the prevention and protection work undertaken by the sector.

The Inspectorate would measure each FRS against four ratings; outstanding, good, requires improvement, and inadequate. It was noted that the Inspectorate were still forming their views of the ratings and what constituted a rating of good

The Inspectorate would apply the PEEL principles (effectiveness, efficiency, legitimacy) when conducting inspections. It was believed that efficiency and effectiveness would be a focus.

Although an inspection would be through an efficiency and effectiveness lens, there was a need for the Service to ensure it complied with legitimacy. It was also noted that it was important that

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the inspection process measured against outcomes and that it was a rounded inspection process.

The Operational Assessment and Fire Peer Challenge in 2016 had been very positive but it was evident that it had taken the members of the Peer Team a while whilst visiting the Service to fully understand and unpick the strategy. Subsequently, the 3PT (Portfolio, Programme, Project, Tasks) approach had been developed to ensure an audit trail.

The Service demonstrated value via the refresh of The Plan (2017-20), the Service Delivery Model, and the Community Safety Strategy which demonstrated to the public where and how the Service reduced vulnerability. Risk based response times were the tie with the public, the Service, and the Fire Authority.

The Service demonstrated value through the protection work it carried out using operational firefighters and the protection team, via the refresh of The Plan to ensure public safety, focussing on the outcomes of the Grenfell Tower report, improving resilience within communities. As part of the Grenfell response, the Service had been involved with Building Research Establishment tests of cladding, the completion of high rise inspections (all 551 residential high rise buildings had received Site Specific Risk Information visits), and visiting three National Health Service sites. The Service had also widened the scope of such visits at high rise premises as evidenced in the report on Metro Court in Sandwell due to be published imminently, which included factors such as vulnerability and dependency. The Service, acting on behalf of the National Fire Chiefs Council (NFCC), had setup a 24/7 incident room, providing updates to NFCC twice daily.

The Service demonstrated value through the prevention work and alternative health activities it carried out. Health and social care were a key connector to vulnerability and fire risk. The average response time to telecare incidents was 15 minutes, utilising Brigade Response Vehicles (smaller fire engines) to maintain the availability of traditional fire engines (PRLs). Service personnel delivering such activities were trained in falls response and lifting equipment, with operational crews undertaking a Royal Society for Public Health level two qualification in understanding health improvements.

Going forward, progress would be made by:

- Local agreement developed with consultation with staff and representative bodies
- New priorities within The Plan, clearly identifying how the Service are going to reduce risk and vulnerability
- Transformation – ensuring the Service has the right people in the right place with the right skills

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- Reward and recognition – workforce enabled to carry out The Plan
- Sustainability
- Risk and vulnerability reduced through all of the above

In answer to Members' questions, the following points were raised:

- Firefighters pay may have fallen behind compared to other services, but the public sector was not receiving any new money without robust business cases.
- Vulnerability changes over time; vulnerability was not the same as twenty years ago, for example the Service rarely attended chimney fires anymore.
- If a person was to suffer a fall in their home, the majority of the public's instant reaction would be to request an ambulance but attendance of the fire service could be requested as well (medical, person entrapped in home). Ambulance Control and Fire Control worked together but more could be done to increase awareness of co-operative working at these types of incidents. Additionally, more communications were required to increase awareness of the public.
- The Service had achieved accredited First Response Emergency Care (FREC) status. FREC Level 3 training would be rolled out to operational staff from January 2018, with Trauma Station Based Trainers trained to FREC level 4 (enabling them to deliver the training).
- As a result of the Grenfell Tower incident, locally the Service had revisited its high rise strategy looking at how the Service provided enforcement and advice. Nationally, the Service had committed people and resources into workstreams and managed the communications flow. The Service was not just looking at physical issues, but also people based issues.

### **3/18 The Budget and The Plan**

Karen Gowreesunker, Clerk to the Authority and Strategic Enabler  
Strategic Hub delivered a presentation on The Plan:

Refresh of The Plan – strategic direction 2018-21:

- Key Priorities and Outcomes – Prevention, Protection, Response
- Supporting Principles and Outcomes – People, Value for Money, Information Communication Technology
- Developing strategic direction 2018-21:
  - Operational excellence leading to assertive, effective and safe response

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- Health, social care as a key connector to vulnerability and fire risk
- Ensuring public safety focusing on the outcomes of Grenfell
- Improving resilience within communities
- Increasing partnerships and collaboration in delivery of public safety

The refresh of The Plan including the refreshed priorities and outcome statements would be submitted to the Fire Authority for approval at the meeting in February 2018.

In answer to Members' questions, the following points were raised:

- There had been a subtle change to the reference to automatic fire alarms (of which, 95% of such calls were effectively wasted calls) to reflect that automatic fire alarms could be an issue at residential premises, not just businesses which had been the focus in previous years.

Mike Griffiths, Treasurer and Strategic Enabler Finance and Resources, delivered a presentation on the budget:

The provisional settlement for 2018/19 had been received which was broadly in line with the provisional figure indicated for 2018/19 when the four year funding figures were first announced. The Service was currently in the middle of a four year comprehensive spending review period (2018/19 was year 3) and although there were no absolute certainties, it did allow the Service to form an idea of anticipated government funding.

With no significant changes to core funding, the Efficiency Plan remained focused on meeting a £10M deficit via:

- £2M - increase to Council Tax and Business Rate Distribution
- £1M – general budget reductions
- £1M – internal restructures
- £2M – alternative funding
- £4M – staffing

There were a number of budget pressures, namely:

- Pay awards
- Staffing
- Pension costs

Although the public sector pay cap had been set officially at 1%, pressures were increasing to remove / increase the pay cap.



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Current arrangements regarding firefighter posts and disturbance payments, along with the continuing local and national negotiations, meant that there could be a need to extend the duration that disturbance payments would be paid.

There was the potential for firefighter pension costs to increase in 2019/20 following the three yearly review of the pension scheme.

The impact of the three factors above, had not been considered in the original Efficiency Plan (as they were unknowns at the time).

£1.5M of General Balances would need to be utilised to set a balanced budget for 2018/19, with approximately £7M remaining at the end of that financial year. There was the need for further use of the General Balances in 2019/20 (approximately £1M) and 2020/21 (predicted approximately £700K) due to the budget pressures ongoing, combined with assumed further reductions in Government funding for year 2020/21.

The Referendum limit for increases in council tax, previously 2%, had been increased to 3% for 2018/19 and 2019/20. The proposed increase of 2.99% (to be agreed by the Fire Authority) would equal an annual increase of £1.70 for a Band D property, with the Fire Service charge remaining the lowest in the country for a stand-alone Fire and Rescue Authority.

The fire service nationally no longer received capital funding from Government. Forecasts indicated a £2M deficit in the capital programme in 2020/21 which the Fire Authority would need to consider.

A report on the Budget would be submitted to the Fire Authority at the meeting in February 2018 seeking approval of the proposed 2.99% increase in council tax and the use of reserves.

In answer to Members' questions, the following points were raised:

- The impact on general balances was recognised within the three year budget strategy. The draft Fire and Rescue National Framework stated that General Balances in excess of 5% would need to be rationalised and justified. The proposed Use of Balances over the three financial years 2018/19 to 2020/21 would result in General Balances at approximately 5% by the end of that period.
- The Service would need to consider further changes in addition to those reflected in Efficiency Plan due to the increase in budget pressures and the assumed ongoing Government funding reductions in 2020/21.
- With regard to moving to the Mayoral West Midlands Combined Authority (WMCA), it was believed that the budget would be

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relatively healthy over the next three years, particularly given the range and quality of services being delivered but in the meantime, there could be a need to examine further service changes. A General Balance of £5M (taking into account potential further use of general balances during 2019/20 and 2020/21) would still be regarded as reasonably healthy based on the draft National Framework document.

- The Government were identifying FRS balances and reserves, and it had been stated that there would be no extra funding in those instances where there were large reserves.
- The Government had been and would continue to be asked to reconsider its stance on no capital funding or transformational funding for the Fire Service.
- The Service had lost approximately 50% of its Government Funding since 2010/11; it was always going to be difficult to balance the budget and to continue providing such a high level of service without the use of General Balances.
- The change in pay award assumption equated to a full year impact on the budget of approximately £800K per 1%. It was not felt that holding the increase at 1% as part of the assumptions within the budget would be realistic.

### **4/18 Governance Update**

Karen Gowreesunker, Clerk to the Authority and Strategic Enabler Strategic Hub, delivered a presentation and update on governance:

The proposals for Mayoral WMCA governance comprised:

- WMCA as the governing body
- Mayor to make decisions
- Mayoral Fire Advisory Committee
- Chief Fire Officer to be accountable to the Mayor

The public consultation had launched in January 2018 which would gauge public opinion regarding the proposed changes to the governance of the Service. The consultation was being promoted through Local Authorities, the WMCA, partners and key stakeholders. Approximately 400 responses had been received to date with the opinion of responses broadly balanced. Members were asked if they would be able to participate in workshops and to continue to engage with communities in a bid to increase the number of responses.

The public consultation would close on 8 March 2018. Following some analysis, the outcomes of the consultation would be considered by the seven Local Authorities along with approval of the proposal. If approved, the Service would then submit the proposed governance scheme to the Secretary of State and Home Office.

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### **CFO Accountabilities**

The governance of FRS's was changing significantly across the country, including the impact upon Chief Fire Officers. It was pertinent for the Service to review the Chief Fire Officer and Officer accountabilities to address external changes, as well as internal changes, due to key influences, including:

- Transformation of services aligned to strategic direction
- Future governance and the move to the Mayoral WMCA
- The Policing and Crime Act 2017 and devolution
- The draft National Fire and Rescue Framework

The current Chief Fire Officer delegations (Constitution articles 4, 15 and Scheme of Delegations) were:

- To control all matters relating to the administration of the Authority's functions under the Fire and Rescue Service Act 2004 and any other enabling legislation which shall include taking and implementing that are:
  - a) Concerned with maintaining the operational effectiveness of the Service, including varying the deployment of resources in order to ensure the effective delivery of The Plan
  - b) Matters incidental to the discharge of the Authority's functions which fall within a policy decision taken by the Authority

It was proposed that the Fire Authority would widen the brief of the Chief Fire Officer by reviewing and developing the Chief Fire Officers accountabilities. The review would seek to maintain the accountabilities to the Fire Authority for the delivery of services for which the Fire Authority was legally accountable. The wider accountabilities would continue to be open to transparency and scrutiny.

Developing the Chief Fire Officer accountabilities would focus on:

- Leading the Service, setting the direction and culture of the Service.
- Delivering against statutory requirements.
- Preparing the Integrated Risk Management Plan and the strategy (The Plan).
- Proposing an annual budget to enable effective and efficient delivery of the strategic priorities.
- Operational independence:
  - Staffing structures
  - Workforce reform
  - Assets, fleet and digital

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- Engaging in collaborative partnerships

A report to enable the review would be submitted to the Fire Authority at the meeting in February 2018. The Chief Executive Officers of the seven Local Authorities would be notified during March and a further report outlining the outcomes of the review would be submitted to the Fire Authority for approval at the meeting in April 2018.

In answer to Members' questions, the following points were raised:

- Due to local elections being held in May 2018, the April meeting of the Fire Authority would be held during the purdah period. Members were advised that the purdah period would not affect the ability of Members to consider the report, as there was no statutory restrictions on the Fire Authority's decision making, meetings or political debate during the period. Normal day to day business for the Fire Authority would continue through the election period. It was noted that proposals of a sensitive or controversial nature would need careful consideration as it may not be appropriate for such a proposal to proceed during the purdah period. However, the report referenced was not considered sensitive or controversial, nor would it give rise to potential political advantage for any one party.
- It was important to review and commit to the Chief Fire Officers delegations ahead of moving to the Mayoral WMCA.
- The changes to the delegations were aligned to the governance scheme that the Service had taken to the WMCA and Local Authorities. The Service would consult with the Chief Executive Officers of the seven Local Authorities and the Mayor's office.

The meeting closed at 11:56 hours.

<p>Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680</p>
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<p><b>Minutes of the Scrutiny Committee</b></p>
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**26 February 2018 at 10:30 p.m.**  
**at Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present:** Councillor Tranter (Chair),  
Councillors Barlow (substitute), Barrie, Brackenridge,  
Hogarth, Male, Mks, Spence and Young

**Apologies:**

Nil

**Observer:**

Nil

01/18 **Declarations of Interests**

There were no declarations of interest.

02/18 **Minutes of the Scrutiny Committee held on 13 November 2017**

In answer to Members' questions, as a result of the minutes, the following points were raised:

- New entrants were subject to specific national fire standards such as fitness standards. However, the Service could choose to opt out of some national standards such as the level of education required for a new entrant, and around standards of dress. However, guidance regarding facial hair was subject to Health and Safety requirements, for example to ensure a breathing apparatus facemask seal test was met.

- The 'Fire Out' campaign was progressing well. Crew Commander Stephen Riddell was working closely with Lesbian, Gay, Bisexual, and Transgender (LGBT) Birmingham and exploring how the Service could participate in Birmingham Pride. Work was also ongoing exploring how awareness could be raised within LGBT communities that the Service was an employer of choice.
- Cllr Male had requested a breakdown of the proportionately of incidents by deliberate and non-deliberate cause. The information had been circulated to all Members prior to the meeting and it was noted that of the 4140 incidents (primary and secondary fires) year to date, the split was approximately 50/50.

**Resolved** that the minutes of the meeting held on 13 November 2017, be approved as a correct record.

#### 03/18 **Analysis of Progress of Quarterly Performance against The Plan Quarter Three 2017/18**

Gary Taylor, Assistant Chief Fire Officer, provided an overview of the report:

PI 1 The Risk Based Attendance Standard: the mean response time for category one incidents during quarter three was four minutes forty-eight seconds, which represented an increase of ten seconds compared to the previous quarter and in line with seasonal trends.

PI 2 The number of accidental dwelling fires: performance was below target and bucking national trends, which was a testament to the Safe and Well work.

PI 3 Injuries from accidental fires in dwellings (taken to hospital): performance was below target and within the tolerance levels. The number of injuries during quarter three was low despite the number of accidental dwelling fires being relatively normal.

PI 4 The number of deaths from accidental dwelling fires: six fatalities represented the lowest figure for a number of years, although one fatality would always be one too many.

PI 5 The percentage of safe and well visits referred by our partners: the target had been increased from 40% to 50%. Although performance remained below the target and lower tolerance level, good progress continued and the Service was confident that the target would be met in due course.

PI 6 The number of safe and well points achieved by the brigade: performance was below target and the lower tolerance level, in part due to the reduction in the number of safe and well visits referred by partners. Falls response and back home safe and well equated to on average 12 to 15 safe and well points, against an average of eight points achieved per safe and well visit.

PI 7 The number of people killed or seriously injured in road traffic collisions: the Service continued to work with partners in this area. It was noted that the number of fatalities as a result of road traffic collisions was double the number of fatalities as a result of accidental dwelling fires, and along with the number of people suffering serious and life changing injuries, represented a significant impact upon communities. The Service was undertaking more multi-agency initiatives and a blended approach including enforcement, first strike, and education.

The arson reduction plan had been implemented and would be reviewed for evaluation purposes.

PI 8 The number of arson fires in dwellings: performance was over target and above the upper tolerance level. The Service was taking a legislative approach to arson fires in dwellings, working closely with the Police.

PI 9 The number of arson fires in non-domestic premises: performance was over target and above the upper tolerance level. This performance indicator was impacted upon by the number of incidents occurring in HMP Birmingham. It had been forecast that the number of fires in the prison would decrease with the

introduction of a smoking ban but this had not proved to be the case.

PI 10 The number of arson vehicle fires: performance was just four incidents above target and within the tolerance levels. The number of incidents had reduced in recent quarters, following a period where the number of incidents had continually increased.

PI 11 The number of arson rubbish fires: performance was over target and above the upper tolerance level, in part due to seasonal impacts. It was noted that there had been no impact upon the number of incidents due to the bin strike within Birmingham.

PI 12 The number of arson fires in derelict buildings: performance was two incidents below target and within the tolerance levels. Following a number of interventions by the Service, the number of such incidents had reduced.

PI 13 The number of accidental fires in non-domestic premises: performance was below target and within the tolerance levels. A positive response to these type of incidents had been experienced as a result of engagement with Fire Safety Officers.

PI 14 The number of false alarm calls due to fire alarm equipment in dwellings and non-domestic premises: performance was below target and within the tolerance levels. It was noted that there had been over 4000 incidents year to date, the vast majority of which represented wasted journeys. However, progress continued to be made within this area, and the number of incidents continued to decrease.

Sarah Warnes, Strategic Enabler People Support Services, provided an overview of the performance indicators for People Support Services and Facilities Management:

PI 15 The percentage of employees that have disclosed their disabled status: performance remained within the tolerance level with a disclosure rate of 93.5%. Declaration rates across all of the protected characteristics remained high.



PI 16 The number of female staff: performance remained on target at 75. Progress had been made over recent months, with 48% of new recruits on course 1/18 being female. The composition of the next recruits' course will be between 25% and 30% female, demonstrating that the selection process was working for the Service. In addition, progression within the Service was improving and work was ongoing to ensure support was provided for under-represented groups.

In 2017, 14% of new recruits identified themselves as Lesbian, Gay, Bisexual, and Transgender (LGBT). 10% of attendees on new recruits' courses in 2018 to date have identified themselves as LGBT.

The results of the Stonewall assessment had been released, and the Service had been ranked 352 (out of 434 organisations).

PI 17 The percentage of all staff from Black, Minority, Ethnic (BME) communities: performance remained constant at 10.2%, and within the tolerance levels. 31% of the new recruits due to attend the March 2018 course identified themselves as from a BME background. The challenge would be to ensure such success continued.

The Service continued to work closely with the Fire Service College and Thinkology, targeting potential applicants from BME backgrounds via social media, an approach that was proving to be successful. The Service would continue to work with applicants, helping them to prepare and be ready for the selection process.

Three members of the Service had received awards at the annual Asian Fire Service Association Awards.

The Service continued to work with the equality forums including Affinity and Aspire.

PI 18 The average number of working days / shifts lost due to sickness – all staff, and PI 20 The average number of working days / shifts lost due to sickness – non-uniformed staff: performance was over target and above the upper tolerance level.

PI 19 The average number of working days / shifts lost due to sickness – uniformed and Fire Control staff: performance was above target but within the tolerance levels.

Sickness impacted upon staffing and the ridership factor, which had reduced. The direction of travel was positive, with a focus continuing on attendance management including the provision of support and guidance by business partners to ensure the policy was applied correctly.

PI 21 The total number of injuries: performance was below target and within the tolerance levels. The Service continued to have a good health and safety record, with any small trends acted upon once identified. There was also a focus on near hit reporting and the reporting of acts of violence, which were broken down into specific incidents to examine for any potential trends. When reports of violence were made, the appropriate action would always be taken, with the issue dealt with by the crews in attendance at the time, and the relevant station commander. Local communities would also be liaised with to raise awareness. Organisationally, the data would be broken down to provide an overview.

PI 22 The total number of RIDDOR injuries: performance was below target and the lower tolerance level.

PI 24 To reduce gas use of Fire Authority premises: performance was below target and within the tolerance levels.

PI 25 To reduce electricity use of Fire Authority premises: performance was below target and the lower tolerance level.

In answer to Members' questions, the following points were raised:

- Response times measured for PI 1 The Risk Based Attendance Standard were based on the time firefighters were mobilised by Fire Control to the time that firefighters booked in attendance at an incident. Call handling times were not included in the response times and was recorded and monitored separately as a sub-

performance indicator. Call handling times had been approximately 90 seconds which had been reduced to an average of 80 seconds. Current performance indicated an average call handling time of 77 seconds. It was envisaged that the forthcoming pre-alert system would allow appliance mobilisation times to reduce further. The pre-alert system would be implemented following the go live of the Vision 4 mobilising system (due summer 2018).

- Cooking and smoking remained the most common causes of accidental dwelling fires. New risks were monitored as they emerged, for example, working with trading standards regarding illicit fake cigarettes and running education campaigns highlighting the risks surrounding mobile phone and e-cigarette (vape) chargers.
- Falls response attended people who were most vulnerable to fires.
- Incidents involving rescue from water were not recorded separately (normally recorded as a special service call). Separate reporting could be considered, although the Fire Service was not always the first agency to be called for such an incident.
- All fires that occurred within prisons were normally confined to within one cubic metre.
- Legislation introduced in Wales required automatic fire suppression systems (sprinkler systems) in new and converted houses and flats. Sprinkler systems were also required in public buildings.
- Case studies were readily available regarding the use and benefits of sprinkler systems, including the evidence that water damage from a sprinkler system actuating was less than that from water used by the Fire Service fighting a fire.
- The WMFRA position on sprinklers remained the same as per the National Fire Chiefs Council and that of the wider fire sector, and fully supported the installation of sprinkler systems.
- Incidents recorded as arson were a result of a genuine belief that there was a proven intent to deliberately set a fire, and therefore a criminal act. In terms of arson rubbish fires, an example such as if a fire was started due to a cigarette accidentally being thrown into a bin whilst still burning / smouldering, would probably not be considered to be arson.
- It was noted that all of the services continued to be delivered within the budget.

- A further breakdown of the BME figures would be provided at future meetings, including the composition of new recruit courses and the entire workforce.

04/18 **Scrutiny Committee Work Programme 2017/18 – February 2018**

Progress against the work programme was noted by the Committee.

Meeting ended at 12.05 hours

Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680
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