

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

1 NOVEMBER 2021

1. **SCRUTINY COMMITTEE TERMS OF REFERENCE 2021-2022**

Report of the Clerk.

THAT the Terms of Reference for the Scrutiny Committee be noted.

2. **PURPOSE OF REPORT**

This report is submitted for Member comments and noting.

3. **BACKGROUND**

- 3.1 The terms of reference for the Scrutiny Committee were submitted to the Fire Authority at the Annual General Meeting held on 21 June 2021 ([Governance of the Authority 2021-2022](#)). It should be noted that the terms of reference were revised with the following addition:

Effective scrutiny frameworks will be in place for both the scrutiny of strategic policy, as well as performance. Aligned to the role of the Fire Authority and CFO as set out in articles 4 and 5 of this constitution, the scrutiny function should scrutinise decisions made or to be made, on the basis of 'public safety' aligned to the following definitions:

- Pre scrutiny enables changes proposed to strategic policy decisions to be scrutinised. These are decisions which if implemented, would change the strategic priorities and outcomes agreed by the Fire Authority (for example, matters contained in Authority 'Forward plan' for approval). Pre scrutiny can:

- i) inform policy development and/or
 - ii) hold the Authority to account.
- Post scrutiny enables the Fire Authority to seek assurance around operational decisions already made by the CFO and other officers in the delivery of strategic priorities and outcomes (for example: training, partnership working). Post scrutiny can i) scrutinise performance of specific issues and/or ii) hold officers to account.
- 3.2 No further amendments have been made to the terms of reference following Fire Authority approval. The terms of reference are attached in Appendix 1 in line with the Service's continued commitment to good governance arrangements.
- 3.3 Members should note that the approach to pre or post scrutiny reviews will be considered as part of the setting and agreement of scrutiny reviews as part of the Committee's work programme for 2021/22.

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 and/or do not relate to a policy change.

5. **LEGAL IMPLICATIONS**

There are no particular legal requirements for the Authority to establish a Scrutiny Committee; it is however, considered good practice for authorities to have a vehicle through which monitoring and review of the Authority's policies and practices can be undertaken.

6. **FINANCIAL IMPLICATIONS**

There are no financial implications arising as a result of the content of this report. Advice may be provided internally by officers at no direct cost to the Authority, supporting the Committee in its work. The Scrutiny Committee can, if required, access resources to be able to engage external professional advice where applicable.

BACKGROUND PAPERS

The Constitution of the West Midlands Fire and Rescue Authority,
June 2021.

Fire Authority report, Governance of the Authority 2021-2022, 21
June 2021.

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the Authority, Strategic Enabler – Strategy, telephone number 0121
380 6678.

Karen Gowreesunker
Clerk to the Authority

APPENDIX 1**SCRUTINY COMMITTEE TERMS OF REFERENCE**

In line with expectations set out in the Fire and Rescue National Framework the Authority has established a Scrutiny Committee to support it in achieving its strategic objectives. The Committee ensures that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations.

Effective scrutiny frameworks will be in place for both the scrutiny of strategic policy, as well as performance. Aligned to the role of the Fire Authority and CFO as set out in articles 4 and 5 of this constitution, the scrutiny function should scrutinise decisions made or to be made, on the basis of 'public safety' aligned to the following definitions:

Pre scrutiny enables changes proposed to strategic policy decisions to be scrutinised. These are decisions which if implemented, would change the strategic priorities and outcomes agreed by the Fire Authority (for example, matters contained in Authority 'forward plan' for approval). Pre scrutiny can:

- i) Inform policy development and/or
- ii) Hold the Authority to account

Post scrutiny enables the Fire Authority to seek assurance around operational decisions already made by the CFO and other officers in the delivery of strategic priorities and outcomes (for example: training, partnership working). Post scrutiny can:

- i) Scrutinise performance of specific issues and/or
- ii) Hold officers to account

Role and Functions:-

To carry out a maximum of two scrutiny reviews per annum

selected by the Committee. Such reviews will be member-led and evidence based, and will produce SMART (specific, measurable, attainable, realistic and timely) recommendations to the Authority.

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

To summon any officer or member of the Authority to give account in respect of reviews or any other relevant matter.

To manage, in consultation with the Strategic Enabler for Finance and Resources, a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews.

To receive and scrutinise performance information including progress against the Community Risk Management Plan and 'The Plan', the objectives and priorities and corporate performance indicators and review performance targets.

To review and scrutinise strategic performance information of the Shared Fire Control on a biannual basis.

To have responsibility for scrutiny of Diversity, Inclusion, Cohesion and Equality and diversity throughout the West Midlands Fire Service and to review policies and monitor performance in relation thereto.

To monitor and scrutinise as appropriate the Authority's HR policies.

To monitor and scrutinise sickness levels, promotion policies and employee exit information.

To receive information and statistics on grievance monitoring and to report outcomes to the Joint Consultative Panel.

To ensure that the Authority is meeting its duties under Health and Safety and environmental and other relevant legislation.

To deal with any matters referred to it by the full Authority, the Policy Planning Forum, the Chief Fire Officer, Clerk, Monitoring

Officer or Treasurer, not within its work programme.

To refer any matter for consideration by the Authority, another Committee or an officer where considered appropriate.

To submit its minutes and an Annual Report to the Authority.

In order to allow for separation of the Scrutiny and decision-making functions, findings and recommendations of Scrutiny reviews will be presented to the Authority by the Chair of the Scrutiny Committee. Members (excluding substitutes) of the Scrutiny Committee shall not vote on matters arising from Scrutiny reviews.

The Committee will sit in public with minimum exceptions. In addition to its programmed meetings, the Committee will hold additional meetings, as and when required, in order to efficiently manage its workload.