



WEST MIDLANDS FIRE AND RESCUE AUTHORITY

Monday, 19 November 2018 at 11:00

**FIRE SERVICE HEADQUARTERS,
99 VAUXHALL ROAD,
BIRMINGHAM, B7 4HW**

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.

Distribution of Councillors	
<u>Birmingham</u>	D Barrie Z Iqbal K Jenkins S Spence
<u>Coventry</u>	C Miks S Walsh
<u>Dudley</u>	A Aston N Barlow
<u>Sandwell</u>	J Edwards C Tranter
<u>Solihull</u>	P Hogarth
<u>Walsall</u>	S Craddock A Young
<u>Wolverhampton</u>	G Brackenridge J Dehar
<u>Police & Crime Commissioner</u>	D Jamieson
<u>Co-opted Members</u>	Professor S Brake S Middleton

Fire Authority

You are summoned to attend the meeting of Fire Authority to be held on
Monday, 19 November 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

- 1 To receive apologies for absence (if any)
- 2 Declarations of interests in contracts or other matters
- 3 Chair's announcements
- 4 Minutes of the Fire Authority held on 17 September 2018 5 - 26
- 5 Revising the Strategy 2019-2022 27 - 70
- 6 Investment in Protection Resources 71 - 80
- 7 Extension to Six Month Attendance 81 - 84
- 8 Monitoring of Finances 85 - 90
- 9 Members Allowances 91 - 118
- 10 Minutes of the Audit Committee held on 4 September 2018 - approved 12.11.18 119 - 128
- 11 Notes of the Policy Planning Forum held on 4 September 2018 129 - 134
- 12 Minutes of the Scrutiny Committee held on 12 September 2018 135 - 144
- 13 Minutes of the Appointments Standards & Appeals Committee held 17 September 2018 145 - 146

14	<u>Minutes of the Governance and Transformation Committee held on 8 October 2018</u>	147 - 156
15	<u>Minutes of the Scrutiny Committee held on 10 October 2018</u>	157 - 160
16	<u>Exclusion of the public and press</u> Chair to move:- <i>"That the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 for the reasons stated below."</i>	

Agenda (not open to public and press)

17 Notification of Fire Safety Prosecution

- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime.

Agenda prepared by Julie Connor

Strategic Hub, West Midlands Fire Service

Tel: 0121 380 6906

Email: julie.connor@wmfs.net

This agenda and supporting documents are also available electronically on the West Midlands Fire Service website at:- www.wmfs.net

Clerk Name: Karen Gowreesunker

Clerk Telephone: 0121 380 6678

Clerk Email: Karen.Gowreesunker@wmfs.net

Minutes of the West Midlands Fire and Rescue Authority

**17 September 2018 at 1100 hours at
Fire Service Headquarters, Vauxhall Road, Birmingham**

Present: Councillor John Edwards (Chair)
Councillor Zafar Iqbal (Vice Chair)
Councillors Aston, Barrie, Barlow, Brackenridge,
Craddock, Dehar, Edwards, Hogarth, Iqbal, Jenkins,
Miks, Spence, Tranter, Young

Mr M Ager, Independent Member
Sarah Middleton – Co-opted Member

Visitor: Jodie Robertson WMCA

66/18 Apologies for Absence

Councillor Walsh, Professor Simon Brake

67/18 Declarations of Interest

Councillor Brackenridge declared an interest in items 5, 6, and 7 of the Agenda. The Chair declared an interest in the same items and stated they were personal and non-pecuniary.

68/18 Chair's Announcements

The Chair welcomed Sarah Middleton to her first meeting of the Authority in her role as a Co-opted Member.

The Authority's attention was brought to:

A MacMillan Coffee Morning being held in the Safeside Building on the 24 September 2018 at 1115 hours followed by tours of Safeside.

A Band Concert on 29 September at 1930 hours at Shirley Methodist Church.

A Band Concert on 8 December at 1600 hours at Church of St John Church, Wolverhampton.

The Brigade Carol Service St Martins, Bullring, Birmingham on Sunday 9 December at 1600 hours.

Cllr Hogarth requested that an email detailing the events be forwarded to Members.

69/18 **Chief Fire Officer's Announcements**

The Chief Fire Officer (CFO) stated that over the last twelve months he had been informing the Authority of the progress of Her Majesty's Inspectorate for Constabulary and Fire and Rescue Services (HMICFRS).

Following initial inspections and the first tranche of inspections it had been confirmed that the West Midlands Fire Service would be part of the 2nd Tranche of Inspections. The following dates had been confirmed:

Discovery Week – week commencing 3 December 2018
Strategic briefing – week commencing 13 January 2019
Two week Inspection – commencing 28 January 2019

The results of the Inspection were due in May 2019. There would be some involvement for Members of the Authority.

Health and Safety Inspections had been consolidated in 2010/11 and recommendations were made at the time. The Health and Safety Inspectorate would be following up on their recommendations and visited the Brigade on the 6 and 7 September 2018.

No Interventions have been made known and nothing has been reported in the intervening years.

A full report will be presented once the Inspections are completed.

70/18 **Minutes of the Fire Authority held on 25 June 2018**

Resolved that the Minutes of the Annual General Meeting held on the 25 June 2018, be confirmed as a correct record.

71/18 **Audit Findings 2017/18**

The Authority noted the Audit Findings Report (AFR) 2017/18. The report was submitted to inform the Authority of the audit work undertaken by the external auditors and the findings as a consequence of this work.

The report was presented by the Treasurer in the absence of the External Auditor who related the key messages given by the External Auditor at the meeting of the Audit and Risk Committee held on the 23 July 2018.

Following the Audit and Risk Committee held in July 2018, the external auditor issued an unqualified opinion on the Authority's 2017/18 financial statements and this was included in the Authority's Statement of Accounts.

The External Auditor had concluded that for 2017/18 the Authority had proper arrangements in all significant respects to secure economy, efficiency and effectiveness and to ensure it delivered value for money in its use of resources.

The Auditor confirmed the narrative of the Statement of Accounts was consistent with the accounts and the level of detail was sufficient.

The Auditor was required to provide a Value for Money conclusion following the National Audit Office's Auditor Guidance Note 3 (AGN 03) following the criterion for auditors to evaluate.

"In all significant aspects, 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".

The Auditor had identified one significant risk in respect of the specific area in relation to the development of governance arrangements with the West Midlands Combined Authority.

The Clerk would discuss an amendment to the Value for Money Section of the Report for the following 2 items:

- The Auditor stated in his report that Scrutiny will be provided by a Mayoral Fire Advisory Committee, however, it was confirmed that Scrutiny would sit with the West Midlands Combined Authority Overview and Scrutiny Committee and this issue would be addressed in the Route Map to Mayoral Governance.
- It was confirmed that Mayoral governance arrangements would be solely focused on governance and the sharing of corporate services would be considered post governance transfer.

72/18 **Statement of Accounts 2017/18**

The Authority noted the Statement of Accounts 2017/18 and summary of the Statement of Accounts. The Treasurer confirmed that the Statement of Accounts had been reviewed by the Audit and Risk Committee on the 23rd July 2018.

The Summary of Accounts sets out the Accounts in a more digestible way. The Treasurer explained the key issues as set out in the Report.

In the Independent Auditor's opinion, the financial statements:

- give a true and fair view of the financial position of the Authority as at 31 March 2018 and of its expenditure and income for the year then ended;
- have been prepared properly in accordance with CIPFA/LASAAC code of practice on local authority accounting in the United Kingdom 2017/18; and
- have been prepared in accordance with the requirements of the Local Audit and Accountability Act 2014.

The Comprehensive Income and Expenditure Statement was set out in the Statement together with the Balance Sheet.

The Treasurer stated that Pension related issues had a distorting effect in many ways on the Statement of Accounts.

The Members received a detailed update on the table of the Movement of Reserves.

The Authority will need to draw on balances based on the February 2018 Budget report and the use of balances will accelerate.

The balance of General and Earmarked reserves as at 31 March 2018 was £43.734m, total usable reserves were just over £50m.

The Balance sheet shows a snapshot of the accounts at a fixed point in the year.

The Accounts show a net cost of service in 2017/18 of £118.445 million which includes the use of £5.596 million reserves. Earmarked Reserves have decreased by £4.750 million to £38.984 million and General Reserves have decreased by £0.846 million to £8.390 million.

A planned approach was being used for the use of reserves.

Other long term liabilities were £1,671.226 m. This was predominantly to cover pensions if the Authority were required to pay all of the pension liabilities and was a requirement of accounting standards.

Long term borrowing was £36.200m at 31 March 2018 compared to £37.363m in 2017 as some of the borrowing had been repaid. The Authority had long term assets of approximately £144m.

The Balance Sheet showed £50.027m in usable reserves and £51.379m in cash and cash equivalents. In 2017 the figure was £57.428m cash and cash equivalents this is linked to the use of reserves. There would be significant use of general and earmarked reserves during the year.

The Chair thanked the Treasurer and, in particular, for the explanation of the pensions liability and the use of balances.

The Chair also stated that the Authority had not received any transformation funding to support capital spending and no funding for capital projects.

Members of the Authority thanked the Treasurer for explaining the accounts in simplistic terms and found this very helpful.

In answer to a Members enquiry in respect of the use of reserves compared to other Metropolitan Fire Services, the Treasurer stated that the Authority's reserves were healthy based on the budget report but there would be a significant reduction over the next three years.

The Deputy Chief Fire Officer stated that the National Fire Chiefs Council had conducted a survey on reserves and said the comparison would be useful. The outcome of the survey would be shared with all Fire and Rescue Authorities in the next few months.

The Chair stated that the outcome of the survey would also help to inform the government on the use of reserves and hoped that the NFCC would report the outcome to the Fire Minister.

Members discussed the use of reserves in different organisations. From an accounting perspective the Fire and Rescue Service were required to show how it would use its reserves as part of a clear strategy over the next three years.

The Chief Fire Officer confirmed that reserves were part of a plan for building and vehicle maintenance including other capital projects. It should be noted that exhaustive collaborative opportunities had been considered including working with Ambulance Services and other Local Authorities which had delayed major capital projects which had impacted on the level of reserves.

The Authority is required to self-insure and reserves need to be held for this purpose and for unexpected events that may arise from incidents or other factors.

72/18 Monitoring of Finances

The Authority noted the Monitoring of Finances. As part of the Authority's 2018/19 budget setting process the current year's budget reflects an estimated transfer from general balances of £1.5m.

Appendix A showed the current position of the Revenue Budget and favourable variance of £32,000. The Treasurer referred members to the Corporate Budgets and in particular the most significant variances related to the Corporate Business Development budget where there was an adverse variance of £292,000 and the Corporate Finance and Resources Budget where there was a favourable variance of £178,000, arising from a successful rates rebate appeal for the Headquarters and Safeside buildings.

Appendix B of the report set out the position in respect of the Firefighters' Pension Scheme and this was in line with a full year statement.

The scheme analysis shown at Appendix C indicated the Capital Programme was set at £14.365m for 2018/19. Expenditure at the end of August was shown a £4.175m and this mainly related to the rebuilding of Coventry Fire Station and the Vehicle Replacement Programme. The Authority noted that the new Coventry Fire Station would be commissioned in December 2018/January 2019. In respect of the redevelopment of Aston Fire Station, the Authority noted that part of the station site had now been demolished.

The Treasurer highlighted that of the circa £14m forecast capital expenditure in 2018/19, £13.5m would be funded from ear marked reserves.

73/18 The Strategy 2018 – 2022

The Authority noted the context, including the financial and operating conditions, that had informed and shaped the current three-year strategy (The Plan 2018 -2021) and the need to consider revisions to the Authority's strategic direction.

The report had been designed to set the context of the position of the Financial Efficiency Plan to date.

The financial position and the gap in the Financial Efficiency Plan of £3m would require revisions to The Plan and the details were set out in the following two agenda items.

The report set out the significant Service changes during the period of substantial Government core funding reductions, since the Chancellor of the Exchequer announced the Government's four year spending plans in the Comprehensive Spending Review (CSR) on 20 October 2010.

The Service had suffered the loss of approximately £28m Government core funding, more than any other Fire and Rescue Service in the country. The cumulative reduction in core funding was due to reach approximately £38m by the end of the current 2016/18 to 2019/20 CSR period.

74/18 Delivery of Strategy 2018 – 2021 and associated 2018-2019 Budget Adjustments

The Authority noted the specific impacts of preferred option(s) on the Integrated Risk Management Plan (IRMP) and associated revisions to The Plan.

The Authority were asked to identify the preferred option(s) for short-term financial control measures to deliver a balanced budget for 2018-2019 and to approve the associated revisions to The Plan.

The Authority noted that the Chief Fire Officer, through Authority approved accountabilities, will manage resources to determine and manage fleet availability to support the delivery of options as appropriate.

The Executive Committee on 6 June 2018 agreed that as a result of withdrawing new entrants contracts, changes would be required to the strategy set out in The Plan 2018- 2021. It was recognised that there would be a requirement to change the Authority's Financial Efficiency Plan (FEP) and identify

the preferred option (s) to ensure a balance budget in the current financial year.

The new entrants' contracts would have enabled the ongoing delivery of new activities that were linked to the Authority's strategy.

The Authority were provided with options that considered the Authority's IRMP, whilst recognising that the baseline level of risk with the West Midlands has not changed. The options outlined the effect of revising its control measures currently established, to mitigate the risk to the community.

There are two key principles that underpin the staffing model:

- Optimum Crewing Levels
- Employing less station-based staff than needed to deliver the staffing model and using existing staff to delivery Voluntary Additional Shifts (VAS) and resilience cover.

It was noted that due to the immediate control of the new staffing model, an effective financial control measure can be utilised through reduced use of VAS within the Service, leading to a reduction in fleet availability. This approach is already applied to manage the staffing budget around first day absence whilst maintaining high levels of appliance availability.

Option A – Proactive and planned reduction in VAS to enable savings

In order to deliver a balanced budget and meet the gap from the estimated Alternative Funding shortfall within the FEP of £750k, there is an opportunity to fully manage the situation through a reduction in the use of VAS from 1 October 2018 until the end of the financial year. The impact on the IRMP was outlined to Members and confirmed that this is also flexible and can be dynamically scaled down, or increased if additional/reduced funding is applied to the gap.

This approach would not require negotiation or agreement with representative bodies and could also serve as a catalyst for change in future years.

Option B Use of General Reserves

It was highlighted that in order to assist with the Authority's transformation service changes the use of General reserves was already required in each of the financial years 2018/19, 2019/20 and 2020/21.

It was recognised that the use of General Reserves is not a sustainable means of funding the Authority's revenue budget.

The Chair moved that the Authority did not accept Option B, Use of General Reserves.

The Chair suggested that the Authority should enable the CFO to have flexible use of VAS from the 1 October 2018 and fleet availability to remain maximised in order to achieve a balanced budget in 2018/19.

The impact of the variation and fleet availability would be reported to Scrutiny Committee and the Authority to monitor the impact of this course of action.

Councillor Anne Young seconded the Motion.

In answer to a Member's enquiry it was confirmed that VAS has not been adjusted to date and was awaiting Authority approval. It was confirmed that this course of action would have an impact on the Safe and Well work.

A Member noted that although Option A most flexibly supports the outcomes of the IRMP and does not require negotiation or agreement with representative bodies, he recommended that officers discussed the Option with them.

The CFO confirmed that there was a collective agreement with the Representative Bodies outlining the use of Voluntary Additional Shifts (VAS) on a voluntary basis.

This is considered alongside the IRMP in terms of fleet availability. Discussions are ongoing with the Representative Bodies.

Option A was identified as the preferred option for short term financial control measures to deliver a balanced budget for 2018-19 and the associated revisions to The Plan were approved.

75/18 Strategy Options 2019 -2022

The Authority noted the need to generate ongoing revenue savings of approximately £3m, specifically to meet shortfall in the Financial Efficiency Plan (FEP) from 2019/10 and the need for further ongoing revenue savings in future years, due to additional anticipated Government funding reductions and the need for investment in the Protection function and Support Services.

The Authority considered the proposed options to be explored further and those to be discounted, in order to deliver the Authority's 2019-2022 strategy and budget.

In addition to the £3m annual savings which needed to be identified in order to meet the anticipated Financial Efficiency Plan (FEP) shortfall, in 2019/20 further Service changes would need to be identified from 2020/21 onwards, in order to achieve a sustainable revenue budget position. There was also a need for investment in the Protection function and Support Services as identified in The Strategy 2018 – 2022 report.

The CFO stated that there is a need for investment in certain areas of the Service these include Organisational Intelligence, and Protection following outcomes of the Grenfell report.

Members noted the impact on the FEP/Budget and the events that had led to this situation.

Five specific options were outlined:

- 1 – Staff/resource availability
- 2 – Resource configuration
- 3 – Shift arrangements (Risk based crewing)
- 3a – On Call Firefighters
- 4 – Management Review

The use of Voluntary Additional Shifts in the current year had been approved but subsequent use would be expected to be appropriate and within the Employee Relations Framework.

The Controlling Group accepted the recommendations and requested the CFO to bring back further information on the 5 options prior to budget setting.

5 options – further reports on financial consequences and related impact on service and employees in November 2018 and decide which of the options the Authority want to take forward and those options it does not want to take forward.

The Chair stated that there was nothing known from the government about budgets past 2020. There could possibly be another Comprehensive Spending Review and further reductions in public spending and the Authority may continue to receive more cuts. The Authority had lost 50% of its core funding since 2010/11.

The Chief Fire Officer informed the Authority that it had lost a third of its fire protection officers and reinvestment would be required to replace them as the Service was in a fragile position. The emerging burdens on the Service had not been taken into account via Government funding.

Further reports would be prepared for the Authority meeting scheduled for 19 November 2018 to develop the 5 Service change options.

One Member suggested taking out the on-call firefighters option as it would not generate the savings required and would not be an efficient way of managing the service.

Members did not want officers to waste time and energy on strategies that would not produce the necessary savings. The Chair felt that the Authority would need further information on all of the options.

The CFO has made arrangements for consultation and where necessary for negotiation with the Representative Bodies. The Authority is required to set a balance budget and it is acknowledged they wish to create the least disruption and to work in harmony with the work force.

Members agreed that the Authority were not in a pleasant position. There were recognised safety issues in reducing the number of riders to 4 on PRLs and 2 on BRVs and this would require in depth analysis. Members did not want appliances to be unable to attend some incidents due to a shortage of Breathing Apparatus or Pump Control operators.

Members considered savings of £100,000 from the Management review to be low and that the ratio of 4 managers to 10 staff to be high.

The Chair confirmed that the number of managers included crew and watch commanders. In two national reports, the West Midlands had the lowest ratio in terms of numbers of managers of all the Metropolitan Authorities.

The approach in talking to employees and further information was also welcomed.

The CFO would seek to reflect the comments and views of all employees and to maintain as much flexibility for the 5 options, whilst engaging with Representative Bodies through the Employee Relations Framework.

The Chair confirmed that through discussions, consultation and negotiations, the Representative Bodies were free to suggest alternatives or additions to the options.

The Authority unanimously agreed the recommendations as set out in the report and requested the Chief Fire Officer bring back further information on the five options to the 19 November 2018 Authority meeting.

The Authority requested that the report sets out details on the financial consequences and related impact on the Service and employees, prior to the budget setting to enable a decision on the preferred options and to develop the budget strategy.

76/18 Route Map to Mayoral Combined Authority
Governance: Draft Statutory Order to Enable Transfer of Governance

The Authority noted the Home Office response to the key asks of the seven West Midlands Local Authorities set out in the Scheme document (Appendix A of the report) and the proposed options to progress the key asks locally.

The Authority noted the local feedback to the proposals to secure the key asks and the changes required to the West Midlands Combined Authority (WMCA) constitution to secure the key asks locally.

The Authority noted the revised timeline and next stages in this direction.

The Authority noted the detail in the draft Order, received from the Home Office, which had been written in consultation with the Authority and the WMCA and was attached to the report at Appendix D.

The Clerk updated the Authority on the progress and developments made in the transfer of the governance of the West Midlands Fire Service

The WMCA Board considered the outcomes of the public consultation and agreed to formally submit proposals to the Home Office, to initiate the progress of drafting the required Statutory Order to enable changes to the governance arrangements.

There were extensive discussions between the Home Office officials, the WMCA and Service to provide comprehensive understanding of the proposals in order that the key asks are appropriately reflected in the Statutory Order, to enable

effective transfer of governance from the Authority to the WMCA in April 2019.

The Home Office had confirmed its position in respect of the key asks:

- Ring fencing of finances and reserves
The Home Office confirmed that it was unachievable to ring fence the fire budget and reserves within the Statutory Order.
- Composition of MFAC
The scheme proposes a 'minimum' of 18 members to be appointed to the MFAC. The Home Office has expressed concern with the potential to allow the composition of the committee to be increased.
- The CFO as Head of Paid Services for the Service and operational independence
The Home Office confirmed that it would be unachievable to provide for the CFO to be head of paid service of the Service within the Statutory Order due to the need for primary legislation to enable this.

As there was clear local will to secure the key asks, further proposed solutions were received from the Home Office.

All seven local authorities were requested to approve the draft Order via an urgent letter issued to council Leaders.

Six Leaders had agreed to the proposed way forward with two qualifications received in relation to:

- Corresponding amendments to the Constitution of the WMCA to be brought forward for approval alongside the Statutory Order process.
- The ring-fencing of budget and reserves to be considered by the WMCA Board during its budget setting process and included in the revised WMCA constitution.

Consent would be requested from the WMCA on 14 September 2018 and subject to approval from the Leader of Sandwell the draft order would be submitted to the Home Office on the 21 September 2018.

The final Order would be expected at the turn of the year to enable the transfer in April 2018.

WMCA and WMFS had formed a project team to ensure all areas of transfer of governance transferred as smoothly as possible.

The Chair was supremely optimistic that Sandwell would accept the proposals as the process would falter if they did not agree.

It was noted that the fire service budget cannot be ring fenced as it would require a change to primary legislation, however the WMCA would alter its constitution to build in ring fencing of the fire service budget.

The Clerk confirmed that there would be some minor tweaks to the Order before it is submitted to the Parliamentary process and Home Secretary's approval

The Governance and Transformation Committee will be looking specifically at the governance arrangements, Chaired by Councillor Adam Aston.

It was confirmed that all £144m of assets, including the Pension Fund deficit, will be transferred to the WMCA. The Chair stated the majority of reserves would be used on the rebuilding of Aston and Coventry Fire Stations, the Vehicle Replacement Programme and maintaining the Authority's assets.

It was confirmed that the governance only of the Fire Service would be transferred to the WMCA.

77/18 WMFS and Warwickshire FRS Collaboration Update Report

The Authority noted the progress made with the collaboration programme since the signing of the memorandum of understanding (MOU) in February 2018.

Although there is no specific duty for Fire – Fire collaboration, the Government are keen to encourage collaboration between emergency services.

All potential options were assessed against the following success criteria, which are based on the basic principles of the Policing and Crime Act 2017 and the Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services themes and would help to improve the acceptance of Fire-Fire collaboration over Fire – Police and Fire – Ambulance collaboration.

The themes are:

- Public Safety
- Service Resilience
- Service Effectiveness
- Service Efficiency
- Service Quality

All decisions taken would ensure alignment with statutory expectations and each Fire and Rescue Service's strategic objectives.

A Programme Board had been established to oversee the work. A joint Programme team has also been established to deliver the work programme. The Programme Board will report progress to an Executive Group.

The first 60 day review commenced in May and was completed in July and appraised collaborative options for Fire Control, Training and Social vulnerability.

Three workshops were held with teams from both FRSs. They looked at:

- Shared Fire Control
 - A Single Training Function
 - Social Vulnerability (Prevention)
- This area was still being worked on because of difficulties but Warwickshire still continued to move in this direction.

The key decisions for Fire Control are expected in December 2018 and for Training in October 2018.

The Chief Fire Officer thanked Marisia Curran, the Programme Manager. This is an excellent achievement that had been an aim for several years but had not previously come to fruition. All of the stakeholders were also thanked for their hard work on the project.

The Authority also expressed their thanks for the work undertaken on this project.

The Chair confirmed that the Authority had a clear contract and Service Level Agreement with Staffordshire Fire and Rescue for the Fire Control function.

It was noted that the government have approved the Staffordshire and Stoke on Trent Fire Authority move to the PCC in Staffordshire. The PCC is now the Fire Authority and there was clearly a lot of work to be undertaken in this area.

The Chair informed the Authority that he would be meeting with the Staffordshire PCC before the next Fire Control Government Board on the 5 October to make sure the agreement cannot be lightly overturned as the Shared Fire Control provided huge savings and operational benefits to both organisations.

Following the meeting the Chair would report back to the Authority on the Staffordshire PCCs views on the Shared Fire Control.

78/18 Members Allowances Review Update

The Authority noted that an update on the Review of the Members Allowances scheme. The review had commenced and was being undertaken by the Local Government Association. The results of the review are to be reported to the 19 November 2018 meeting of the Fire Authority.

It was noted that there are few allowances in the West Midlands Combined Authority and the Mayoral Fire Authority

Committee (MFAC) may find there will not be any allowances.

The Clerk confirmed that the wording in the Order had been changed to read that the MFAC may receive expenses. The West Midlands Combined Authority do pay travel allowances.

79/18 Updating the Constitution

The Authority noted the amendments made to the Constitution following the changes made to Reformed Fire Authority as agreed at the Annual General Meeting on 25 June 2018. It was noted that the Constitution was available electronically on the Committee Management Information System on the internet.

80/18 Contract Awards Summary to 30 September 2018

The Authority noted the contracts in excess of £250,000 that have been awarded since April 2018.

81/18 Result of Recent Fire Safety Prosecution

The Authority noted the details of a recent prosecution under the Regulatory Reform (Fire Safety) Order 2005.

Assistant Chief Officer Taylor outlined the outcome of the prosecution following a fire on 25 December 2013 at the Diamond Sheesha Lounge, Digbeth, Birmingham where two young people had jumped from a burning building both suffering serious injuries and mental health issues.

The cause of the fire was deemed as Arson and three responsible people were charged. Mr Rehman and Mr Rahid pleaded guilty at the earliest opportunity. Mr Mashedi initially elected to go to trial but pleaded guilty on the day the trial began.

Mr Rehman and Mr Rahid each received 8 months immediate custody and are to pay £6,000 each towards costs. Mr Mashedi received 18 months immediate custody and is to pay £14,736 towards the remainder of the costs.

Officers advised and provided assistance to the Enforcing Authority to carry out statutory duties.

£26,736 covers the legal costs incurred by the Authority in preparing the prosecution and compensate for officers' time spent on the case.

Members congratulated officers on a great piece of work and a job well done.

The Chair stated that Fire prevention staff are involved in this type of work every day.

The case had taken five years to get to court due to one defendant pleading not guilty and the case had dragged on but this has been reflected in the sentencing and the Authority had met its Statutory Duties.

82/18 Minutes of the Audit and Risk Committee held on 23 July 2018

Councillor Craddock requested that the last line of paragraph 4 on page 265 of the pack be deleted as he stated that the comments were taken out of context. He requested that the final paragraph on page 265 of the pack be amended to state that the use of reserves was not a sustainable strategy.

It was requested that the word "accounts" at the end of the 2nd paragraph on page 266 be changed to read "accountants"

The Chair of the Audit and Risk Committee was content with the amendments.

The Authority noted the changes and the Minutes of the Audit and Risk Committee held on the 23 July 2018 were received.

83/18 Notes of the Joint Consultative Panel held on 26 July 2018

The notes of the Joint Consultative Panel held on the 26 July 2018 were received. The Chair of the Panel stated that the meeting had helped to “clear the air” during the recent dispute.

It was noted that the report and minutes wrongly referred to Point 3 of the Trade Dispute and should have read as points 4 and 5.

The Chair felt that all sides of the organisation were learning and reflected the root and branch actions of the Authority and employee representatives.

84/18 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 Section 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006 relating to any negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority.

85/18 Trade Dispute

The Authority received a verbal update regarding the current position in respect of the Trade Dispute.

The update was confidential and in line with the non disclosure agreement with the Assistant General Secretary of the Fire Brigades Union.

The meeting closed at 1245 hours.

Julie Connor
Strategic Hub
0121 380 6906

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

19 NOVEMBER 2018

Item 5

1. REVISING THE STRATEGY 2019 - 2022

Report of the Chief Fire Officer.

RECOMMENDED

- 1.1 THAT Members note the context of the need to revise the Authority's strategy, including the financial considerations, the need for investment in the Protection function and Support Services and the need to consider Service changes in order to deliver the Authority's 2019-2022 strategy and budget.
- 1.2 THAT Members identify to the Chief Fire Officer, which options to explore further and consider any to be discounted at this stage, in order to deliver the Authority's 2019-2022 strategy and budget.

2. PURPOSE OF REPORT

Following the Executive Committee meeting on 6 June 2018, it was recognised there would be a need to revise the established Fire Authority Strategy. The direct impact on the Financial Efficiency Plan (FEP) is clearly outlined in the £3m deficit created. Whilst significant income generation was a feature of transformation for the service the Strategic Enabling Team (SET) utilised an approach, where, posts in several functions were maintained through short term funding streams. These are described in more detail at Appendix I. This approach can no longer be used due to the cessation of significant income generation. This report sets out the key functional areas affected by the revision to the Authority's strategy.

3. BACKGROUND

- 3.1 At the Fire and Rescue Authority meeting on 17th September 2018, Members noted the need to generate ongoing revenue savings from 2019/20 of approximately £3M, specifically to meet shortfalls in the Financial Efficiency Plan (FEP).

3.2 Members also noted the need for further ongoing revenue savings in future years, due to additional anticipated Government funding reductions and the need for investment in the Protection function and Support Services. there is a separate report on today's agenda considering the investment requirement in the Protection function. The Support Services areas requiring further investment are being fully analysed and assessed and will be reported at a future Authority Meeting. Appendix 2 gives an indication of the required areas for investment.

3.3 Following a 'Strategy Options 2019 – 2022' report presented by the Chief Fire Officer, setting out options to deliver the Authority's 2019-2022 strategy and budget, Members requested the Chief Fire Officer bring back to the November 2018 Authority meeting further information on the five options presented. Members requested that the November report set out details on the financial consequences and related impact on the Service and employees to enable a decision on the preferred option(s).

3.4 The five options presented to Members at the 17th September 2018 Authority meeting were:

- Staff/resource availability
- Resource configuration
- Shift arrangements (risk based crewing)
- On-call firefighters
- Management Review

3.5 **Staff/resource availability**

3.5.1 The use of Voluntary Additional Shifts has enabled a consistently high level of fleet availability (circa 99%) throughout the period of the FEP. Within the current year, and following the September meeting of the Fire Authority, a flexible approach is being taken to use fleet availability as a financial control measure in support of meeting the shortfall in the current year's FEP.

3.5.2 On the basis that the maintenance of a single Pump Rescue Ladder (PRL) is the minimum requirement to meet the IRMP outcomes, a continuation of this approach from 2019/20 and would result in:

- Changes to the status of the three stations that are currently resourced with 2 PRLs

- Reduction in Brigade Response Vehicle availability

3.5.3 The impacts of a reduction in resource availability will impact the Response, Prevention and Protection activities and a full analysis is provided in Appendix 3.

3.6 **Resource Configuration**

Changes to crewing levels could achieve financial savings, have limited impact on prevention and protection activities and would mitigate the negative impact that reduced fleet availability could have on the Service Delivery model. Any changes of this nature would need to consider safe systems of work and the ability to implement assertive and effective operations.

The 3 options reflected within Appendix 2 are:

- Option 1 – Reduction in riders on 2nd PRL's
- Option 2 – Further reduction in riders on 2nd PRLs to BRVs
- Option 3 – Reduced Ridership levels

3.7 **Shift Arrangements (Risk Based Crewing)**

3.7.1 Changes to shift arrangements has the potential to enable financial efficiencies whilst mitigating the impacts of risk identified within the IRMP. There are also opportunities to enable further but limited financial efficiencies through reviewing the number of supervisory officers as a potential outcome of the shift arrangement options and management review. A range of shift arrangement (risk based crewing) options have been considered and are outlined further in Appendix 2 and include: -

- Change 24hr Core shift BRV to a 12hr BRV and increase number of Late shift arrangements
- Change 24hr Core shift BRVs to 12hr BRV crewed with watch based self-rostering arrangements
- Change 24hr Core BRVs to 12hr BRV crewed by station based self-rostering
- Change Core shift to 12-hour day and night shifts and align start and finish times with the Late shift
- Station based Self-Rostering shift arrangements
- 8-hour self-rostering shift arrangement aligned to managing risk

3.8 **'On Call' Firefighters**

3.8.1 An 'On Call' firefighter is a part-time firefighter who undertakes a different job as their core roll, but is trained and 'on call' during this time, to respond to a range of emergencies as a professional firefighter. The three options to be considered are:

- The introduction of a purely 'On call' workforce as part of the overall Service Delivery Model (SDM).
- Using current Whole-time Firefighters employed by WMFS to also provide an 'On Call' capability as part of the overall SDM
- Take the option not to pursue an 'On Call' option due to the detrimental impact on the risk based 5 minute response standard.

3.8.2 In exploring the impact of an 'On Call' option it is obvious any additional time added to a reaction time will naturally increase the overall attendance time generally by the same amount. This also applies to both 1st and 2nd attending appliances.

3.8.3 Research indicates an 'On Call' option typically consists of up to twenty personnel allocated to a fire station providing part time response availability. This normally involves individuals being required to commit to providing a minimum number of weekly duty hours and being mobilised via pager from their home or work locations. Sector practice indicates that 'On Call' personnel need to be able to be on station (typically) within five-minutes of their pager alerting them to an incident. In addition, some FRS use a whole-time model during the daytime and an 'On Call' option at night using the same personnel, this is generally referred to as Day Crewing.

3.8.4 Payment for 'On Call' usually involves a yearly retainer allowance and then hourly pay for responding to incidents and attending training, prevention and other activities. It should also be noted that 'On Call' payments are pensionable.

3.8.5 The 'On Call' option has already been previously explored by WMFS, the findings of which demonstrated financial savings could be achieved. However, there were a significant number of issues which were not compatible with the organisational strategy and direction. These issues included topics such as retention, local

business support, workforce diversity, training / competency and the impact on attendance times.

3.8.6 However, the political and financial landscape has now changed and prompted the need to reappraise this option as directed by the Fire Authority.

3.9 **Management Review**

3.9.1 Throughout the comprehensive spending review a number of management reviews and assessments of the workforce profile have been undertaken. When considering the approach to be adopted within any proposed review in the future there are several dependencies to be considered that are outlined further in Appendix 2 to include:

- the potential options taken forward in relation to: staff/resource availability, resource configuration, shift arrangements and on call firefighting.
- the staffing models and the levels, numbers and ratios of management required for effective and efficient leadership and supervision.
- the ongoing 12 monthly review of the Strategic Enabling Team (SET).
- the requirements for flexible duty officers (FDS) and the statutory responsibilities to provide incident command and control.

Further details of these five options are reflected in appendix 3.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment has been carried out for all options. The initial Equality Impact Assessment did raise issues which required a full Equality Impact Assessment to be completed once the direction on preferred options has been provided by the Fire Authority.

5. **TRADE UNION CONSULTATION**

5.1 To support the development of all the Service change options there has been an extensive communications and engagement plan with all staff across the organisation and Representative Bodies.

- 5.2 Staff engagement was initiated with a management briefing which was filmed and shared on the WMFS Intranet with all staff. This is also supported by further face to middle manager led briefings with all Teams across the organisation which are supported by a member of SET. These team briefings are planned to continue until mid-December 2018.
- 5.3 The purpose of these briefings is to ensure all staff fully understand the background relating to the need to revise the strategy for 2019 – 2022, provide an overview of the options being considered and give an opportunity to feedback on existing options and present any potential new options.
- 5.4 This has been a positive exercise appreciated by all staff involved with feedback and comments captured by the middle manager leading each session. There have been general comments around the 'day to day' impacts of the options being developed and a range of solutions to mitigate these impacts presented by key stakeholders and most significantly Fire Control as resource managers.
- 5.5 Whilst staff engagement has been positive, to date there have been no alternative proposals presented by staff which could be further considered by the Authority. A commitment exists to maintain this staff engagement as direction is provided by the Authority and further development of the options takes place.
- 5.6 Trade Unions consultation started immediately following the September 17th Fire Authority meeting. There have been a series of meetings to ensure representative bodies are aware of the all options as they develop and provide the earliest opportunity for feedback and present any potential new options. Whilst consultation is continuing to take place on a positive basis, to date the representative bodies have not expressed support for the any of the options and no alternative options have been proposed.
- 5.7 Through the agreed Employee Relations Framework all developed options will be presented at the 6th November 2018 Joint Consultative Committee (JCC) for a period of 1 month when consultation will be closed at the 4th December 2018 JCC.

6. **LEGAL IMPLICATIONS**

Specific Legal Implications are reflected within the individual. Any significant change to the IRMP requires public consultation as well as consultation with stakeholders, as required under the National Fire and Rescue Framework for England. Changes to the IRMP will be cognisant of the duties placed on WMFRA within the Fire & Rescue Services Act 2004 and the National Framework Document.

7. **FINANCIAL IMPLICATIONS**

These are set out in the body of this report and within the attached appendices.

BACKGROUND PAPERS

Authority Report 17th September 2018 - Revising The Strategy 2018 - 2022

Authority Report 17th September 2018 - Strategy Options 2019 - 2022

The contact officer for this report is Philip Hales, Deputy Chief Fire Officer, telephone number: 0121 380 6907

PHIL LOACH
CHIEF FIRE OFFICER

INVESTMENT IN SUPPORT SERVICES

Changes to service support structures in the form of adaptive staffing models using fixed term contracts, secondments and internal career progression will now need appropriate re-consideration.

This will need to take into account the increased burden of inspection, changes in perception of unforeseeable risk, increase in the requirement discharge of the Fire Service Regulatory Reform Order in conjunction with other statutory instruments or legislation and continued striving for improvements in the following support service areas in addition to the protection function.

Organisational Intelligence and Innovation

It has been identified that reductions in funding and increasing service demands have impacted on the overall performance of the Intelligence and Innovation team. The reasons for this centre around team members being drawn away from their main roles to support maintaining the Service Delivery Model, less resources being available to support priority projects and additional workloads being placed on the same individuals to drive performance and excellence to meet external pressures and influence i.e. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), Health and Safety Executive (HSE) inspections, supporting ongoing relations with Representative Bodies following the trade dispute and high profile incidents such as Grenfell and the Manchester Arena Bombing.

It is now felt a tipping point has been reached and the chronic lack of funding is now starting to have a detrimental impact on both performance and individual resilience. Based on this it has been identified that there are existing and additional funding requirements within the Intelligence and Innovation team to help mitigate the impact and prepare the section for future demands.

The provision of additional funding would help the Intelligence and Innovation function to meet its objectives which ultimately ensure the organisation is meeting both its legislative and functional responsibilities.

Communications

Demand on increased transparency, through both internal and external engagement, and a greater desire for openness (through previous trade dispute and working towards collective agreements with Representative Bodies) has shown that increased capacity within the Corporate Communications team will be required.

This will allow capacity to be in place to provide timely and clear communications in an environment of change and demand in order to ensure our strategy is communicated and embedded proactively to identified audiences.

ICT

Demand for ICT resource continues to increase significantly with greater emphasis now on digital solutions identified through numerous projects across our portfolio of work.

The main area where demand outstrips capacity is within applications systems development. Increasing capacity in this area reduces lag time and enables key projects to be run concurrently allowing value to be achieved sooner.

There is currently a shortfall within the organisation for what has become essential skill sets required in order to maximise investment that has already been made across our ICT infrastructure and products.

Organisational Learning and People Development

A further assessment has identified the requirement for additional investment in Organisational Learning and People Development to ensure we provide the appropriate levels of skills, capability and capacity in the providing:

Apprenticeships - following the introduction of the Apprenticeship Scheme in 2017 we have identified we require individuals with specialist skills and direct experience working in specific areas such as having a direct link with training providers and delivering high levels of learner support. This is essential to ensure we apply and meet the required standards of the scheme.

National Occupational Guidance – this requires the ongoing gap analysis and change to policies, procedures and changes to the E-learning and training packages. Further skills and capacity are needed in supporting the learning platforms, ongoing monitoring and cross functional arrangements to ensure the effective delivery of future guidance.

Attraction, selection and training of new entrants - The revised approach to recruitment and selection of new entrants in the organisation continues to improve the attraction rates for underrepresented groups. Further resources are required in maintaining the current high standards of delivery and support.

HMICFRS

In April 2018, HMICFRS (Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services) commenced an eighteen month process of inspecting all 45 Fire and Rescue Services in England. Each service is placed within a tranche and follows an identical inspection process covering a Discovery Week, Strategic Briefing, Inspection week, Inspection debrief and report publication.

West Midlands Fire Service is within tranche 2 and will undergo the process during December 2018 to February 2019; the Inspection week will be of two weeks' duration due to the size of the service and report publication is estimated for May 2019.

The inspection process identified is resultant of the provision of data and documents to HMICFRS and liaison with a Lead Officer to assist understanding of the service in advance of inspection.

This work commenced in April 2018 and to date has incurred circa 600 hours of activity via the engagement of 53 officers. This has been accommodated within existing resources, however there has been significant re-alignment of work priorities within roles to ensure deadlines into HMICFRS have been met.

There will be an intensification of activity to realise preparation and completion of the on-site inspection. It will potentially engage any site across the Service portfolio, preparations for which will have to be made through a core group of officers liaising across the wider service. During this period there will on-going data provision and auditing as previously described.

The time allocated to the whole inspection cycle will vary dependent upon the size and sophistication of operations of each service. It has been identified through the experiences of Tranche 1 services and the Pilot Inspection process that up to 2500 hours can be required to enable an efficient and effective completion. The principal challenge for services is the provision of responses or completion of activity within relatively short timescales, creating resource intensive periods of activity.

REVISED STRATEGY SERVICE DELIVERY OPTIONS

The five options detailed below were presented to the Fire Authority on the 17th September 2018 and directly relate to changes in our current Service Delivery Model. Therefore, to ensure all dependencies are considered they have been developed together and are presented in this report.

Staff/Resource Availability - Removal/reduction of VAS within the current SDM accommodated through a reduction in appliance availability

Resource Configuration - Removal/reduction of VAS within the current SDM accommodated by reconfiguring the number of riders on each appliance to expand the concept of a 'blended fleet'

Shift Arrangements (Risk Based Crewing) - Shift changes to maximise effectiveness and efficiency and mitigate the impact of the chosen option to remove/reduce VAS.

On Call

Management review

1 Service Delivery Model (SDM) and Risk Based Attendance Standards

- 1.1 The SDM is determined through the assessment of risk undertaken as a key component of the Integrated Risk Management Plan (IRMP). The SDM is designed to mitigate foreseeable risk to the community and Firefighters within the West Midlands through enabling an assertive, effective and safe emergency response capability that has a set of risk based attendance standards at its foundation. At the heart of these standards is our commitment to an average 5-minute response to the highest risk, Category 1 emergencies as we know through our academic research this will save a salvable life and provide the safest environment for our firefighting crews.

Risk Based Attendance Standard	Risk Descriptor	Average Response Standard
Category 1	Significant Risk to Life and/or Property	5 mins
Category 2	Vehicle Fires, Flooding etc.	7 mins
Category 3	Lift rescue, Animal Incident etc.	10 mins
Category 4	Secondary Incidents, Grass Fires etc.	20 mins

1.2 The SDM also integrates the delivery of essential Prevention and Protection priorities targeted towards vulnerable communities and businesses to support them in being Safer, Stronger and Healthier. These services are delivered through blended fleet of resources which are distributed across the West Midlands conurbation consisting of:

- 38 community fire stations
- 41 Pump Rescue Ladders (PRLs)
- 19 Brigade Response Vehicles (BRVs)
- 3 Business Support Vehicles (BSVs)

2. **WMFS Shift Systems and Staffing Arrangements**

2.1 WMFS currently operate two shift systems; the Core Shift and the Late Shift.

2.2 Core Shift PRLs and BRVs, are available to respond 24hrs a day and are aligned to a 4 watch shift arrangement. The Core Shift operates a 2-2-4 shift system consisting of 2 day shifts (0800-1800) followed by 2 night shifts (1800-0800) followed by 4 rota days.

2.3 Late Shift PRLs and BRVs are available for 12 hrs of the day (1000-2200) and operate a 2 watch shift arrangement with the 4 duty days being followed by 4 rota days.


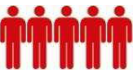










- 2.4 The permanent organisational establishment of station based operational staff is 1322 riders which enables maximum fleet availability. As part of our approach to dealing with a reduction in funding through the FEP, a Staffing Collective Agreement was reached with the representative bodies which enabled the establishment to be reduced on an interim basis to 1164, allowing fleet availability to be maintained through the use of Voluntary Additional Shifts (VAS).
- 2.5 The new staffing arrangements have been successful with fleet availability consistently being above 99%, significant financial savings realised, and employees positively responding to the voluntary opportunity to earn additional income at a time of national pay restraint.
- 2.6 The VAS arrangement has achieved circa £3million of the anticipated £4million efficiency savings relating to staffing identified within the FEP. The remaining circa £1million is not currently anticipated to be realised due to the ongoing payment of a disturbance allowance linked to VAS, Late Shift payment and a higher than anticipated ridership factor.
- 2.7 In developing options to address the deficit in the FEP, the ongoing usage of VAS will need to be considered with the current annual cost of VAS being circa £3.5 million. This figure includes ongoing payment of the Disturbance Allowance in line with the current collective agreement despite an evidence based review following the initial trial period indicating a minimal financial impact of undertaking VAS.
- 2.8 Whilst there is a requirement to address the shortfall within the FEP, there is also the need to effectively manage resources to effectively manage risk identified from the IRMP and to enable our crews to deliver, assertive, effective and safe actions at emergency incidents. Any approach would need to ensure the distribution of resources to enable effective delivery of essential operational preparedness activities alongside our Prevention and Protection commitments.
- 2.9 All options below have given due consideration to existing Terms and Conditions as outlined within the Grey Book and it is recognised that some options may require further consultation and/or negotiation through the Representative Bodies.

3. **First day absence**

It is important to highlight that current first day absence is managed on the day using a flexible approach to fleet availability. The average number of first day absences is 6 per 24hr period, resulting in 2 BRVs made unavailable which is the main reason why we do not achieve 100% fleet availability. This position should be considered when providing direction in relation to the options below.

4. **CURRENT APPROACH TO MANAGE IN YEAR 2018-2019**

- 4.1 As requested by the Fire Authority on September 17th 2018, and as a result of a change to the expected income generated through alternative funding, a revised approach to meet the shortfall in the FEP has been implemented. As illustrated by the diagram below, the change to planned crewing levels on the 2nd PRLs at Highgate, Coventry and Walsall coupled with 2 BRVs being unavailable per 24-hour period will deliver a saving of circa £750k. This approach and representation provides the basis for which other options have been developed.

Current Service Delivery Model	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
<p>1st  X36  X5</p> <p>2nd  X03  X5</p> <p>BRV  X19  X3</p> <p>*Excluding 2 x PRL for Technical Rescue</p>	<p>Current Performance 4:33 mins</p> <p>Safe & Well Delivered = 3600 p/m</p>	<p>Our current Service Delivery Model and Resource Configuration supports assertive, effective and safe tactics.</p>	<p>Our current SDM</p>
What would change Reduction of 1 rider on PRL & Reduction of 2 BRVs	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
<p>1st  X36  X5</p> <p>2nd  X03  X4</p> <p>BRV  X17  X3</p>	<p>Limited impact on Cat 1 attendance</p> <p>Up to 3.3% increase on Cat 1 attendance for 2nd Appliance</p> <p>2% - 5% increase on Cat 3 & 4 attendance</p> <p>Safe & Well Reduced = 120 p/m</p>	<p>Safe systems of work will be maintained through application of Risk Assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further resources</p>	<p>£750k</p>

5. **OPTIONS FOR REVISED STRATEGY 2019 - 20/20**

It should be noted that a number of the options are scalable (as per the illustrative examples) and can be used either individually or in a blended manner. All options presented have the 2 Technical Rescue Unit (TRU) stations and associated resources excluded from consideration as they provide both a specialist local response capability and national resilience capability.

6. **Staff / Resource Availability**













6.1 **Option 1 – Reduction in 2nd Pump Rescue Ladder (PRL) availability**












The current SDM identifies three locations are requiring a second PRL (crewed at 5) to deliver effective performance due to higher levels of risk which can result in more regular simultaneous emergency incidents. These additional PRLs also provide resilience to the fleet through supporting BRVs without denuding an area of a PRL.




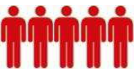








6.2 **Option 2 – Reduction in Brigade Response Vehicle (BRV) availability**













The importance of maintaining a minimum of one PRL per station is based upon the foreseeable risk of an incident occurring requiring a crew of five being required to take assertive, effective and safe action. Therefore, it is appropriate that any further reductions in fleet availability are distributed throughout the BRV fleet.

The impact of the options identified above are outlined in the tables below:

Current Service Delivery Model	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
<p>1st  X36  X5</p> <p>2nd  X03  X5</p> <p>BRV  X19  X3</p> <p>*Excluding 2 x PRL for Technical Rescue</p>	<p>Current Performance 4:33 mins</p> <p>Safe & Well Delivered = 3600 p/m</p>	<p>Our current Service Delivery Model and Resource Configuration supports assertive, effective and safe tactics.</p>	<p>Our current SDM</p>
OPTION 1			
What would change Reduction of 1 x 2 nd PRL	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective and Safe	Savings Achieved
<p>1st  X36  X5</p> <p>2nd  X02  X5</p> <p>BRV  X19  X3</p>	<p>Limited impact on Cat 1 attendance</p> <p>Potential Impact on 1 HP availability under current arrangements</p> <p>Safe & Well Reduced = 60 p/m</p>	<p>Safe systems of work will be maintained through application of risk assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed to a limited extent whilst awaiting the arrival of further resources</p>	<p>£900K</p>

What would change Reduction of 2 x 2 nd PRL	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe)	Savings Achieved
<p>1st  X36  X5</p> <p>2nd  X01  X5</p> <p>BRV  X19  X3</p>	<p>Limited impact on Cat 1 attendance</p> <p>Up to 8.4% (35.7 secs) increase on Cat 1 attendance for 2nd Appliance</p> <p>Potential Impact on 2 HP's availability under current arrangements</p> <p>Safe & Well Reduced = 120 p/m</p>	<p>Safe systems of work will be maintained through application of risk assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed to a limited extent whilst awaiting the arrival of further resources</p>	£1.8m
What would change Reduction of 3 x 2 nd PRL	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe)	Savings Achieved
<p>1st  X36  X5</p> <p>2nd  X0</p> <p>BRV  X19  X3</p>	<p>Limited impact on Cat 1 attendance</p> <p>Up to 9.0% (38.3 secs) increase on Cat 1 attendance for 2nd Appliance</p> <p>Potential Impact on all 3 HP's availability under current arrangements</p>	<p>Safe systems of work will be maintained through application of risk assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed to a limited extent whilst awaiting</p>	£2.7m

	Safe & Well Reduced = 180 p/m	the arrival of further resources	
OPTION 2			
What would change Reduction of 1 x BRV	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
1st  X36  X5 2nd  X03  X5 BRV  X18  X3	Limited impact on Cat 1 attendance 2% - 5% increase in Cat 2 to 4 attendance Up to 3.3% increase in Cat 1 attendance for 2 nd Appliance Safe & Well Reduced = 60 p/m	Safe systems of work will be maintained through application of risk assessment The adoption of Assertive and Effective tactics may be delayed to a limited extent whilst awaiting the arrival of further resources.	£550K
What would change Reduction of 3 x BRV	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
1st  X36  X5 2nd  X03  X5 BRV  X16  X3	Limited impact on Cat 1 attendance 3% - 8.1% increase in Cat 2 to 4 attendance	Safe systems of work will be maintained through application of risk assessment The adoption of Assertive and	£1.65m

	<p>Up to 5.1% increase in Cat 1 attendance for 2nd Appliance</p> <p>Safe & Well Reduced = 180 p/m</p>	Effective tactics may be delayed whilst awaiting the arrival of further resources	
<p>What would change</p> <p>Reduction of 5 x BRV</p>	<p>Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)</p>	<p>Impact on Assertive, Effective & Safe</p>	<p>Savings Achieved</p>
<p>1st  X36  X5</p> <p>2nd  X03  X5</p> <p>BRV  X14  X3</p>	<p>0.4% increase in Cat 1 attendance</p> <p>15% - 16.9% increase in Cat 4 attendance</p> <p>Up to 6.6% increase in Cat 1 attendance for 2nd Appliance</p> <p>Safe & Well Reduced = 300 p/m</p>	<p>Safe systems of work will be maintained through application of risk assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further resources</p>	<p>£2.75m</p>
<p>What would change</p> <p>Reduction of 6 x BRV</p>	<p>Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)</p>	<p>Impact on Assertive, Effective & Safe</p>	<p>Savings Achieved</p>
<p>1st  X36  X5</p> <p>2nd  X03  X5</p> <p>BRV  X13  X3</p>	<p>0.4% - 0.7% increase in Cat 1 attendance</p> <p>15% - 23% increase in Cat 4 attendance</p>	<p>Safe systems of work will be maintained through application of risk assessment</p>	<p>£3.3m</p>

	<p>Up to 13.2% increase in Cat 1 attendance for 2nd Appliance</p> <p>Safe & Well Reduced = 360 p/m</p>	<p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further resources</p>	
--	--	--	--

7. **Resource Configuration**

7.1 **Option 1 – Reduction in riders on 2nd PRLs**

7.1.1 Through adjusting the crewing levels at Coventry, Highgate and Walsall, a continuation of the current in-year approach could be maintained with the 2nd PRLs riding at 4. This alone would achieve in the region of £550k savings required and could be supplemented using one of the BRV options (Option 3 -below). This would continue 2nd PRL cover in the three highest risk areas, so would have limited impact on Category 1 incidents or simultaneous Category 1 incident attendance times.

7.1.2 There would be limited impact on current Hydraulic Platform availability as two appliances would still be available to dual staff the HPs at each station under existing arrangements.

7.1.3 There would be no impact on Prevention and Protection activities as all resources are maintained at each location and can carry out pre-planned and reactive protection and prevention activities.

7.1.4 To maintain assertive, effective firefighting actions where required, through dynamic mobilising additional resources can be mobilised to ensure the required number of people per incident type are in attendance.

7.2 **Option 2 – Further reduction in riders on 2nd PRLs to BRVs**

7.2.1 Consideration could be given to further adjusting crewing levels at Coventry, Highgate and Walsall with the intention of the three 2nd PRLs operating as Temporary BRVs riding at 3, and/or alternatively replacing the current PRLs with BRVs. This would realise a financial saving in the region of £1.1million.

- 7.2.2 There wouldn't be any direct impact on attendance times as the same number of resources (PRL or BRV) are still available. The most notable impact will be on the ability to deliver assertive and effective response as there will be both increased likelihood of a BRV being deployed to an incident where more personnel are required in addition to increased time for second appliance attendance.
- 7.2.3 There would be limited impact on current HP availability as two appliances would still be available and capable of dual staffing the HP's under existing arrangements, although the TBRV or BRV would become unavailable for the period the HP was in use.
- 7.2.4 There would be no impact on Prevention and Protection activities as a resource is maintained at each location and can carry out pre-planned and reactive protection and prevention activities.













7.3 Option 3 – Reduced Ridership levels













- 7.3.1 Consideration could be given to redistributing the 1164 frontline operational staff through adjusting ridership levels across a wider range of WMFS appliances. The various options presented below allow for maximum numbers of appliances to remain available thus mitigating the negative impact that reduced fleet availability could have on the SDM.
- 7.3.2 Savings are achieved by removal of VAS payment and redistribution of staff to ensure maximum fleet availability. There will be a limited impact on the IRMP and attendance times, due to the same number of resources being maintained, however consideration should be given to the increased number of appliances potentially mobilised as an Initial Level of Response (LOR) due to the reduced number of riders on the respective appliances. There will be associated impacts on the ability to implement assertive and effective operations.
- 7.3.3 No specific risk assessments are in place for crewing 4 on a PRL, however this is adopted commonly across many FRS, and supported through and increased LOR and National Operational Guidance (NOG).
- 7.3.4 WMFS has an established risk assessment in place and accepted practise for 3 riders on a BRV with a range of other crewing models in operations across the country (see Appendix 2)

















In assessing each option consideration should be given to the points below:









- The start and end of each shift could see an increase in risk through Temporary Crewing Levels or appliance unavailability.
- There may need to be an increase in LOR to allow sufficient numbers of personnel for assertive and effective tactics, and the support of technology such as 999Eye will support dynamic mobilising and effective resource management by Fire Control Operators.
- The efficient operation of the system will be dependent on watches being balanced across the organisation and staff leave entitlement being balanced across the year to minimise disruption and realise full 'theoretical' financial savings.
- These options will maintain the current level of risk reduction activity carried out through Prevention and Protection activity during key contact time. This would provide Value for Money as we would have less people delivering the same levels of activity.

The options below demonstrate the required reduction in crewing, in order to generate £3million of efficiency savings annually.

Current Service Delivery Model	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
<p>1st  X36  X5</p> <p>2nd  X03  X5</p> <p>BRV  X19  X3</p> <p>*Excluding 2 x PRL for Technical Rescue</p>	<p>Current Performance 4:33 mins</p> <p>Safe & Well Delivered = 3600 p/m</p>	<p>Our current Service Delivery Model and Resource Configuration supports assertive, effective and safe tactics.</p>	<p>Our current SDM</p>
OPTION 1			
What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
Reduction of 1 rider on all 2 nd PRLs			
<p>1st  X36  X5</p> <p>2nd  X03  X4</p> <p>BRV  X19  X3</p>	<p>No impact on Cat 1 attendance</p> <p>No Impact on HP availability</p> <p>Safe & Well No Reduction = 3600 p/m</p>	<p>Safe systems of work will be maintained through agreed Risk Assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further staff.</p>	<p>£550K</p>
OPTION 2			

What would change Reduction of 2 riders on all 2 nd PRLs	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
<div> <div>1st  X36  X5</div> <div>2nd  X03  X3</div> <div>BRV  X19  X3</div> </div>	<p>No impact on Cat 1 attendance</p> <p>No Impact on HP availability</p> <p>Safe & Well No Reduction = 3600 p/m</p>	<p>Safe systems of work will be maintained through agreed Risk Assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further staff.</p>	<p>£1.1m</p>
OPTION 3			
What would change Reduction of 1 rider on all 2 nd PRLs and a reduction of 1 rider on all BRVs	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
<div> <div>1st  X36  X5</div> <div>2nd  X03  X4</div> <div>BRV  X19  X2</div> </div>	<p>No impact on Cat 1 attendance</p> <p>No Impact on HP availability</p> <p>Safe & Well No Reduction = 3600 p/m</p>	<p>Safe systems of work will be maintained through agreed Risk Assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further staff.</p>	<p>£3.28m</p>

What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
Reduction of 2 riders on all 2 nd PRLs and a reduction of 1 rider on 11 BRVs			
1st  X36  X5 2nd  X03  X3 BRV  X08  X3 BRV  X11  X2	<p>No impact on Cat 1 attendance</p> <p>No Impact on HP availability</p> <p>Safe & Well No Reduction = 3600 p/m</p>	<p>Safe systems of work will be maintained through agreed Risk Assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further staff.</p>	£3.1m
What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
Reduction of 1 rider on 14 PRLs, a reduction of 1 rider on all 2 nd PRLs.			
1st  X22  X5 1st  X14  X4 2nd  X03  X4 BRV  X19  X3	<p>No impact on Cat 1 attendance</p> <p>No Impact on HP availability</p> <p>Safe & Well No Reduction = 3600 p/m</p>	<p>Safe systems of work will be maintained through agreed Risk Assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further staff.</p>	£3.1M
What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
Reduction of 1 rider on 11 PRLs and a reduction of 2 riders on all 2 nd PRLs.			

1 st		X25		X5	No impact on Cat 1 attendance	Safe systems of work will be maintained through agreed Risk Assessment	£3.1M
1 st		X11		X4	No Impact on HP availability		
2 nd		X03		X3	Safe & Well No Reduction = 3600 p/m	The adoption of Assertive and Effective tactics may be delayed whilst awaiting the arrival of further staff.	
BRV		X19		X3			

8. Shift Arrangements (Risk Based Crewing)

Changes to shift arrangements has the potential to enable financial efficiencies whilst mitigating the impacts of risk identified within the IRMP. There are also opportunities to enable further but limited financial efficiencies through reviewing the numbers of supervisory officers as a potential outcome of the review of shift arrangements and management review. Any potential changes from existing to alternative staffing arrangements will require negotiation with Representative Bodies through the Employee Relations Framework.

8.1 **Option 1 – Changing BRV Availability from 24hr Core BRV to 12hr BRV**

There are currently 8 BRVs operating a Late shift arrangement across 8 stations and 11 stations that have a 24hr Core PRL and BRV. There are options at any of the 11 stations to maintain the 24hr Core PRL and change the BRV to a 12hr BRV resulting in a reduction in the number of BRVs available during the period of 22:00-10:00 hrs which is scalable to effectively manage risk and maintain the average 5-minute risk-based attendance standard. Current levels of Prevention and Protection risk reduction activity carried out through Prevention and Protection activity during key contact time would be maintained.

To illustrate the scale of financial savings a figure of £40k/year has been utilised for salary related costs of a firefighter. Changing a 24hr Core BRV to a 12hr BRV shift arrangement requires 8 less people per station to maintain the revised fleet availability and

realises a potential financial efficiency circa £320k per year per station (excluding the 7.5% late payment).

Changes to the BRV shift arrangement has the potential to be replicated across 11 stations consisting of a 24hr PRL & BRV and realise a potential total financial efficiency circa £3.5m. Changing BRV availability from 24hr Core BRV to 12hr BRV can be achieved through a range of different shift arrangements;

8.2 Option 1a – Change 24hr Core Shift BRV to a 12hr BRV Late Shift Arrangement

Maintain the 24hr Core PRL and change the 24 hr Core BRV to a 12hr Late BRV as per existing Late shift arrangements. This will generate 2 additional watches per station (Purple & Orange) requiring 8 people to voluntary transfer onto a 12hr Late shift arrangement. This option requires 8 less people per station to maintain fleet availability.

8.3 Option 1b – Change 24hr Core Shift BRVs to 12hr Shift Crewed by 2 Core Watch's through a Self-Rostering system

Maintain the 24hr Core PRL crewed by all 4 watches on a 2-2-4 shift pattern; change the 24hr Core BRV to a 12hr BRV crewed by only Green and White watch. Green and White watch would be required to self-roster for both the 24hr Core PRL and 12hr BRV shift arrangements. This option may require a firefighter to work 2 days, 2 nights, 4 days off followed by 4 Late shifts. The pattern would be self-rostered and flexible within the watch. The watch would require a minimum of 10 people each. Blue and Red watch will be required to work a normal shift pattern of 2-2-4 with each watch requiring a minimum of 6 people. The station would require 8 less people to maintain fleet availability.

8.4 Option 1c – Change 24hr Core BRVs to 12hr shift Crewed by Station Self Rostering System

Maintain the 24hr Core PRL and change the 24hr Core BRV to a 12hr BRV crewed with a Self-Rostering shift arrangement. This option provides an average working week of 42 hours with staff required to work 150 shifts per year consisting of days, nights and late shifts and requires 8 less people per station to maintain fleet availability. To enable efficient implementation of self-rostering shift arrangements 12-hour shifts would be preferred.

8.5 Option 2 - Alignment of Core and Late Shift Start and Finish Times

- 8.5.1 Change the core shift arrangement to 12-hour day and night shifts and align start and finish times with late shift arrangements. The core day and late shift arrangements to both start and finish at 10:00 hours and 22:00 hours resulting in the removal of the late shift arrangement as it would be incorporated within the core day shift hours.
- 8.5.2 IRMP data identifies that the optimum start and finish times to effectively manage response risk would be 11:00 hours – 23:00 hours. Combined Safe and Well and response activity data identifies the optimum start and finish times of 10:00 hours – 22:00 hours to enable a balanced approach to managing prevention and response risk. However, 09:00 hours – 21:00 hours maximise community contact time for prevention and protection activities.
- 8.5.3 Alignment of optimum start and finish times enables staff to crew both the 24hr Core PRL and the 12hr Late BRV. The overall establishment on station will not change and can be applied to all stations.
- 8.5.4 This option would result in no changes to resource availability and the average 5-minute risk-based attendance standard. Current levels of Prevention and Protection risk reduction activities during key contact time would be maintained.
- 8.5.5 Aligning start and finish times provides opportunities to realise limited financial efficiencies at combined Late and Core shift stations which is scalable up to 8 Late shift stations, through review of supervisory officer requirements that can be considered within the management review.

8.6 Option 3 – Station Self Rostering

- 8.6.1 Station based Self-Rostering is a flexible shift arrangement where staff allocating their working shifts to maintain fleet availability. Self-Rostering provides an average working week of 42 hours where staff are required to work 150 shifts per year. This option requires day, night and late shifts to be 12-hour duration.

- 8.6.2 Station based Self-Rostering staffing arrangements can be applied across all stations to replace existing fixed 24hr Core and 12hr Late shift arrangements. This option would result in no changes to resource availability and the average 5-minute risk-based attendance standard. Current levels of Prevention and Protection risk reduction activities carried out during key contact time would be maintained.
- 8.6.3 This option does not impact current staffing levels and provides an opportunity to review the balance of supervisory officers and firefighters required at each station. A Self-Rostering shift arrangement could also realise financial efficiencies due to reductions in the ridership factor enabled through agreed staffing business rules to maintaining fleet availability. Further benefits could be achieved through also aligning the start and finish times of both the Core and Late shifts as outlined in option 2.

8.7 Option 4 – 8-hour shift arrangements

- 8.7.1 An 8-hour shift arrangement that provides an average 42 hours per week does not provide 2 periods of 24 hours free from duty each week, therefore does not comply with the principles stated within the grey book. An 8-hour shift arrangement can be aligned to effectively manage risk and adjusted to an average 40-hour week to provide 2 periods of 24 hours free from duty each week. Shift arrangements aligned to risk provide opportunities to enhance productivity and maximise community contact time to deliver prevention and protection activities within a reduced working week.
- 8.7.2 An 8-hour shift arrangement aligned to managing risk could be more effectively achieved through a self-rostering arrangement, based on a reduced 40 hours per week requiring staff to work a total of 215 shifts per year consisting of 82 early, 82 Late and 51 night shifts.
- 8.7.3 This option would result in no changes to resource availability and the 5-minute risk-based attendance standard. Current levels of Prevention and Protection risk reduction activities during key contact time would be maintained.

8.7.4 Financial efficiencies could be realised through a self-rostering 8-hour shift arrangement enabling changes to fleet availability to effectively manage risk at different times of day. This could be achieved across one or more of the 11 stations by maintaining the 24hr Core PRL and changing the 24hr Core BRV to 16 hr BRV only available during the early and late shifts. This shift arrangement requires 4 less people per station to maintain the revised fleet availability and realises a potential financial efficiency of circa £160k per station, scalable up to 11 stations and realise a potential total financial efficiency of circa £1.75m.

8.7.5 A Self-Rostering shift arrangement based on a 40-hour working week, could realise further financial efficiencies due to reductions in the ridership factor enabled through agreed staffing business rules to maintaining fleet availability.

Current Shift Arrangements	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Safe Systems of work (Assertive, Effective & Safe)	Savings Achieved
<p>Core shift and Late shift.</p> <p>Core shift PRLs and BRVs, are available 24hrs and are aligned to a 4 watch shift arrangement. The core shift operates a 2-2-4 shift system consisting of 2 day shifts (0800-1800) followed by 2 night shifts (1800-0800) followed by 4 rota days.</p> <p>Late shift PRLs and BRVs are available for 12 hrs of the day between 1000 and 2200 and operate a 2-watch shift arrangement with the</p>	<p>Current Performance 4:33 mins</p> <p>Safe & Well = 3600 p/m</p>	<p>Our current shift arrangement supports assertive, effective and safe tactics.</p>	<p>This is our current shift arrangements</p>

4 duty days being followed by 4 rota days.			
OPTION 1			
What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
<p>Changing 24hr Core BRV to 12hr BRV shift arrangement that can be achieved via any of the options below: -</p> <p>1a. Increased Late shift arrangements. or 1b. Watch based Self Rostering and Core shift arrangements. or 1c Station based Self Rostering shift arrangement.</p>	<p>Limited impact on Category 1 risk based attendance standard during the hours 22:00 and 10:00 hours</p> <p>Variable reduction in the number of BRVs available during the period of 22:00-10:00 hrs.</p> <p>IRMP will provide evidence to the extent and scalability that this option could be implemented.</p> <p>No impact on the delivery of Safe and Well = 3600 p/m</p>	<p>Safe systems of work will be maintained through application of risk assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed to a limited extent whilst awaiting the arrival of further resources during the hours 22:00 and 10:00.</p>	<p>Circa £320k per station per year</p> <p>Potential total Circa £3.5m per year</p>
OPTION 2			
What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
Change and align Core and Late shift start and finish times to effectively manage risk.	None to limited impact on Category 1 risk based attendance standard dependant on agreed start and finish times	No impact to safe systems of work which will be maintained through	Potential for limited financial efficiencies for consideration

	None to limited impact on the delivery of Safe and Well dependant on agreed start and finish times	application of risk assessment.	as part of the Management Review
OPTION 3			
What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
Self-Rostering shift arrangements	<p>Limited impact on Category 1 risk-based attendance standard during the hours 22:00 and 10:00 hours</p> <p>Variable reduction in the number of BRVs available during the period of 22:00-10:00 hrs.</p> <p>IRMP will provide evidence to the extent and scalability that this option could be implemented.</p> <p>No impact on the delivery of Safe and Well = 3600 p/m</p>	<p>Safe systems of work will be maintained through application of risk assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed to a limited extent whilst awaiting the arrival of further resources during the hours 22:00 and 10:00.</p>	Potential for limited financial efficiencies for consideration as part of the Management Review
OPTION 4			
What would change	Impact on IRMP (5 Minute Risk Based Attendance Standard and Safe & Well)	Impact on Assertive, Effective & Safe	Savings Achieved
8-hour self-rostering shift arrangement and	Limited impact on Category 1 risk based attendance standard	Safe systems of work will be maintained through	£160k per station per year.

change 24hr Core BRV to 16hr BRV.	<p>during the agreed night shift hours.</p> <p>Variable reduction in the number of BRVs available during the period of 22:00-10:00 hrs.</p> <p>IRMP will provide evidence to the extent and scalability that this option could be implemented.</p> <p>No impact on the delivery of Safe and Well = 3600 p/m</p>	<p>application of risk assessment</p> <p>The adoption of Assertive and Effective tactics may be delayed to a limited extent whilst awaiting the arrival of further resources during the agreed night shift hours.</p>	<p>Potential total Circa £1.75m per year</p>
-----------------------------------	--	---	---

9. **On Call**

9.1 The three options to be considered are:

- The introduction of a purely 'On call' workforce as part of the overall Service Delivery Model (SDM).
- Using current Whole-time Firefighters employed by WMFS to also provide an 'On Call' capability as part of the overall SDM.
- Take the option not to pursue an 'On Call' option due to the detrimental impact on the risk based 5-minute response standard.

9.2 Research indicates an 'On Call' option typically consists of up to twenty personnel allocated to a fire station providing part time response availability. This normally involves individuals being required to commit to providing a minimum number of weekly duty hours and being mobilised via pager from their home or work locations. Sector practice indicates that 'On Call' personnel need to be able to be on station (typically) within five-minutes of their pager alerting them to an incident. In addition, some FRS use a wholetime model during the daytime and an 'On Call' option at night using the same personnel, this is generally referred to as Day Crewing.

9.3 Payment for 'On Call' usually involves a yearly retainer allowance and then hourly pay for responding to incidents and attending training, prevention and other activities. It should also be noted that 'On Call' payments are pensionable.

9.4 The 'On Call' option has already been previously explored by WMFS, the findings of which demonstrated financial savings could be achieved. However, there were a significant number of issues which were not compatible with organisational strategy and direction. These issues included topics such as retention, local business support, workforce diversity, training / competency and the impact on attendance times.

9.5 However, the political and financial landscape has now changed and prompted the need to reappraise this option as directed by the Fire Authority.

10. **On Call impacts**

Any wholetime 'On Call' option would utilise WMFS current resources, either through a combination of people, vehicles and equipment. Alternatively, a decision may be taken to recruit new staff purely to provide an 'On Call' function based upon their ability to respond to a fire station within a set reaction time. In enabling this model current resources (assets, fleet and equipment) would be used to train and develop this workforce. This will create additional burden on both current resources and support functions and would need to be monitored carefully to ensure core activity and legislative health and safety arrangements can be maintained for the current workforce.

11. **Impact on the IRMP and risk based 5 minute response standard**

- 11.1 Based on experience and expert opinion it is reasonable to assume any 'On Call' option would have a detrimental impact on attendance times due to the additional time it would take an 'On Call' firefighter to reach their station and respond.
- 11.2 Another key consideration when determining the impact on the IRMP and risk based 5 minute response standard is not only assessing the impact of increased attendance times but the likelihood of a category one or two incident occurring in a certain high risk geographical area. Based on our incident data and risk intelligence which informs the IRMP we know the areas where a serious incident is more likely to occur. Therefore, any decision to increase the potential attendance time of an appliance located in or around certain areas would have to be carefully considered due to the foreseeable risk.
- 11.3 As part of the analysis for this option this further scrutiny will be required to ensure the risk characteristics of a given station area are suitable. This could include elements such as:
- Total incident numbers;
 - Type of incidents attended;
 - Wealth of the area;
 - Industrial / special risks;
 - Location of surrounding fire stations;
 - Population number; and
 - Risk of serious fire / RTC (injuries and/or fatalities).

12. Impact on the Service Delivery Model

- 12.1 Introducing an 'On Call' option within the current SDM will change it's dynamic in the sense that although the organisations resource configuration will remain broadly the same, the availability of resources providing an immediate response at the point of call will be reduced. The employment of 'On Call' staff does move the organisation away from being able to provide an immediate wholetime response.
- 12.2 Depending on the shift times chosen the implementation of 'On Call' could also impact the blended approach to Prevention, Protection and Response functions and the drive for operational excellence. This is because resource availability will be reduced meaning that other key activities will be impacted such as Safe and Well, Site Specific Risk Inspections, Schools Education etc. This issue would be more prevalent if an Wholetime 'On call' duty system was implemented. Whereby, personnel on day duty would then provide a delay response at night. When personnel are mobilised during night time hours there would need to be allowances made the following day for rest periods which would impact key contact time with the community and compromise our ability to provide a fully integrated SDM.
- 12.3 Analysis has been undertaken to identify incident call data for individual stations. It is a characteristic of 'On Call' stations that they experience very low call demand (Cira 200 incidents per year). WMFS far exceeds this sector standard. This is demonstrated by the 2017/18 incident data which indicates that only one WMFS station (Tettenhall) responds to around 200 calls per year. It should also be noted this station already operates on the Lates shift pattern.

13. Impact on people

- 13.1 The implementation of an 'On Call' option will have various impacts. First and foremost, the community will experience increased attendance times and be exposed to incidents for longer periods of times compared with current WMFS response standards. This will reduce the chances of survival. In addition, any delay in reaching an incident means our firefighters will face more developed and serious situations.

- 13.2 Another major impact is the requirement to initially train 'On Call' staff. Anecdotal evidence from other FRS indicates this can be problematic to maintain on a part time basis due to other commitments and can take up to two years for competency to be achieved.
- 13.3 It also needs to be considered from a welfare perspective the impact on personnel who are employed as wholetime firefighters and then provide an 'On Call' response. Although this mitigates issues around competency the risk of fatigue is increased which could impact attendance levels and personal wellbeing i.e. Mental Health, fatigue.
- 13.4 If an 'On Call' option was implemented it is likely that existing station-based personnel may have to move work location to accommodate this new approach. This will naturally cause concern and upset, requiring consideration and additional managerial support.
- 13.5 Another key consideration is the impact on community confidence if the service is seen to be implementing measures that will have a detrimental impact on its ability to respond. This could also lead to a loss of confidence and commitment in the overall organisational strategy and the SDM.
- 13.6 Another potential issue would be due to the need to respond within a limited timeframe is the ability to recruit and retain a 'On Call' workforce that is reflective of the overall West Midlands area demographic. This is because stations which operate in areas of increased deprivation can be more representative of the West Midlands community but are in locations where 'On Call' response would be less feasible due to the foreseeable incident risk these areas present. Naturally, areas which experience reduced call demand and incident risk are normally more affluent meaning the availability of volunteers to commit to 'On Call' may be reduced due to other employment commitments.
- 13.7 To manage an 'On Call' shift pattern there will be a requirement for additional and/or reallocation of managers to ensure the day to day / longer-term supervision of personnel. A key requirement being to ensure that competency levels and appropriate standards are maintained.

14. **Dependencies**

- 14.1 Any introduction of an 'On Call' option needs to be considered against any other plans that change WMFS resource / staffing configurations. This is crucial as any variation could impact the SDM which could be further compounded if an 'On Call' option is then overlaid this change in configuration.

15. **Estimated Savings**

- 15.1 The introduction of 'On Call' would require a reduction in current establishment numbers to realise any savings. The figures below are for illustrative purposes only and work on the following assumptions:

'On Call' response would operate between 2200 – 1000 hours.

Hourly pay is based on current rates and includes on costs.

Total incidents attended by 'On Call' workforce	=	1200
Maximum incident duration	=	2
Hours PRL crewing number (1 WCdr A / 4 FF)	=	5
BRV crewing number (1 WCdr A / 2 FF)	=	3
'On Call' retainer payment	=	£3000
Training hours per week (48 weeks per year)	=	3
Cost of 12 hour PRL	=	£500000
Cost of 12 hour BRV	=	£336500

Total number of 'On Call' appliances	5 x PRL	10 x PRL	5 x BRV	10 x BRV
Total personnel required	75	150	45	90
Total retainer payment	£225000	£450000	£135000	£270000
Total hourly pay for 1200 incidents	£227760	£227760	£139632	£139632
Total training cost per annum	£207215	£414431	£125669	£251337
Total cost	£659975	£1092191	£400301	£660969

Cost of wholetime 12 hour appliance	£2.5m	£5m	£1.68m	£3.37m
Total Saving	£1.84m	£3.9m	£1.3m	£2.71m

16. **Management Review**

Prior to decisions and options being considered as part of a wider management review a number of work streams will be completed. These include:

16.1 **Consideration of Service Delivery Options**

An assessment of the management levels required will be carried out on all future options and in particular those presented to the Fire Authority. These are: staff resource availability, resource configuration, risk-based crewing/shifts and on call firefighters. The outcomes of these options will be developed further and provided to the FA in February 2019.

16.2 **SET Review**

This is aligned to the ongoing 12-month review cycle of SET which is undertaken by the Chief Fire Officer. This review considers and makes a strategic assessment based on the leadership and skills requirements to enable the effective delivery of The Plan. The outcomes with recommendations will be provided in February 2019 for implementation in April 2019.

16.3. **FDS Review**

This will be conducted to establish the requirements for the number of flexi duty officers required to provide command and control based on the Integrated Risk Management Plan and the statutory responsibilities placed upon to include: Civil Contingencies Act 2014, Fire and Rescue service act 2004 and the National Framework. The scope for the review will include the roles from Station Commander to Brigade Manager. This will be completed by 14th December 2018.

16.4. **Department Assessments and Restructures**

- 16.4.1 An ongoing assessment of management and leadership levels required will be conducted through any functional assessment and restructure and should consider the requirements based on several factors such as capability, capacity and leadership.
- 16.4.2 It should be recognised as highlighted to the Fire Authority on 17th September 2018 this may result in further resources and levels of management being required within service support to ensure the provision of appropriately resourced functions.
- 16.4.3 On the completion of the work streams a further report outlining the next steps to the management review will be provided to the Fire Authority in February 2019.

17. **STAFF ENGAGEMENT AND FEEDBACK**

- 17.1 To support the development of all options there has been an extensive communications and engagement plan with all staff across the organisation. This was initiated with a management briefing which was filmed and shared on the WMFS Intranet with all staff. This is also supported by further face to middle manager led briefings with all Teams across the organisation which are supported by a member of SET. These team briefings are planned to continue until mid-December 2018.
- 17.2 The purpose of these briefings is to ensure all staff fully understand the background relating to the need to revise the strategy for 2019 – 2022, provide an overview of the options being considered and give an opportunity to feedback on existing options and present any potential new options.
- 17.3 This has been a positive exercise appreciated by all staff involved with feedback and comments captured by the middle manager leading each session. There have been general comments around the 'day to day' impacts of the options being developed and a range of solutions to mitigate these impacts presented by key stakeholders and most significantly Fire Control as resource managers.

17.4 Consultation with staff and representative bodies in continuing on a positive basis. To date there have been no alternative proposals presented by staff which could be further considered by the Authority. A commitment exists to maintain this staff engagement as direction is provided by the Authority and further development of the options takes place.

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

19 NOVEMBER 2018

1. INVESTMENT IN PROTECTION RESOURCES

Report of the Chief Fire Officer.

RECOMMENDED

- 1.1 THAT members note the impacts of reductions in Protection resources because of core funding reductions and the need for further financial investment.
- 1.2 THAT members note the potential impacts to the efficient and effective delivery of the Authority's statutory fire safety responsibilities because of the external environment.
- 1.3 THAT members approve further investment in Protection resources to enable the Authority to maintain effective discharge of statutory fire safety responsibilities.

2. PURPOSE OF REPORT

This report highlights the impact of continued resource reductions within the Protection function, as a result of core funding reductions to meet the challenges of the comprehensive spending review. The report also identifies increased demands on resources due to the internal and external environment and the need for investment to enable the Authority to continue to effectively discharge its statutory responsibilities in relation to fire safety. The need for investment in Protection resources was referenced in the Authority Report Strategy Options 2019 – 2022 dated 17 September 2018.

3. **BACKGROUND**

3.1 It is a requirement under the National Framework for Fire and Rescue Services to consider all risks in their area and provide the resources and strategy to manage and reduce those risks and protect the public from the risk. Fire and Rescue Services should ensure Protection has enough capacity through suitably qualified Fire Safety Officers to effectively implement Integrated Risk Management Plans (IRMPs), risk-based inspection programmes and discharge their statutory fire safety duties in relation to:

- inspections and audits
- prohibition and enforcement action
- consultations
- carry out additional activities as a result of an independent review

3.2 To enable the effective discharge of the Authority's statutory responsibilities the Protection function consists of Fire Safety Officers (FSOs) responsible for carrying out pre-planned fire safety audits in high risk premises to ensure compliance and enforcement of fire safety legislative requirements.

3.3 FSOs and Fire Engineers also conduct statutory building regulation consultations and support development projects including those incorporating fire engineered solutions. Technical officers are also responsible for managing all aspects of regulatory activities relating to licensing, petroleum, explosives, public events, enforcement and prosecutions.

3.4 Staffing levels within the Protection function have seen a 41% reduction in the numbers of FSOs from 105 in 2002 to the current establishment of 60.

3.5 Protection continues to experience increasing demands for its resources to effectively reduce risk, ensure public safety and provide public reassurance due to the external environment. Forecasting future demand due to recent changes in legislation and outcomes of the Grenfell Tower incident will further increase the demands placed upon existing resources.

4. **INSPECTION AND AUDITS**

- 4.1 Requirements of the National Framework for Fire and Rescue Services stipulates a duty to promote fire safety determined from a risk based inspection programme and the Regulatory (Fire Safety) Reform Order 2005 states FRSs have a duty to enforce the requirements of the legislation.
- 4.2 This duty is discharged through FSOs who carry out pre-planned audits within high risk premises determined by the risk based inspection programme (RBiP).
- 4.3 In addition to pre-planned audits in high and life risk premises there has been an increase in the number of fire safety complaints. In 2018, 83% of reactive audits have involved high life risk premises requiring intervention by FSOs competent to sector standards.
- 4.4 There has also been an increase in the number of fire safety complaints due to heightened public awareness following the Grenfell Tower incident; and fire safety referrals from partners and other regulators due to collaborative working.
- 4.5 Furthermore, operational personnel have received fire safety training to support the delivery of integrated Prevention, Protection and Response activities. This training is core to the delivery of the Safe and Strong risk reduction strategy of crews engaging with businesses to provide advice and education of legislative responsibilities and reducing fire risk within regulated premises. However, since the implementation of Safe and Strong in August 2018, there has been an immediate 15% increase in the number of fire safety referrals.
- 4.6 The impact of the imbalance of reactive and planned protection activities further reduces FSO capacity to carry out effective pre-planned audits in high risk premises determined by the RBiP, to reduce risk to life and ensure compliance with fire safety legislation.

5. **STAFFING RESILIENCE**

- 5.1 In addition to reduced establishment, operational (Grey Book) FSOs are also required to support operational staffing arrangements by providing resilience shifts to maintain fleet availability.
- 5.2 Provision of integrated resilience results in approximately 550 days per year that FSOs are unavailable to carry out pre-planned audits in high risk premises.
- 5.3 However, it is intended subject to approval, that the additional investment of 10 FSOs will continue to provide resilience to support maintaining fleet availability.

6. **PROHIBITIONS AND ENFORCEMENT**

- 6.1 The demand for enforcement and prosecution activities as a result of pre-planned audits, reactive referrals and complaints have continued to increase. Prohibition and enforcement activities involve FSOs undertaking multiple visits to affected premises and are time consuming, resulting in further reductions in capacity to complete high risk audits. The Service has experienced an increase in prosecution cases since 2010:

Year	Prosecution Cases
2010	39
2017	110
2018 (<i>end of September</i>)	106

- 6.2 Of the Prohibitions issued since 16/17 less than 10% have related to non-life risk premises where life risk was only identified following audit or inspection. FSOs have served 27 Prohibitions within the first and second quarters of 2018-19, which 9 have required further enforcement action and preparations for prosecution. Some enforcement activities have extended beyond fire safety legislation and required instigation of Safeguarding, Human Trafficking and Modern-Day Slavery interventions by FSOs.

7. PLANNING AND BUILDING REGULATION CONSULTATIONS

- 7.1 The Authority has non-statutory responsibilities to respond within 21 days to planning application consultations and a statutory responsibility to respond within 15 days for building regulation consultations. The Applications team are experiencing an increase in demand and complexity of consultations which continues to be challenging to achieve statutory obligations.
- 7.2 Recent changes to the Housing Act relating to applications and licensing requirements for Houses in Multiple Occupancy (HMO) received by Local Authorities, requires consultation with Fire Authorities under specified conditions. Initial information provided by Local Authorities highlights significant increases in HMO licence applications estimated to be between 300 - 400%. Specifically, Birmingham City Council (BCC) are anticipating applications to be in the 1000's.
- 7.3 WMFS will be expected to consult and respond to these applications where fire safety risks are identified, or the Local Authority are taking enforcement action following application. The extent of the impact of the requirement for consultation of HMO applications is currently unknown, but will result in an increased demand for the Applications team who are currently experiencing challenging demands to achieve existing statutory consultation obligations.
- 7.4 The current demands on the Applications team is expatiated by the type and complexity of consultations which include fire engineered solutions and major projects, requiring support from the Fire Engineering team. Protection resources are also impacted through provision of continued support and engagement with major projects and developments as they progress through the life stages of design, construction and occupation.
- 7.5 Demands of future large-scale developments such as Coventry City of Culture, HS2 Rail Network and Commonwealth Games, which incorporates a large regeneration project around Birmingham for stadia and an Athletes Village, will further increase demand for Protection resources.

- 7.6 A further high-profile project being undertaken by BCC is the review of Fire Risk Assessments and retro fitting of sprinkler systems within their stock of residential high-rise buildings. BCC has sought continued support and guidance through the Fire Engineering team which has recently been impacted due to the loss of 3 Fire Engineers.

8. **IMPACTS OF THE EXTERNAL ENVIRONMENT**

- 8.1 It is a requirement under the National Framework for Fire and Rescue Services to consider all risks in their area and provide the resources and strategies to manage and protect the public from risk. A FRS is also expected to carry out any additional activities as a result of an independent review.
- 8.2 Whilst identified risk within the IRMP has not changed, the consequences of the Grenfell Tower incident have resulted in heightened national interest and awareness of the risks of fire within high rise buildings. The perceptions and concerns of members of the community and building owners has necessitated the re-prioritisation of targeted Prevention and Protection activities to ensure public safety and provide public reassurance. This re-prioritisation of Protection resources supported joint Site-Specific Risk Information (SSRI) visits with operational personnel and completion of fire safety audits in all residential high-rise buildings (551) and other buildings reporting suspected or confirmed ACM cladding within the private and public sectors.
- 8.3 The re-prioritisation of Protection resources has impacted on available capacity to conduct pre-planned risk-based audits within high risk premises directed by the RBiP.
- 8.4 Whilst the future impacts following Grenfell are yet to be confirmed, the recommendations of the Independent Review of Building Regulations and Fire Safety conducted by Dame Judith Hackitt, suggests that there will be significant implications for fire and rescue authorities (FRAs).

- 8.5 One such recommendation considers a new regulatory framework for Higher Risk Residential Buildings (HRRB) incorporating design, construction and refurbishment and also occupancy stages of buildings under the regulation of a Joint Competent Authority incorporates the FRA whose involvement is to be determined. In the event that the recommendation is implemented, it has been identified that there will be resource implications for FRAs both in carrying out the role as part of the Joint Competent Authority and ensuring they have suitably qualified people.
- 8.6 As a key element of the new tripartite regulator, the Joint Competent Authority, FRAs will have a significantly greater role in the approval process for building HRRBs. This includes being consulted at the planning stage for the building of new HRRBs, and when any applications are submitted in relation to other buildings in the immediate vicinity of a HRRB, FRAs will also be involved in reviewing fire safety arrangements within existing buildings. This will result in a potential increase in the number of fire safety audits, in addition to pre-planned risk-based audits and statutory building regulation consultations within already stretched resources.
- 8.7 The impacts of the external environment in relation to the implementation of any recommendations of the Independent Review of Building Regulations and Fire Safety; potential changes in legislation and competence requirements will need continual review to determine future resource requirements and the FRA ability to effectively discharge its statutory fire safety responsibilities.

9. **RESOURCE INVESTMENT**

- 9.1 The proposed resource investment incorporates increasing the establishment by 1 Station Manager to enhance partnership working with members of the West Midlands Combined Authority and business community and increasing the number of FSOs by 10 Watch Commander A's.
- 9.2 Additional resources will enhance the effectiveness of discharging the Authority's statutory responsibilities and support risk reduction activities including:

- pre-planned audits in high risk premises determined by the Risk Based Inspection Programme,
- Ensure compliance and enforcement of fire safety legislation
- Delivery of Primary Authority Scheme responsibilities
- Statutory consultations
- Supporting future major projects and developments in relation to fire safety and engineered solutions

9.3 FSO investment will require a period of training and development to achieve competence in accordance with sector standards, anticipated to take approximately 9-12 months before enhanced organisational value is released.

9.4 Further investment is also required for continual development and upskilling of FSO knowledge and skills to enhance FSO capabilities across the existing Protection team, to ensure the Authority continues to effectively discharge its statutory fire safety responsibilities and meet the challenges of the external environment.

9.5 Investment in resources provides an opportunity to further enable Protection to better reflect the diversity within our business community.

10. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment has been carried out. The initial Equality Impact Assessment did not raise any issues which required a full Equality Impact Assessment to be completed.

11. **LEGAL IMPLICATIONS**

The Regulatory Reform (Fire Safety) Order 2005 places a general duty on Responsible Persons and others who have control to any extent to provide general fire precautions to keep people safe in case of fire. The Order imposes a statutory duty on Fire and Rescue Authorities to enforce the provisions of the Order.

12. **FINANCIAL IMPLICATIONS**

- 12.1 The total annual estimated costs for the Protection resources would be approximately £582k as reflected below:

Investment	£,000	£,000
Staff		
1 x Station Commander B (non FDS)	56	
10 x Watch Commander A	456	
		512
Training & Development *		42
Travelling		24
ICT		4
Total		582

*Subject to competency requirements arising from the outcome of the Grenfell enquiry

- 12.2 There is currently no specific budget provision to cover the above investment costs and so the ability to meet the indicated investment needs to be considered alongside service change options reported in the Authority Report Strategy Options 2019 – 2022 dated 17 September 2018.
- 12.3 It is anticipated subject to approval and considering processing time to facilitate recruitment and selection, that increases in Protection resources take effect from April 2019.
- 12.4 Provision of 22 resilience shifts per FSO results in £5500 financial efficiencies per year due to reduced Voluntary Additional Shift (VAS) requirements. Additional investment of 10 FSOs provides a potential saving of £55K per year in VAS payments.

13. **ENVIRONMENTAL IMPLICATIONS**

No environmental issues will arise from this work stream.

14. **ORGANISATIONAL DEVELOPMENT**

- 14.1 Investment in the provision of Protection resources, continual development and upskilling of FSOs will enhance organisational capability to ensure the Authority continues to effectively discharge its statutory fire safety responsibilities and providing public reassurance and safety within a changing external environment.
- 14.2 There are further training and development requirements for FSOs relating to attaining professional qualifications and achieving standards of sector competence to enable FSOs to carryout audits and enforcement activities within high risk premises.

BACKGROUND PAPERS

Authority Report 17 September 2018 - Strategy Options 2019 – 2022.

The contact officer for this report is Assistant Chief Officer, Gary Taylor, Director of Service Delivery, telephone number 0121 380 6914.

PHIL LOACH
CHIEF FIRE OFFICER

19 NOVEMBER 2018

1. EXTENSION TO SIX MONTH ATTENDANCE

Report of the Clerk and Monitoring Officer.

RECOMMENDED

THAT having regard to the circumstances of the absence of Councillor S Walsh from Authority meetings, consideration be given to the waiving of the requirements of Section 85 of the Local Government Act 1972 and to approve an extension of the six month rule for Councillor S Walsh for a period of six months, with effect from 19 November 2018, expiring on 18 May 2019.

2. PURPOSE OF REPORT

This report is submitted to seek approval to an extension of a six month attendance rule to excuse the non-attendance of Councillor S Walsh at Authority meetings for a period of six months, with effect from 19 November 2018, expiring 18 May 2019.

3. BACKGROUND

- 3.1 Due to Councillor S Walsh suffering ill-health, a formal request has been received for an extension to the six-month rule to be approved on the grounds that Councillor S Walsh's non-attendance has been due to ill-health and ongoing recovery. The Authority can only consider such a request where approval is given in relation to the reasons for non-attendance before the end of the relevant six-month period which will be 23 December 2018.

Under the circumstances, it is requested that the Authority approve an extension of the six month rule for Councillor S Walsh and that the Authority's best wishes be conveyed to Councillor S Walsh for a speedy recovery. If approved, the extension of time would be effective for a six month period from 19 November 2018 expiring on 18 May 2019. This does not, of course, prevent Councillor S Walsh from returning to meetings at any time if his health improves sufficiently.

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**

- 5.1 Section 85 of the Local Government Act 1972 states that 'if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority'. Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions. The requirement can be waived and the time extended if any failure to attend was due to a reason approved by the Authority, in advance of the six month period expiring.
- 5.2 Should any councillor lose office through failure to attend for the six month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Authority be sought for an extension in time. If the Authority decided not to approve an extension and, as they would be unable to attend another meeting, a vacancy would arise and the relevant constituent council notified.

6. **FINANCIAL IMPLICATIONS**

The budget provision already established for Members allowances would accommodate the proposed action.

7. **ENVIRONMENTAL IMPLICATIONS**

There are currently no environmental implications.

BACKGROUND PAPERS

The Constitution of the West Midlands Fire and Rescue Authority.

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

KAREN GOWREESUNKER
CLERK

SATINDER SAHOTA
MONITORING OFFICER

19 NOVEMBER 2018

1. **MONITORING OF FINANCES**

Joint report of the Chief Fire Officer and Treasurer.

RECOMMENDED

THAT the report be noted.

2. **PURPOSE OF REPORT**

2.1 This report deals with the monitoring of the finances of the Authority in the current financial year and covers revenue expenditure and the Capital Programme.

2.2 Expenditure is compared with a profile of the Authority's budget.

3. **BACKGROUND**

3.1 **Revenue Expenditure**

The Authority's 2018/2019 Council Tax requirement is £41.305 million and the revenue budget is £95.477 million. As part of the Authority's 2018/2019 budget setting process, the current year's budget reflects an estimated transfer from general balances of £1.500 million.

Appendix A compares the revenue budgeted to the end of October 2018 with the actuals to that date. Devolved budgets are managed by the Section responsible for incurring the expenditure as opposed to corporate budgets, which are managed by the named Section on behalf of the Brigade as a whole.

Actual spend to October 2018, including commitments, was £57.277 million compared to a projected budget of £57.291 million, an overall favourable variance of £0.014 million. The most significant variances relate to the Corporate Business Development Budget (adverse variance £0.403 million) and the Corporate Finance and Resources Budget (favourable variance £0.251 million, arising from a rates rebate for the HQ/Safeside buildings).

Appendix B provides statistical data relating to the Firefighters' Pension Scheme.

3.2 **Capital Expenditure**

The Authority's approved capital programme for 2018/2019 is £14.365 million. A scheme analysis is shown on Appendix C. Expenditure to the end of October 2018 is shown as £6.016 million.

The main forecast variance within the capital programme relates to:

- Aston Fire Station where there has been a delay to construction to enable the re-siting of communication lines.
- Vehicle Replacement Programme – delayed purchase of ancillary vehicles (command support vehicle, Detection Identification and Monitoring vehicle and Welfare Pod) pending the outcome of a review.

4. **EQUALITY IMPACT ASSESSMENT**

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

5. **LEGAL IMPLICATIONS**

The course of action recommended in this report does not raise issues which should be drawn to the attention of the Authority's Monitoring Officer.

6. **FINANCIAL IMPLICATIONS**

These are contained in the body of the report and the attached Appendices.

BACKGROUND PAPERS

Authority's Budget and Precept Report – February 2018
Finance Office Budget Monitoring Files

The contact officer for this report is Philip Hales, Deputy Chief Fire Officer, telephone number 0121 380 6907

PHIL LOACH
CHIEF FIRE OFFICER

MIKE GRIFFITHS
TREASURER

REVENUE MONITORING SUMMARY TO OCTOBER 2018

	LATEST BUDGET 2018/2019 £'000	PROFILED BUDGET £'000	ACTUALS + COMMIT -MENTS £'000	VARIANCE TO PROFILED BUDGET £'000
DEVOLVED BUDGETS				
Corporate Management	2,624	1,530	1,510	-20
Corporate Charges	538	534	532	-2
Service Support				
People Support Services	6,252	3,833	3,738	-95
Business Development	132	93	90	-3
Intelligence and Innovation	1,683	1,062	1,067	5
Finance & Resources	5,113	2,833	2,782	-51
ICT	4,748	3,041	3,044	3
Service Delivery				
Operations	50,592	29,275	29,335	60
CORPORATE BUDGETS				
Service Support				
People Support Services	2,709	1,624	1,589	-35
Business Development	-1,000	-583	-180	403
Intelligence and Innovation	15	17	28	11
Finance and Resources	15,090	10,051	9,800	-251
ICT	233	145	118	-27
Service Delivery				
Response	5,179	3,018	3,003	-15
Prevention	-2	0	0	0
Protection	-47	-57	-54	3
Other Income & Expenditure	1,618	875	875	0
Appropriation to Reserves	0	0	0	0
TOTAL (NET BUDGET REQUIREMENT)	95,477	57,291	57,277	-14
Core Funding	- 54,172	-34,904	-34,904	-
TOTAL (COUNCIL TAX REQUIREMENT)	41,305	22,387	22,373	-14

FIREFIGHTERS' PENSION SCHEMES

NON-FINANCIAL INFORMATION	2018/19 PROJECTION				ACTUAL POSITION AS AT OCTOBER 2018			
	1992 FPS	2006 FPS	2015 FPS	TOTAL	1992 FPS	2006 FPS	2015 FPS	TOTAL
Members of FPS at 1st April 2018	303	11	977	1,291	303	11	977	1,291
New Members	-	-	53	53	-	-	62	62
Opt-In	-	-	-	-	-	-	2	2
Transitional Members during year	-28	-1	29	-	-9	-	9	-
Transfers from Other Pension Schemes	-	-	-	-	-	-	-	-
Transfers to Other Pension Schemes	-	-	-	-	-	-	-	-
Retirements	-38	-2	-	-40	-31	-2	-1	-34
Opt-Out	-	-	-10	-10	-	-	-19	-19
Leavers	-	-	-12	-12	-2	-	-9	-11
Ill-Health Retirements	-2	-	-1	-3	-	-	-	-
Members of the Fire Pension Schemes as at 31st October 2018					261	9	1,021	1,291

CAPITAL MONITORING STATEMENT 2018/19

Scheme	Year 2018/19	Latest Budget £'000	Actuals October 2018 £'000	Forecast £'000	Variance £'000
<u>LAND & BUILDINGS</u>					
Boiler Replacement Programme	Ongoing	206	209	209	+3
Roof Replacements	Ongoing	355	0	357	+2
Windows/Door Replacement	Ongoing	514	229	494	-20
Rewires	Ongoing	130	0	130	-
Coventry Fire Station	4 of 5	4,112	3,655	4,112	-
HQ Alterations	2 of 2	609	288	609	-
Aston Fire Station	4 of 5	4,488	262	3,948	-540
<u>VEHICLES</u>					
Vehicle Replacement Programme	Ongoing	3,705	1,373	3,065	-640
<u>ICT & EQUIPMENT</u>					
C&C Upgrade Vision 4	1 of 1	221	0	221	-
Oracle Licensing	9 of 9	25	0	0	-25
Grand Total		14,365	6,016	13,145	-1,220
<u>Funded By</u>					
Prudential Borrowing		0		0	-
Capital Grants / Contributions		744		744	-
Capital Receipts to be Applied		0		0	-
Revenue Financing / Earmarked Reserves		13,621		12,401	-1,220
TOTAL		14,365		13,145	-1,220
SURPLUS(-)/DEFICIT(+)					

19 NOVEMBER 2018

1. **MEMBERS' ALLOWANCES**

Report of the Clerk and Monitoring Officer

RECOMMENDED

- 1.1 THAT the Authority note the contents of the Independent Review of Members' Allowances report, by Andrew Campbell, Local Government Association. Additionally, members consider the recommendations set out to determine a way forward. The full report is attached as Appendix 1.

2 **SUMMARY OF INDEPENDENT REVIEW
RECOMMENDATIONS**

- 2.1 The Basic Allowance for Members be increased from £3,500 to £4,100 and backdated to June 2018. (See Appendix 1, Item 31)
- 2.2 The Chair's allowance of £24,500 should remain unchanged. (See Appendix 1, Item 34)
- 2.3 The allowance paid to the Vice-Chair remains unchanged at £12,250. (See Appendix 1, Item 36)
- 2.4 The allowances paid to the Chairs of the Governance and Transformation Committee, Scrutiny Committee, Audit and Risk Committee and Joint Consultative Panel should remain at £8,575. (See Appendix 1, Item 39.)
- 2.5 The level of allowances paid to Vice Chairs of the Governance and Transformation and Scrutiny Committee remain unchanged at £6,575. (See Appendix 1, Item 42.)
- 2.6 The increase to £6,575 for the Vice Chair of the Audit and Risk Committee, with this payment backdated to June 2018. (See Appendix 1, Item 42.)

- 2.7 The allowance paid to the Vice Chair of the Joint Consultative Panel should remain at £3,975. (See Appendix 1, Item 42.)
- 2.8 The decrease in payment to the Chair of the Appeals, Standards and Appointments Committee from £8,575 to £6,575, backdated to June 2018. However, if the Committee meets four times or more in the year, the allowance should revert to £8,575. (See Appendix 1, Item 44.)
- 2.9 The decrease in payment to the Vice Chair of the Appeals, Standards and Appointments Committee from £3,975 to £3,000, backdated to June 2018. However, if the Committee meets four times or more in the year, the allowance should revert to £3,975. (See Appendix 1, Item 44.)
- 2.10 The removal of the payment of £4,900 to the members of the Scrutiny Committee with effect from 1 December 2018. (See Appendix 1, Item 47.)
- 2.11 Members continue to receive only one Special Responsibility Allowance. (See Appendix 1, Item 49.)
- 2.12 The independent member of the Audit and Risk Committee from £350 to £410 and backdated to June 2018. (See Appendix 1, Item 53.)
- 2.13 No change is made to the schedule of approved duties and to the fact that travel and subsistence payments should only be claimed when carrying out duties beyond the West Midlands. (See Appendix 1, Item 60.)
- 2.14 No increase is made to the travel and subsistence payments. (See Appendix 1, Item 61.)
- 2.15 The increase to the amount paid for dependants' carers allowances from £350 to £410 (10% of the Member Basic Allowance. (See Appendix 1, Item 82.)
- 2.16 An option was also identified for the Authority to continue with the existing allowance scheme and uplift by 1%. For

clarity, this is referenced in the report as an option and not specified as a recommendation. (See Appendix 1, Item 19.)

3. **PURPOSE OF REPORT**

This report is submitted for the Authority to review the independent recommendations made to the Members Allowances for 2018/19.

4. **BACKGROUND**

- 4.1 In accordance with Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations), the Authority is required to make and approve a scheme of the payments of members' allowances each year.
- 4.2 There was no pay award to NJC and Local Government Services in 2010/11, 2011/12 and members' allowances were not therefore increased. The scheme does not allow for indexing beyond 1 April 2011 and an Independent Remuneration Panel would usually be convened to review the members' allowances scheme. In the years between 2012/13 and 2017/18 in view of the continuing difficult financial situation faced by the Authority, it was agreed to defer reconsideration of the scheme and to review the situation in 12 months' time.
- 4.3 There have been minimal increases in local government pay; however, in view of the continuing financial stringency and given the reformation of the Fire Authority as approved in Authority on 10 April 2017 and the revised governance structure as approved in Authority on 25 June 2018, an Independent Review has commenced to review the scheme of members' allowances. There has been a delay in the commencement of the review due to the sourcing of an appropriate independent body.
- 4.4 The members' allowances scheme was revised and approved in Authority on 25 June 2018. The scheme was revised to reflect the dissolved Executive Committee, the new Governance and Transformation Committee and the

amalgamation of the Appointments, Standards and Appeals Committee.

- 4.5 The review allowed Members to provide representations of their views on the Members' Allowances. These included that increases in the cost of the allowances scheme would be difficult at a time of increasing pressure on the Fire Service and the limited lifespan of the Fire Authority.
- 4.6 It has been acknowledged that the reduction in the number of members has saved approximately £80,000 in allowances; the reformed structure has increased participation or availability by members.
- 4.7 The representations were analysed alongside external data that was researched against existing West Midlands Fire & Rescue Authority current members' allowances and roles and responsibilities.

5. **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.

6. **LEGAL IMPLICATIONS**

There are no legal implications associated with the implementation of the recommendations set out in this report.

7. **FINANCIAL IMPLICATIONS**

If the recommendations were introduced in full, (see Appendix 2) the figure for 2018/19 would be £162,260. The previous figure for the year was £163,375. This could increase by £2,975 if the Appointments, Standards and Appeals Committee meet in excess of four times in the year. The reduction in the Special Responsibility Allowance for Scrutiny Members is suggested to cease with effect from 1 December 2018, the £4,900 payment would be pro-rated as five months will have been paid.

8. **ENVIRONMENTAL IMPLICATIONS**

None

BACKGROUND PAPERS

Fire Authority Meeting 10 April 2017,
Report – Route Map to a Mayoral WMCA Governance, a reformed
Fire Authority,
(Agenda Item No. 5)

Fire Authority Meeting 25 June 2018
Governance of the Authority 2018-2019,
(Agenda Item No. 9)
Appointment of Co-opted Members,
(Agenda Item No. 10)

Fire Authority Meeting 17 September 2018
Members Allowances Review Update
(Agenda Item No. 13)

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

Karen Gowreesunker
CLERK to the Authority

Satinder Sahota
Monitoring Officer

APPENDIX 1

AN INDEPENDENT REVIEW OF MEMBERS' ALLOWANCES FOR THE WEST MIDLANDS FIRE AUTHORITY

A Report by Andrew Campbell CB
of the Local Government Association
October 2018

Terms of Reference

1. I was asked to undertake an independent review of the Authority's Members' Allowances scheme. Specifically, it was agreed that the review should consider, make recommendations and offer advice on the following:
 - a. The level of the basic allowance
 - b. The range and levels of the Special Responsibility Allowances (SRAs), taking into account the roles and responsibilities of Members and the anticipated workload arising from the number of meetings planned for 2018/19;
 - c. The eligibility of co-optees for allowances and the consistency of payments to co-optees across the various committees and panels);
 - d. The duties for which Travel and Subsistence should be paid and the amount of such allowances;
 - e. Whether a provision for dependent care should be included in the Allowances Scheme;
 - f. Whether there should be any separate allowances for IT and stationery;
 - g. The backdating of any retrospective changes to aspects of the Allowances Scheme;
 - h. The Scheme of Delegations; and
 - i. The Terms of Reference for the Committees.
2. Members of the West Midland Fire Authority were given two opportunities for face to face meetings: on 4 and 17 September. In addition, all Members were invited to make written submissions or to participate in a telephone interview. I am grateful to all those who contributed their views.
3. The operation of the Members Allowances Scheme in a range of other Fire Authorities was considered in order to gather comparative data on the operation of Basic, Special Responsibility and Carers' Allowances, Travel and Subsistence, and the roles, responsibilities and workloads of Members in those Authorities. The Authorities considered were as follows:
 - Avon
 - Derbyshire
 - Hampshire
 - Humberside
 - Lancashire
 - Merseyside
 - Nottinghamshire
 - Royal Berkshire
 - South Yorkshire
 - Tyne and Wear

- West Yorkshire
4. The Members' Allowances Schemes in each of the 7 local authorities from which Members of the Fire Authority are drawn were also considered.

Context

Committee Structure

5. The Policing and Crime Act 2017 places a clear expectation on the blue light emergency services (Police, Ambulance and Fire) to collaborate further where efficiency and effectiveness can be achieved. The Act also enables the governance of a Fire Service to transfer from a Fire Authority to a Police and Crime Commissioner, or an elected Mayor where there is local agreement.
6. In June 2016 Authority members approved the commissioning of a Future Governance Working Group to review the governance arrangements of West Midlands Fire Service. The outcome of the working group was to provide an evidence based options appraisal for the future governance of West Midlands Fire Service. The options were presented to the Fire Authority and the agreed route and approach was for the West Midlands Mayoral Combined Authority to assume governance of the Service. The Authority approved an application to the Secretary of State for the amendment to the Local Government Act 1985, Schedule 10.
7. As part of the Authority "Route to Future Governance", approved on 20 February 2017, the Authority reviewed its Committee Structure and reduced its membership from 27 members to 15 plus two co-optee members and the Police and Crime Commissioner. The new arrangements commenced at the Annual General Meeting held on the 25 June 2018.
8. The revised arrangements meant that the former Executive Committee was disestablished and a new Committee established, the Governance and Transformation Committee. The purpose of this new Committee is to advise the Authority on the transition to the Mayoral West Midlands Combined Authority. The Committee consists of 7 Members (one from each Constituent Authority) and a position exists on this committee for 1 Co-optee.
9. The Authority has established a Policy Planning Forum, comprising all Members of the Authority, to provide for consideration of key policy areas affecting the Authority and service delivery. It is recognised as an effective way of engaging Members and officers on major issues faced by the Authority.
10. The Audit Committee has become the Audit and Risk Committee to reflect its role in monitoring the Authority's risk register. It consists of 5 Members and 1

Independent member and a position exists for 1 Co-optee. The Pensions Board assists the Audit and Risk Committee in its role as scheme manager to secure compliance with the regulations relating to governance and administration.

11. The Scrutiny Committee informs policy development; holds officers and the Service to account; holds the Authority to account and conducts reviews into specific issues. It has 7 elected Members and one co-optee position.
12. Three hitherto separate Committees, Appointments, Standards and Appeals Committees have been combined into one. It comprises of 7 Members (one from each Constituent Council) and 1 Independent Member for Standards issues only. The role of the Committee includes promoting and maintaining high standards of conduct and ethical governance by Members and co-opted Members of the Authority; making appointments to senior officer posts; and hearing and deciding upon appeals under Pension and Compensation schemes.
13. A Joint Consultative Panel, comprising 14 members, including 5 elected Members, exists to ensure regular methods of consultation between the Authority and its employees and to consider and make recommendations to the Authority or Chief Fire Officer as appropriate on any problems which may arise.
14. The committee structure for 2018/19 is attached as Appendix 1. All but one of the elected Members serves on at least 2 of the Committees plus the Policy Planning Forum. During the course of the year to date, since the reduction in the overall numbers of elected Members, several have also substituted for other Members on one or more other Committees.
15. It was agreed at the Authority Meeting held on the 10 April 2017 that an independent review should be held of the allowances scheme. This was approved at the Annual General Meeting held on the 25 June 2018 when the revised committee structure and members was approved.

Members' Allowances Scheme

16. In accordance with Regulation 10 of the Local Authorities (Members Allowances) (England) Regulations 2003 (the Regulations), the Authority is required to make and approve a scheme of the payments of members allowances each year.
17. There was no pay award to NJC and Local Government Services in 2010/11, 2011/12 and member's allowances were not therefore increased. In the years

between 2012/13 and 2017/18 in view of the continuing difficult financial situation faced by the Authority, it was agreed to defer reconsideration of the Members' Allowances Scheme.

18. As a result of the reduction in the number of Members of the Fire Authority and other changes, outlined above, the anticipated cost of the Members' Allowances Scheme reduced by around £80,000 in 2018/19.

The Review of Allowances

19. In arriving at the recommendations I set out below, I have been very mindful of the view, expressed by several Members, that increases in the cost of the allowances scheme is difficult at a time of continuing financial pressure on the Fire Service. One option, therefore, would be for the Authority to roll over the existing allowances scheme either without change or with all allowances uprated by up to 1% (in line with the increase in pay to firefighters for 2017 and in previous years).
20. However, allowances have not increased since 2010. The structure of the Authority has been reformed. The reduction in the number of Members of the Authority has saved around £80,000 in allowances. At the same time, the workload of Members of the Authority, as measured by their participation in the Committees of the Authority, has increased. This review, therefore, also sets out a package of measures that seeks to improve the operation of the current scheme, while also keeping the overall increase in the cost of allowances below the CPI annual rate of inflation, at the time the review was carried out.

The Basic Allowance

21. The Basic Allowance recognises the time commitment of all Members and is paid to recompense them for the duties that are common to all Members regardless of whether they hold a position of responsibility. The view of Members who submitted their thoughts to me in the course of the review were that the allowance should cover incidental costs that Members incur in carrying out their duties.
22. The level of the annual Basic Allowance in the West Midlands is £3,500. At the time of the review, the Allowance in a selection of urban Fire Authorities was as follows:

- Tyne and Wear £2,500¹
- Avon £1,482
- Merseyside £8,070²
- Humberside £4,457
- West Yorkshire £3,521³
- South Yorkshire £3,464⁴

23. The average Basic Allowance was £3,916.

24. The Allowance payable in a selection of county based Fire Authorities⁵ ranged from £2,266 to £6,000. The average Basic Allowance was £3,548.

25. I conclude, therefore, though it is not a decisive consideration by itself, that the Basic Allowance for Members of the West Midlands Fire Authority is a little below the average Basic Allowance paid in the other Authorities considered by this review.

26. I have also considered the expectations placed on Members in the urban Fire Authorities. No clear picture emerges from around the country on the relationship between the level of Basic Allowance and the roles, responsibilities and time commitment placed upon Members. For example:

- Avon Fire Authority met 8 times in 2017, including 3 extraordinary meetings. No other meetings involving all Members of the Authority. All but a handful of members of the Authority were also Members or Chairs of the Committees of the Authority, most of which met 3 or 4 times a year;
- Humberside Fire Authority met 9 times in 2017/18, including the AGM. The Appointments Committee met 3 times during the same period and the Appeals Committee twice. The Governance Committee met 7 times but the membership of the Committee comprises 7 independent co-opted members, appointed by the Fire Authority;
- Merseyside Fire Authority met 6 times in 2017. The 18 Members of the Authority were all appointed to Committees of the Authority;
- The Tyne and Wear Fire Authority met 10 times in 2017. Nearly all Members were also appointed to one or more of the Governance, HR and Policy Committees, each of which met 3 times during the same period;
- The South Yorkshire Fire Authority met 10 times in 2017, including the AGM. Nearly all of the 12 Members of the Authority were also members of

¹ Increased from £1,848 following an independent review of allowances in September 2017

² 2017/18 figures

³ 2018/19 figures

⁴ The independent reviewer suggested that an increase in the basic allowance to £3,814 would be justified but recommended the lower figure of £3,464, May 2018

⁵ Those considered were Derbyshire, Hampshire, Lancashire, Nottinghamshire and Royal Berkshire

Committees of the Authority, most of which met twice a year, apart from the Audit and Governance Committee which met 6 times in 2017

- The West Yorkshire Fire Authority met 4 times in 2017/18. All Members of the Full Authority were either also Chairs, Vice Chairs or Members of Committees of the Authority, most of which met 4 times a year although the Executive Committee met on an almost monthly basis.

27. By comparison, the full West Midlands Fire Authority met 5 times during 2017. All Members of the Authority are also Members of the Policy Planning Forum, that met 7 times between September 2017 and June 2018. All Members of the Authority are involved, as Members, Chairs or Vice Chairs, in Committees. During 2017/18, the Scrutiny Committee met 6 times and the Audit Committee 7 times. The Governance and Transformation Committee is scheduled to meet 6 times between October 2018 and June 2019 and the Appointments, Standards and Appeals Committee will meet as and when required.

28. I draw the conclusion that the work expected of Members of the West Midlands Fire Authority at least bears comparison with and is likely to be higher than that expected of Members of Fire Authorities in other parts of the country.

29. In South Yorkshire, the independent reviewer helpfully set out the following variables as the means of arriving at the recommended revised Basic Allowance:

- a. An assessment of the time required to undertake the roles of the ordinary Member of the Authority. This was assessed at about 22 hours per month, or 36 days a year;
- b. Public Service: the recognition that being a Member involves an element of public service and remuneration is not necessarily on a par with equivalent professional roles. The appropriate rate of remuneration for a Member in South Yorkshire was judged to be the equivalent of the daily salary for a 'competent' firefighter;
- c. Rate of remuneration: assessing the worth of Members' time. This was calculated on the basis of 36 days (variable a) multiplied by the daily rate for a 'competent' firefighter (variable b) – resulting in a possible revised annual Basic Allowance of £3,814, although in the event the recommendation was to increase the Basic Allowance by the annual percentage salary increase applicable to competent firefighters.

30. This is an interesting methodology. There are no records of the time input, expected or actual, of a Member of the West Midlands Fire Authority but I would expect them to be at least comparable to those in South Yorkshire.

Using the same methodology in the West Midlands would result in the following calculation:

Daily salary for a fully competent firefighter, based on an annual salary of £29,638 (£113.99 a day) x 36 = £4,103.

- 31. I recommend, as part of a package of changes to allowances, that the Basic Allowance be increased to £4,100, backdated to June 2018.**

Special Responsibility Allowances

Chair and Vice Chair of the Authority

32. The Chair of the West Midlands Fire Authority currently receives an allowance of £24,500. Following the abolition of the London and Greater Manchester Fire Authorities,⁶ where the Fire Service is run under the Mayoral model, this is, unsurprisingly given the scale of the West Midlands Fire Service, the highest allowance paid to the Chair of any Fire Authority in the country. Elsewhere in the country⁷ the allowances paid range from £22,884 to £8,773. By further way of comparison, the allowances paid to Leaders of the constituent councils of the West Midlands range from £21,968 to £50,000.

33. Despite the increased workload of the Chair in leading the political aspects of the possible move of the Fire Authority to the Mayoral Combined Authority, neither the Chair nor the Vice Chair would wish to see increases in their allowances.

- 34. I recommend that the Chair's allowance should remain unchanged at £24,500.**

35. The current allowance for the Vice Chair has been set at 50% of the Chair's SRA. The 2006 Statutory Guidance suggests that other Special Responsibility Allowances are set as a ratio of the Chair's or Leader's SRA. Of the sample of 11 other Fire Authorities reviewed, the ratio of the Vice Chair's to Chair's SRA is over 70% in 3 Authorities; 50-60% in 6 Authorities and 20-25% in 2 Authorities.

⁶ The allowance paid to the Chair of the Greater Manchester Fire Authority had been a touch over £30,000 and that in London was £26,000.

⁷ Based on a sample of 11 other urban and county based Fire Authorities

36. **The ratio currently used in the West Midlands to arrive at the allowance paid to the Vice-Chair is, therefore, consistent with practice elsewhere in the country. I recommend that the 50% ratio remains unchanged and that, therefore, the allowance payable to the Vice-Chair remains unchanged at £12,250.**

Chairs and Vice Chairs of the Audit and Risk, Governance & Transformation and Scrutiny Committees and the Joint Consultative Panel.

37. The Chairs of the Audit and Risk, Governance and Transformation and Scrutiny Committees and the Joint Consultative Panel currently receive an allowance of £8,575 a year. This is a ratio of 35% of the allowance payable to the Chair of the Authority.
38. The Vice Chairs of the Governance and Transformation and the Scrutiny Committees currently receive an allowance of £6,575 (or a ratio of just over 75% compared to the Chair of the relevant Committee) and the Vice Chairs of the Audit and Risk Committee and the Joint Consultative Panel £3,975 (or a ratio of just over 45% compared to the Chair of the relevant Committee or Panel).
39. The first consideration is whether the level of allowances payable to the Chairs of these Committees, set at a ratio of 35% of the allowance payable to the Chair of the Authority, is reasonable. A consideration of the allowances paid to the Chairs of Committees in other Fire Authorities shows that the highest ratio paid, in comparison with the Chair of the Authority, is 50%. In another Authority, 37.5% is the standard ratio. In other cases, the allowances are set at a ratio of less than 35%. **I conclude that the 35% ratio is reasonable but that it should not be increased. The allowances payable to the Chairs of these Committees and Panel should remain, therefore, at £8,575.**
40. The second consideration is whether the ratio of Vice Chairs' allowances, at 75% for some Committees and 45% for others, is reasonable. Benchmarking of other Fire Authorities is more difficult at this level. Where figures are readily available, it is not uncommon for the Vice Chair to receive an allowance that is 50% of that of the Chair – and, indeed, that is the ratio used for the Chair and Vice Chair of the West Midlands Fire Authority. In one Authority, however, the level of allowance payable to the Vice Chairs of Committees is set at 66.6% of that payable to Chairs. **I conclude that the level of allowances paid to Vice Chairs, while high, is not unreasonable.**
41. I see no reason, however, either in terms of the frequency of meetings of the Audit and Risk Committee, or in the importance of the work of that Committee,

compared to other Committees, why the Vice Chair of that Committee should receive a lower allowance than that received by the Governance and Transformation and Scrutiny Committees.

42. **I recommend, therefore, that the levels of allowance for the Vice Chairs of the Governance and Transformation and Scrutiny Committees should remain unchanged at £6,575, that the allowance receivable by the Vice Chair of the Audit and Risk Committee should increase to £6,575 (backdated to June 2018) and that payable to Vice Chair of the Joint Consultative Panel should remain at £3,975.**

Chair and Vice Chair of the Appeals, Standards and Appointments Committee

43. The Chair of the newly created Appeals, Standards and Appointments Committee, amalgamating previously separate Committees currently receives an allowance of £8,575 – the same level as that paid to other Committee Chairs. The Vice Chair receives an allowance of £3,975 – or just over 45% of the allowance payable to the Chair. In contrast to the other Committees, that typically will meet 6 times or more during the current year, the Appeals, Standards and Appointments Committee will meet as and when required.
44. The issues considered by the Committee will often be complex and important to the organisation. The way the discussions are managed by the Chair and, as necessary, by the Vice Chair will be of critical importance to the way in which sometimes difficult decisions are made. That said, it is not straightforward to justify that the Chair of a Committee which might meet just once in a year receives an allowance at the same level of a Committee which meets 6 times or more. **I recommend that the Chair of the Committee receives an allowance at the level of the Vice Chairs of the other Committees – at £6,575 - and the Vice Chair, as now, at around 45% of that level – or, £3,000. If, however, the Committee meets 4 times or more a year the allowances payable in that year should revert to the levels payable to the Chair and Vice Chair of the Audit and Risk Committee. These changes should be backdated to June 2018.**

Members of the Scrutiny Committee

45. It is unusual for Members of a Committee, other than the Chair and Vice Chair to receive an allowance. Members of the Scrutiny Committee in the West Midlands Fire Authority receive an allowance of £4,900 a year. No Members of any other Committee receive such an allowance in the West Midlands. Nor could I readily see that allowances are paid to Members of any other

Committee (other than the Chair and Vice Chair) in any other part of the country.

46. Scrutiny is undoubtedly a vitally important function in the effective governance of any politically led organisation. It is entirely appropriate that the Chair and Vice Chair of the Authority receive the allowances that they do. It is interesting, however, that the other Members of the Committee receive, in some cases, more than the Vice Chairs of other Committees and Panels.

47. In addition to the Chair and Vice Chair of the Committee, there are currently 5 other members of the Committee. Under 'the one SRA rule' (see below), 3 of these 5 members are either Chairs or Vice Chairs of other Committees. If the recommendations set out in this review were to be accepted, 2 members of the Scrutiny Panel would be adversely affected by a reduction in or abolition of the allowance payable to Scrutiny Committee Members. **However, I do not see a compelling case for the continuation of the allowance for members of the Committee and recommend that it should be abolished, as soon as practicable after the November meeting of the Authority.**

Other Allowances

48. In one or two local authorities in the West Midlands allowances are paid for IT and stationery. This has not been in the case hitherto in the West Midlands Fire Authority and I see no reason to introduce such allowances now. I take the view that the Basic Allowance should cover any minor IT and other expenses associated with the responsibilities of being a Member of the Fire Authority.

The 1 Special Responsibility Allowance convention

49. There is nothing in statute to prevent Members receiving two or more Special Responsibility Allowances. Indeed, they may do so in a very small number of Fire Authorities elsewhere in the country. But the West Midlands has adopted the convention, as is the case with the vast majority of other Fire Authorities, that regardless of the number of remunerated posts a Member holds they only receive one Special Responsibility Allowance. For example, if a Member was a Chair of one Committee and Vice Chair of another, he or she would only receive the allowance payable as Chair of the Committee. This is a valuable convention in aiding public transparency. **It was not suggested to me**

during the course of review that the convention should be changed and I am happy to re-affirm that it should be maintained.

Co-Optees and Independent Members

50. At present, the West Midlands Fire Authority has 2 co-optees⁸ as Members of the Full Authority (and, therefore, on the Policy Planning Forum) and 2 independent Members⁹: 1 on the Audit Committee and 1 on the Appointments, Standards and Appeals Committee (in respect of Standards only).
51. Only the independent member of the Audit Committee receives an annual allowance, to the amount of £350 (or 10% of the Basic Allowance payable to Members of the Authority). His role is set out as assisting members of the Committee in providing independent assurance of the adequacy of the Authority's risk management framework and associated control environment, independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and overseeing the Authority's financial reporting process.
52. The payments made to co-optees and independent Members in other Authorities varies significantly. In some, no payment is made. In some, payments are made for each meeting attended.¹⁰ And in others, annual payments are made. These range from £243 in Avon to £1648 in Tyne and Wear. The review of Members' Allowances in South Yorkshire set out the calculation by which it was recommended to pay the 3 independent Members of its Audit and Governance Committee an annual allowance of £447 a year each. In brief, the 6 annual meetings of the Committee were assessed as requiring 4 days work a year, with the daily rate being calculated on the basis of a competent firefighter's salary.
53. There is an attractive argument for consistency in uprating the basic allowance paid to Members and the annual allowance paid to the independent member to the Audit and Risk Committee. **I therefore recommend that the allowance for the independent member of the Audit and Risk Committee should be maintained at 10% of the level of the Basic Allowance paid to Members of the Authority.**
54. The question then arises whether other co-optees or independent members should be paid for their time. I do not find that it follows that they should. The role of the independent member of the Audit and Risk Committee is set out in

⁸ Professor Simon Brake and Sarah Middleton

⁹ Ray Tomkinson is the independent member of the ASA Committee and Mr M Ager is the independent member of the Audit and Risk Committee

¹⁰ For example, £50 per meeting in Merseyside and £140 per meeting in Royal Berkshire.

a detail that does not apply to the other roles. The Audit and Risk Committee meets 6 times a year, where meetings relating to standards are called as and when necessary. **An annual allowance for the independent member of the Appointments, Standards and Appeals Committee would not, therefore, be appropriate, although the Authority may wish to consider introducing a payment for each meeting of the Standards Committee attended by the independent member. An allowance in the range of £50-100 a meeting would be reasonable.**

55. The roles of the co-opted members of the full Authority are different to those of independent members contributing to particular Committees. They bring valuable experience and expertise from the wider private and public sectors and the wider context of the West Midlands. But I see no compelling reason why the role should now receive an allowance when it has not in the past.

Backdating

56. Any changes in allowances should be backdated to 25 June 2018, the date upon which the new arrangements commenced following the Annual General Meeting of the Authority held on that date, save for the abolition of the allowance for members of the Scrutiny Committee which should apply, if agreed at the meeting of the Authority, as soon as practicable thereafter.

Travel and Subsistence

57. During the year ended 31 March 2018, £606.50 was paid to Members of the Authority in relation to travel expenses. No payments at all were made for subsistence expenses. In the previous year £613.01 was paid in travel expenses and £102.74 for subsistence. These amounts are less than those paid in other urban fire authority areas.¹¹
58. Travel and subsistence expenses are payable when Members of the Authority are on approved duties. The approved duties are set out in a Schedule to the Constitution and cover:
- A meeting of the Authority or of any Committee or sub-Committee of the Authority;

¹¹ For example, the combined figure for T&S payments to Members of the Greater Manchester Fire Authority in 2016/17 was £5,778.93; the figure for South Yorkshire was £1,768; for Merseyside £4,246.99 (17/18 figures); and West Yorkshire £2,646.75 (17/18 figures)

- A meeting of any other body to which the Authority or any Committee or Sub-Committee of the Authority makes appointments. Or nominations, or any Committee or Sub-Committee of such a body;
- Any other meeting, the holding of which is authorised in advance by the Authority, or a Committee or Sub-Committee of the Authority, or a joint Committee of the Authority or one or more other Committees or a Sub-Committee of such a joint Committee provided that members of at least two political groups have been invited to attend;
- A meeting of any association of authorities of which the Authority is a member;
- Attendance as an appointed representative of the Authority, or of a Committee or Sub-Committee, at a conference, seminar or authorised meeting or visit or at any other meeting authorised by the Authority.

59. The list of approved duties for which T&S is payable are broadly in line with those in place in other Fire Authorities. Some other Authorities have a slightly longer list of approved duties than does the West Midlands. However, I have received no representations to change the current schedule of approved duties, which is fit for purpose. **I recommend no change is made.**

60. Travel expenses may only be claimed by elected Members for journeys outside the West Midlands but within the United Kingdom. Over time, the same restraint has come to govern the treatment of subsistence allowances. This is consistent with some other Fire Authorities, such as that in West Yorkshire. Members of the Authority to whom I spoke were firmly of the view that the Basic Allowance should cover incidental travel and subsistence associated with carrying out their duties in the West Midlands. **I recommend no change to the schedule of approved duties and to the fact that they should only be claimed when carrying out duties beyond the West Midlands.**

61. Despite the fact that T&S allowances have not been uprated for inflation for some time, given the low level of claims made, **I further recommend that no increase is made at this time.** For completeness, however, I do set out my considerations, below.

62. If a change were to be made, there would be 2 main options to consider:

- i) To link the rates to a national benchmark, such as the HMRC approved rates;
or
- ii) To link the rates for Authority Members to those payable to staff.

Travel

63. In the West Midlands, as is the case in other Fire Authorities, the policy is that the actual cost of public transport used by members will be reimbursed by the Authority where such costs are reasonably and necessarily incurred in connection with approved duties. As a general rule, standard class tickets should be purchased. I endorse this policy.

64. The current rates payable by the Authority for cars are as follows:

- Not exceeding 999cc – 34.6 pence per mile
- 1000 - 1199cc – 39.5 pence per mile
- Over 1199cc – 45 pence per mile

65. After 10,000 business miles, the rate becomes 25 pence per mile. Where passengers are taken, a supplement of 5.0 pence per mile is payable (up to 4 passengers). Where applicable, reasonable car parking fees and congestion charges may be claimed.

66. The HMRC approved rates are as follows:

	First 10,000 business miles	Each business mile over 10,000
Cars and Vans	45p	25p
Motor Cycles	24p	24p
Bicycles	20p	20p

67. 5p per passenger per business mile is also payable for carrying fellow employees in a car or van on journeys which are also work journeys for them.

68. The same rates are currently payable to staff of the Fire Service who are casual (that is, non-essential) car users.

69. The advantage of adopting the HMRC (or staff) rate is that it allows for automatic uprating, as and when changes are made to the wider scheme – rather than Members of the Authority being asked to approve (or refuse) changes to their own scale of allowances. It also explicitly makes allowance for motor cycles and bicycles.

Subsistence

70. Similar considerations apply to subsistence allowances. Given that only a little over £100 has been claimed over the past 2 years, there is no pressing need for change.

71. In common with other Fire Authorities and Local Authorities, the West Midlands Fire Authority pays subsistence to Members of the Authority on

approved duties. As is normal, Members are only permitted to claim allowances for actual expenditure reasonably incurred in connection with approved duties, up to maximum rates.

72. At the time of this review, the following maximum rates apply in the West Midlands:

- (i) Breakfast allowance £4.92
- (ii) Lunch allowance £6.77
- (iii) Tea allowance £2.67
- (iv) Evening meal allowance £8.38

73. Members who undertake duties involving an overnight stay should, wherever possible, ensure that their accommodation is pre-booked by officers in accordance with the Authority's normal administrative arrangements. If members book their own accommodation, this is subject to a maximum level of reimbursement as specified below of £79.82 per night or £91.04 in London.

74. A comparison of 6 other authorities, a mix of predominantly urban and county areas, suggests that these rates compare favourably, from the perspective of value for the public purse, with those elsewhere.¹²

75. The HMRC benchmark rates are as follows:

- Up to £5 for breakfast;
- Up to £5 for one meal and at least 5 hours qualifying travel;
- Up to £10 for one or more meals and at least 10 hours qualifying travel;
- Up to £15 for a late evening meal.

76. The breakfast and late evening meal rates are expected to be used exceptionally. Benchmark scale rate payments must be limited to 3 meal rates on one day or 24 hour period. HMRC has not set a benchmark rate for overnight subsistence.

77. The maximum rates applicable to staff of the Fire Service are currently as follows:

- Breakfast up to £6.90;
- Lunch up to £9.50;
- Dinner up to £15.50.

¹² The range of rates for breakfast is from £5.57 to £9.01 with an average of £6.69. For lunch the figures are £7.70 to £13.55 with an average of £9.42. For tea, £3.04 to £5.64, with an average of £4.20. For dinner, £9.54 to £16.92, with an average of £11.71. For overnight stays outside London the range is from £75.31 to £120.42 with an average of £96.36 and inside London and approved conferences it is £87.12 to £136.40 with an average of £110.40.

78. If a change were to be made to Members' travel and subsistence rates, aligning them to staff rates would be my preferred option. **However, given the low level of claims made I do not recommend this course of action; there is no pressing need to make this change now.**

Carers

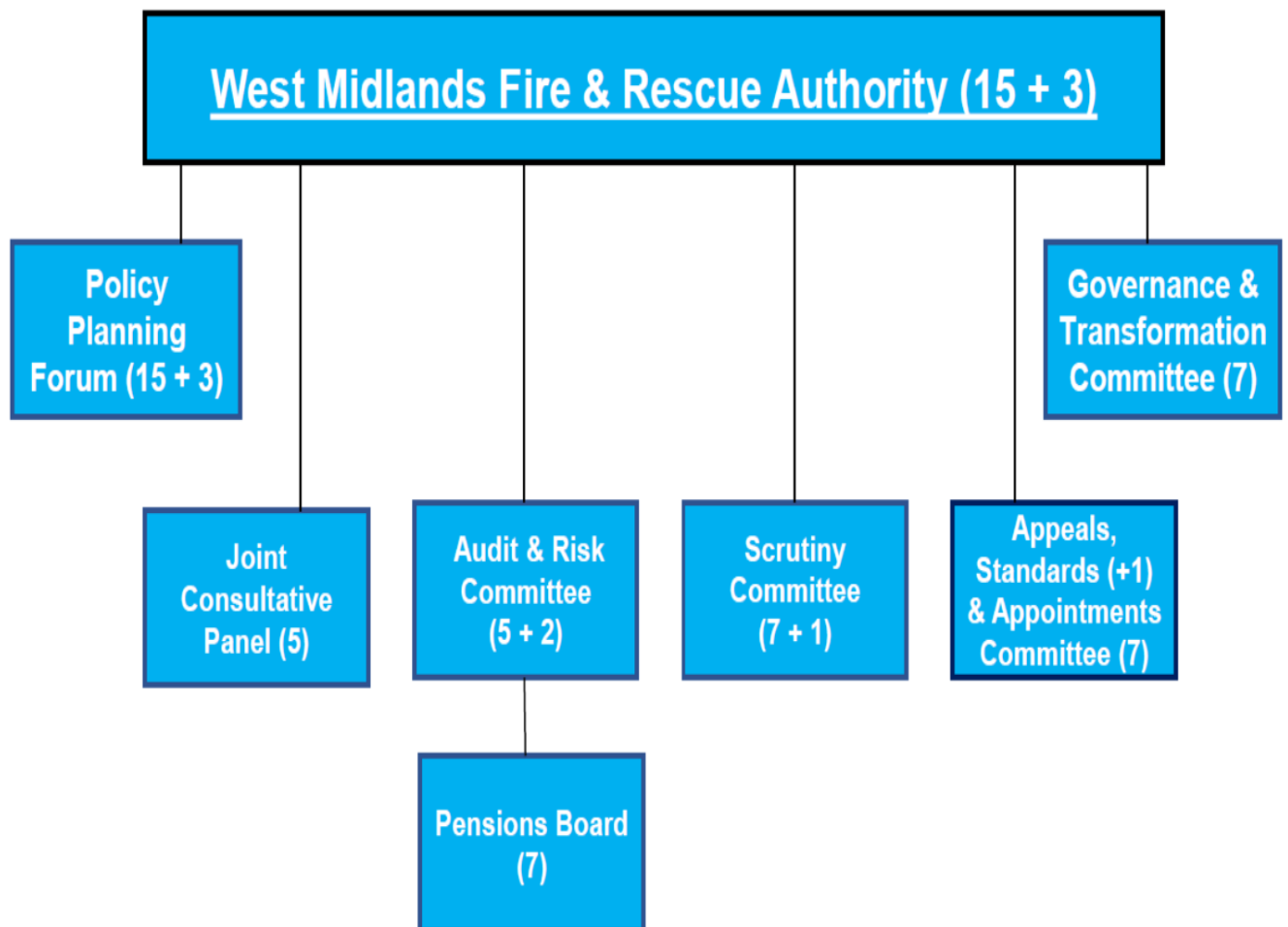
79. A Dependents' Carers Allowance is payable to those elected members and independent members of the Fire Authority who incur expenditure for the care of their children or other dependants whilst undertaking particular approved duties. The amount of the dependants' carers allowances payable in respect of approved duties will be the actual costs incurred up to a total annual maximum amount of 10% of elected members' basic allowance (so, currently, set at a maximum of £350 a year).
80. The published figures for the Authority show that no payments were made to Members for the Carers' Allowance for the year ended 31 March 2018.
81. Some Fire Authorities make no provision for a Carers' Allowance. Others, a minority, do so by paying a maximum hourly rate. The rates payable are typically the same, or show minimal variation, between dependent children and adults, although one Authority allows claims of up to £10.40 per hour for dependents compared to up to £5.80 for childcare.
82. There is no compelling reason to move from the system currently adopted by the Authority (10% of the basic allowance) to those used by other Authorities – or to cancel the allowance. **I recommend that the Carers' Allowance continues to be set at a maximum of 10% of the basic allowance.**

Scheme of Delegations

83. I have reviewed the scheme of delegations to officers. The scheme is as one would expect to find and, indeed, is very similarly structured to that found in the Mersey Fire Authority. No representations have been made about the operation of the Scheme of Delegations in the West Midlands **and I do not recommend any change to the scheme.**

Terms of Reference of the Committees

84. The Committee structure of the Authority is set out at Appendix 1. The Governance and Transformation Committee has been established this year, specifically to advise the Authority on the issues that will arise from the possible transition to the Mayoral West Midlands Combined Authority. The Policy Planning Forum is also relatively unusual, when compared to the Committee structures in other Fire Authorities, but it clearly serves an important role in the deliberations of the West Midlands. The Audit and Risk, Scrutiny, and Appeals, Standards and Appointments Committees and the Joint Consultative Panel and Pensions Board are all common functions of other Fire Authorities, although sometimes the grouping of responsibilities in other Authorities is slightly different to that in the West Midlands. That is immaterial; the structure is sensible.
85. There are, however, 2 issues worth highlighting in this review. The first is that, in some other Fire Authorities, the terms of reference of the Audit and Risk Committee contain a provision for the Committee to review any issue referred to it by the Chief Fire Officer, Section 151 officer or Secretary of the Fire Authority. No such provision exists in the West Midlands. The second is that in some other Fire Authorities there is a specific role for a Scrutiny or other Committee to review information relating to the Service's performance targets and other data; I could not see that such a responsibility exists clearly for any Committee in the West Midlands. **I recommend that it would be worth the Authority giving consideration as to whether clarifying Committee responsibilities in relating to either or both of these two issues would be useful.**



<u>Committee</u>	<u>Position</u>	<u>Special Responsibility Allowance Per Annum</u>	<u>Members Basic Allowance Per Annum</u>	<u>Total Payable Per Annum</u>	<u>Recommendation Review of Members Special Responsibility Allowance</u>	<u>Recommendation Members Basic Allowance</u>	<u>Total Payable after Review</u>	<u>Notes</u>	Appendix 2	
Appointments, Standards & Appeals	Chair	£8,575	£3,500	£12,075	£6,575	£4,100	£10,675	(1)		
Appointments, Standards & Appeals	Vice Chair	£3,975	£3,500	£7,475	£3,000	£4,100	£7,100	(1)		
Audit & Risk	Chair	£8,575	£3,500	£12,075	£8,575	£4,100	£12,675			
Audit & Risk	Vice Chair	£3,975	£3,500	£7,475	£6,575	£4,100	£10,675			
Audit & Risk	Independent	£350		£350	£410		£410			
Authority	Chair	£24,500	£3,500	£28,000	£24,500	£4,100	£28,600			
Authority	Vice Chair	£12,250	£3,500	£15,750	£12,250	£4,100	£16,350			
Authority (With no Special Responsibility Allowance)	Member	£0	£3,500	£3,500	£0	£4,100	£4,100			
Authority (With no Special Responsibility Allowance)	Member	£0	£3,500	£3,500	£0	£4,100	£4,100			
Governance & Transformation	Chair	£8,575	£3,500	£12,075	£8,575	£4,100	£12,675			
Governance & Transformation	Vice Chair	£6,575	£3,500	£10,075	£6,575	£4,100	£10,675			
Joint Consultative Panel	Chair	£8,575	£3,500	£12,075	£8,575	£4,100	£12,675			
Joint Consultative Panel (Receives Special Responsibility Allowance)	Vice Chair	£3,975	£0	£0	£3,975	£0	£0	(4)		
Scrutiny	Chair	£8,575	£3,500	£12,075	£8,575	£4,100	£12,675			
Scrutiny	Vice Chair	£6,575	£3,500	£10,075	£6,575	£4,100	£10,675			
Scrutiny	Member	£4,900	£3,500	£8,400	£0	£4,100	£4,100	(2)		
Scrutiny	Member	£4,900	£3,500	£8,400	£0	£4,100	£4,100	(2)		
Standards	Independent	£0		£0	£0		£0			
TOTALS				£163,375			£162,260	(3)		
Notes:-										
1	If the Appointments, Standards & Appeals Committee meets 4+ times in the year, the allowance for Chair should increase to £8575.and for the Vice Chair to £3975.									
2	The recommendation for the removal of the allowance for Scrutiny Committee members to be implemented from the 1 December 2018. This would effect two members as the others receive a Special Responsibility Allowance.									
3	There is a saving of £1,115, this could increase to £165,235 (an increase of £2,975) if Appointments, Standards & Appeals Committee meet 4+ times during the year.									
4	No additional payment for Vice Chair of Joint Consultative Committee as Member receives a Special Responsibility Allowance									

Minutes of the Audit and Risk Committee

4 September 2018
at Fire Service Headquarters, Vauxhall Road,
Birmingham B7 4HW

Present: Councillors Jenkins (Vice Chair), Dehar, Iqbal, Jenkins
and Mr Ager (Independent)

Apology: Councillor Miks, (Chair), Councillor Craddock,
Mr P Farrow, DCFO P Hales

All Members of the Committee and Officers in attendance
introduced themselves as most Members were new.

42/18 Declarations of Interest in contracts or other matters

There were no declarations of interest.

**43/18 Minutes of the Audit and Risk Committee held on 23 July
2018**

Resolved that the minutes of the meeting held on 23
July 2018 be approved as a correct record.

44/18 Corporate Risk Update

The Chair agreed to bring this item forward on the Agenda
as the Clerk, who was presenting the report, was required to
attend another meeting.

In the absence of the Deputy Chief Fire Officer, the Clerk to
the Authority presented the six monthly Corporate Risk
Update. The Update covered Quarters 4 2017/18 and
Quarter 1 2018/19.

The report included the Corporate Risk Assurance Map Summary and the Position Statement for Quarter 1 2018/19.

In accordance with the Services risk management strategy, the Corporate Risk Assurance Map Summary was submitted for approval by the Audit and Risk Committee following its submission and discussion at the Corporate Performance Review Meeting.

Corporate risks are those risks which if they occurred would seriously affect the Authority's ability to carry out its core function or deliver its strategic objectives as set out in the Plan. At the time of the meeting, the Service maintained 9 corporate risks, some of which had more than one element.

Each corporate risk was assigned to a Risk Owner, who was a member of the Strategic Enabling Team. The Risk Owner had the overall responsibility for monitoring and reviewing the progress being made in managing the risk.

To enable for effective risk management, the Risk Owner would have periodically undertaken an assessment of each corporate risk. The frequency of this review would be based upon the estimated risk rating undertaken based on likelihood of impact. The likelihood was a measure of probability of a given risk occurring using a scale of 1 (low) to 4 (high). The impact was a measure of the severity or loss should the risk occur again, using a scale of 1 (low) to 4 (high).

To ensure that Members are kept informed of corporate risk matters a Corporate Risk Assurance Map Summary for Quarter 1 2018/19 (Appendix 1) and the Position Statement for Quarter 1 2018/19 (Appendix 2) were included.

In undertaking a review of corporate risks, the Risk Owner had reviewed the Corporate Risk Assurance Map. The Assurance Map provided details of:

- The strategic objectives and performance indicators relevant to the risk.
- The risk scores

- A description of events that could lead to the corporate risk being realised.
- The control measures in place designed to reduce the likelihood of risk realisation or its impact should the risk be realised.
- Additional control measures currently implemented to further reduce the likelihood or impact.
- Control owners who are responsible for the implementation, maintenance and review of individual control measures.

As part of the review each Risk Owner had considered the risk score and rating and updated the Assurance Map. The Risk Owner had provided assurance that the control measures identified were still effective in the management of risk and identified whether any new risk events or controls could have been implemented or were required.

Where ongoing additional controls were being implemented, Risk Owners would have confirmed the progress in implementing such controls.

During the six months (Quarter 4 2017/18 and Quarter 1 2018/19) there had been an increase in the risk scores for Corporate Risk 9, Business Development, 9.1 and 9.2. Officers are unable to provide assurance for these risks.

The Position Statement attached as Appendix 2 to the report provided the detail of the risk management activity undertaken or ongoing in respect of the Authority's 9 Corporate Risks for the six months (Quarter 4 2017/18 and Quarter 1 2018/19).

Corporate Risks 1.1, 1.2, 2.3, 4.1, 5.2, 8.1 and 8.2 were awarded a green confidence (substantial) opinion, which is the highest level that can be awarded. Corporate Risk 1.2 increased from 6 to 9, with likelihood being increased from 2 to 3.

- Corporate Risks 2.1, 2.2, 3.1, 3.2, 5.1, 6.1, 7.1 and 7.2 were awarded an amber (satisfactory) confidence opinion. In all cases, work is in progress to enable for a green rating to be attained.
- Corporate Risks 9.1 and 9.2 were awarded a red (high risk) confidence opinion. Both the likelihood and impact of Corporate Risk 9.2 had increased from 3 to 4 giving an overall risk score of 16. Work is in progress for these to be reduced.

Position statements

Corporate Risk 1 – External (Political and Legislative) Environment - little movement, generally performing effectively. The governance transfer was planned for April 2019.

Corporate Risk 2 – People – risk owner is confident that progress is being made in relation to the resolution of the Trade Dispute.

The risk owner anticipates that the Trade Dispute will be resolved in the 2nd Quarter and anticipated reducing the likelihood from 4 to 3.

Corporate Risk 3 – Prevention – currently unclear what the impact of the Trade Dispute and withdrawal from the falls response contracts will be on this risk. Initial feedback from one of the commissioners (City of Wolverhampton-Council) has not been positive and there has been some reputational damage.

Corporate Risk 4 – Protection – due to an unpredictable and unforeseeable increase in demand, the Team have not met the statutory consultation timescales of 15 days for some building regulations consultations. Associated risk could lead to opportunities being missed to ensure buildings following development or refurbishment are compliant with legislative requirements and safe when occupation. Officers are looking at capacity and redirection of resources.

Corporate Risk 5 – Response – high level of fleet availability remains consistent although this continues to be enabled through the payment of non-evidence based disturbance allowance payments which will become more challenging to maintain as a result of withdrawal from health-related activity. The high level of fleet availability means that WMFS continues to achieve some of the best ever attendance times to Category 1 incidents.

Corporate Risk 6 – Business Continuity and Preparedness - a gap analysis is underway following the publication of the Kerslake Report. An independent review into the preparedness will identify best practice and areas for improvement both internally as part of business continuity arrangements and as part of the multi-agency West Midlands Local Resilience Forum.

Corporate Risk 7 – Information, Communications and Technology – Virtual Device Infrastructure terminals have replaced desk top computer replacements at several locations. The majority of organisational data will be held in cloud storage and will build on efficiency and effectiveness.

Corporate Risk 8 - Finance and Assets – for 2018/19, the use of general balances is required together with a review of the Authority's Strategy to ensure the 2019/20 budget and beyond can be set in a balanced manner.

The External Auditors commented in the Audit Findings Report that the continued use of balances is not sustainable and their view is that the Authority should look at significant funding alternatives or service reductions before the anticipated transfer to WMCA.

Corporate Risk 9 – Business Development - On 6 June 2018 the Executive Committee resolved the removal of New Entrant contracts in order to avoid industrial actions by Grey Book staff.

At the time of the meeting, WMFS officers were liaising with Commissioners to identify options for withdrawal from contracts.

The Authority would be looking at options to deliver the savings that were anticipated through that activity.

The Appendices set out in the report provided more details of the additional control measures to be put in place.

The Independent Member stated that the overview showed a higher position since the previous six monthly report.

Members thanked Officers for producing a very comprehensive report.

Resolved that the Audit and Risk Committee approved the Corporate Risk Assurance Map Summary (Quarter 1, 2018/19, Appendix 1 be approved.

Members noted the Position Statement (Quarter 1, 2018/19, Appendix 2) for each risk.

45/18 Annual Audit Letter 2017/18

The Audit Committee received and noted the Annual Audit Letter 2017/18 (AAL). In line with the Code of Audit Practice, the Auditor is required to produce a letter at the end of the audit and it is intended to communicate key messages to the Authority and external stakeholders including members of the public.

The key messages included the financial statements audit, (including audit opinion) the Value for Money Conclusion and the Audit fees charge for audit and non-audit services and titles and dates of when reports had been issued.

The Audit Findings Report had been presented to the Audit Committee on 23 July and outlined the findings of the audit work undertaken.

Following the meeting on the 23 July 2018, the auditor had issued an unqualified opinion on the Authority's 2017/18

financial statements included in the Authority's Statement of Accounts.

As part of the external audit work programme, the auditor was also required to provide a value for money conclusion.

As a consequence of this work the audit concluded that for 2017/18, the Authority had proper arrangements in all significant respects to secure economy, efficiency and effectiveness and to ensure it delivered value for money in its use of resources.

The final fees charge for the audit and provision of non audit services was £38,636.

The Auditor stated that WMFS had a strong record of delivery of its accounts and he appreciated the early delivery and efficiency of the Financial Management team.

The Auditor thanked the Authority and stated that two key risks had been identified, the move to WMCA Governance Arrangements and the Budget Strategy arising from the impact of the withdrawal of contracts had created a financial gap that the Authority needed to address.

46/18 Audit Committee Update

The Committee noted the contents of the Audit and Risk Committee update. The Update included a summary of emerging national issues and developments that may be relevant to the Fire and Rescue Authority. The External Auditors progress to date was reported and the key dates were set out in the report.

Members attention was drawn to the following Sector Issues:

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service had extended its remit in July 2017 to include inspections of England's fire and rescue service. They carried out three pilot inspections in Staffordshire, Suffolk and West Yorkshire. Their report set out what had

been learned from the inspections and learning from public and sector consultations.

The three pilot areas allowed HMICFRS to gain an understanding of three governance arrangements for fire and rescue services and during the pilots, inspection teams had spoken to ten percent of the frontline workforce of each service.

National Fire Chiefs Council News

The NFCC had submitted its response to the Hackitt Review following a call for views. The NFCC were supportive of many of the recommendation, it would like to see it moving quickly forward.

The key points in the NFCC response were:

Widening the definition of Higher Risk Residential Buildings (HRRB) with an aim to move toward an 11 metre limit and to cover other buildings based on vulnerability of occupants. The government should commit to a specified time frame and extend the recommendations to other parts of the sector.

Support for the principle of a strengthened regulator, with a developed Joint Competency Authority setting standards.

The gap between the Housing Act and Regulatory Reform (Fire Safety) Order is one of the biggest problems in the current landscape which must be resolved, through primary regulation

Competence remains one of the most important aspects across the sector and is a common thread through the majority of issues highlighted. This is a key issue across every role and scheme.

Support for the proposals on product testing, including a robust testing programme, better market surveillance and greater transparency on passes and failures recorded.

Sprinklers should be a requirement in all new builds above 18 metres, and retro-fitted in existing buildings 30 metres and above.

Members found the update useful and the Vice Chair stated that Birmingham City Council were passionate about this subject and eagerly looking at fitting of sprinklers, but was dependent on budget and policy decisions.

47/18 Topical, legal and regulatory issues

There were no issues to be reported. An update was provided on Corporate Risk 4 – Protection following the meetings and is set out below.

Response

The Planning and Building Regulations Team, based at Fire Service HQ, reduce risk to the community by responding to Building Regulation application consultations submitted to this Authority by Building Control bodies. The consultations are undertaken in line with Building Regulations and Fire Safety Procedural guidance 2015, as a statutory consultee, under; the Building Act 1984, the Building Regulations 2010 and The Regulatory Reform (Fire Safety) Order 2005. The Building Regulations and Fire Safety Procedural guidance 2015 allows 15 working days for a response to the consultation from Building Control.

Collaborative working with Local Authority Building Control Teams and Approved Inspectors is undertaken to ensure Building Regulation applications for new and existing building works are compliant with the functional requirements of part B (Fire Safety) of the Building Regulations and will also meet the requirements of The Regulatory Reform (Fire Safety) Order 2005 when the building is occupied. The Building Regulation application can vary from simple buildings all the way through to highly complex buildings with fire engineered solutions which, in these cases, are reviewed by our Fire Engineering Team.

Overall this gives the Fire Service an opportunity to ensure safer buildings for occupants and firefighters, even before they are occupied and avoid any unnecessary delays or costs that may be incurred to meet the requirements of The Regulatory Reform (Fire Safety) Order 2005 once the building is occupied.

Due to an increase in Building Regulation applications, the complexity of applications and staffing issues within the team, not all applications were being completed within the 15 working day period. Due to this there was a possibility that recommendations on changes outside the 15 day period may not be considered and buildings are occupied where fire safety measures may not be to the required standards.

Following instigation of mitigation measures the identified corporate risk has been resolved and will continue to be monitored and reviewed as part of the routine performance management process.

The Auditor agreed to make details in the Audit Letter clearer in the future and would avoid any Jargon. Members indicated that they found the language complex at the last Audit and Risk Committee and confusing and requested additional information and training.

It was agreed that additional audit and risk training would be provided at a future meeting.

It was also agreed that name plates would be provided for future meetings.

48/18 Work Programme

The Committee noted its Work Programme.

The meeting finished at 1330 hours.

Julie Connor
Strategic Hub
0121 380 6906

**4 September 2018 at 10.30 am
at Fire Service Headquarters, Vauxhall Road, Birmingham**

- Present:** Members of the Authority
Councillor Edwards (Chair)
Councillor Iqbal (Vice Chair)
Councillors Aston, Barlow, Brackenridge, Dehar,
Hogarth, Jenkins, and Tranter
Sarah Middleton
- Officers:** West Midlands Fire Service
Chief Fire Officer (P Loach)
Assistant Chief Fire Officer (G Taylor)
A Afsar, H Begum, B Brook, S Burton, J Connor, J
Danbury, M Hamilton-Russell, P Fellows, N Spencer, S
Timmington
- Clerk and Monitoring Officer**
K Gowreesunker (Clerk)
S Sahota (Monitoring Officer)
M Griffiths (Treasurer)
- Apologies:** Councillors Barrie, Craddock, Miks, Spence, Walsh
and Young, The Police and Crime Commissioner
Professor Simon Brake
- Observers:** Nil

15/18 Chair and CFO Announcements

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

New Co-opted Member Sarah Middleton, Chief Executive of the Black Country Consortium, was welcomed to the Authority.

Policy Planning Forum 4 June 2018

Andrew Campbell, Policy Consultant from the Local Government Association was currently working on the review of the Members expenses. Mr Campbell would be visiting the Service on 17 September and this would provide the opportunity for Members to discuss the review with him. Alternatively, Members could discuss with Mr Campbell via telephone.

All present were informed of the unfortunate news that Cllr Young had suffered a bereavement within her family. Cllr Brackenridge suggested that the Authority send a letter expressing Members condolences. Cllr Edwards confirmed that such a letter would be drafted and sent to Cllr Young. Phil Loach, Chief Fire Officer, expressed the wishes of Officers to extend their condolences to Cllr Young at this difficult time.

16/18 Trade Dispute

Phil Loach, Chief Fire Officer, provided an update on the trade dispute.

Progress to date and next steps:

- National Joint Secretaries facilitated discussions had moved to direct Fire Brigades Union / Chief Fire Officer discussions
- Commitment to close dispute by 20 August. Progress had been delayed, awaiting progress on:
 - Withdrawal of Employment Tribunal
 - Health and Safety Framework review
 - Issued industrial relations framework
- A further meeting was scheduled for 5 September
- Expected closure of the Trade Dispute week commencing 17 September

17/18 Governance Update

Karen Gowreesunker, Clerk to the Authority, provided a Governance update.

The Scheme had been submitted to the Home Office in June. The Home Office were now developing the draft Statutory Order. Local agreement was required by 21 September.

Policy Planning Forum 4 June 2018

Three areas of challenge had been provided by the Home Office:

- Ring fencing of budget and reserves (one of the red lines)
- Chief Fire Officer as Head of Paid Service (one of the red lines)
- Mayoral Fire Advisory Committee (MFAC) - allowances

The Home Office considered the ring fencing of the budget and reserves, this was hard to achieve from a legislative / statutory perspective and that it would require local agreement. Local constitutional assurances were being developed with the West Midlands Combined Authority (WMCA). Any changes to the WMCA constitution would require approval of the seven Leaders, via the WMCA Board.

Public authorities could only have one Head of Paid Service. Work was being undertaken to strengthen the Chief Fire Officer's accountabilities and ensuring that specific areas of accountability were being identified within the Order.

Work was ongoing regarding MFAC allowances.

Six of the Leaders had agreed to progress the identified ways forward (ring fencing and Chief Fire Officer's accountabilities). One Leader had queried the inability for the Home Office to meet the ring-fencing red line. Local agreement was still to be established.

The next steps to progress approvals of the Statutory Order:

- Reports submitted to:
 - WMCA Programme Board – 31 August
 - WMCA Board (approval in principle) - 14 September
 - Fire Authority – 17 September
- Local approval of ways forward and Order – 19 September
- Agreement of draft Statutory Order - preparation for laying in Parliament – 21 September
- Parliamentary process – October to December
- Statutory Order issued – January / February 2019
- Governance transfer – April 2019

Policy Planning Forum 4 June 2018

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

- There was the possibility that any local agreement and local assurances could differ in the future. The Service was looking for assurances regarding the financial elements and ensuring the focus of the Mayor.
- The Service was confident that approval of all seven Leaders would be confirmed in time to meet the proposed timelines.
- The Lead Member role had been included.

18/18 Revisiting the Strategy 2018 - 2022

Phil Loach, Chief Fire Officer, delivered a presentation on revisiting the strategy 2018 to 2022.

Three reports would be submitted for consideration by Members at the meeting of the Fire Authority on 17 September:

- Revisiting the Strategy 2018 – 2022
- Delivery of Strategy 2018 – 2021 and Associated 2018 – 2019 Budget Adjustments
- Strategy Options 2019 – 22

The presentation was separated into three sections (based broadly in line with the three Fire Authority reports):

- 'To date' - background information covering the progress made to date in implementing transformational service changes, including the Financial Efficiency Plan (approved by the Fire Authority in October 2016) and the anticipated savings reflected within that FEP which effectively formed the basis for the Fire Authority' Plan.
- 'In year' - a need for the Fire Authority to identify the immediate in-year (2018-2019) preferred option(s) to enable financial management, delivery of a balanced budget and revisions to The Plan.
- 'Future Strategy' - a need for the Fire Authority to consider and identify the preferred option(s) to enable the above for 2019-2020 and beyond.

**Policy Planning Forum
4 June 2018**

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

- In answer to a question regarding recommendation of the Independent Review of Building Regulations and Fire Safety (the Hackitt Review) of the establishment of a Competent Authority:
 - This had been progressed at a national level, and it had been suggested that it could be a role undertaken as part of the Chair of National Fire Chief's Council. However, dialogue continued at a local level; the national model could provide the blueprint for local arrangements but there were concerns regarding ensuring consistency of approach and achievability.
- In answer to a question regarding the potential for reconfiguring the crewing of appliances and that safety implications must be key:
 - Health and Safety was always a priority of the Service and would be at the forefront of any review of the Service Delivery Model.
- In answer to a question regarding what the experiences were of services who had reduced the number of crew on appliances (for example, to a crew of four):
 - Any such service would have evidenced that such a decision was an effective delivery of services. It was noted that such an approach was an effective delivery service but it was a more defensive type of service. A crew of four on an appliance could result in more incidents likely to start from a defensive position.
 - It was noted that such a reconfiguration of appliance crewing was an option, but it would be a significant downgrade in the Service Delivery Model.
- In answer to a question regarding the arrangements for on call firefighters and the possible detrimental effects on response times:

**Policy Planning Forum
4 June 2018**

- A five minute period for on call firefighters to get to station to crew an appliance and then to respond was the accepted norm. This does have a significant detrimental effect on response times. The Service had previously conducted an exercise into analysing the feasibility of implementing such a model using existing firefighters and it had proved not possible to form a crew for an appliance.
- It was often claimed that on call firefighters were a less costly model. However, if the training was compared like for like (10 to 12 hours for a wholetime firefighter compared to three hours for an on call firefighter) there was very little difference in costs between the two models.
- It was acknowledged that the on call firefighter duty system was effectively used in rural areas.
- A Member noted that the community first responder scheme worked well in rural areas but not in larger urban areas.
- A Member noted that the closure of stations would significantly impact upon response times and concurred with the view that the Service was spread appropriately across the West Midlands.

The meeting closed at 12:16 hours.

<p>Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680</p>

Minutes of the Scrutiny Committee

12 September 2018 at 11:00 a.m.
at Fire Service Headquarters, Vauxhall Road, Birmingham B7
4HW

Present: Councillor Spence (Vice Chair),
Councillors Barlow, Barrie, Brackenridge and Jenkins

Apologies: Councillors Tranter (Chair) and Young.
S Middleton.

Observer: Nil

Note: The meeting of the Scrutiny Committee scheduled to take place on 5 September was adjourned as it was not quorate. Subsequently, this extra meeting of the Scrutiny Committee was scheduled.

21/18 Declarations of Interest in contracts or other matters

There were no declarations of interest.

22/18 Minutes of the Scrutiny Committee held on 04 June 2018

Resolved that the minutes of the meeting held on the 04 June 2018 be approved as a correct record.

23/18 Review of Safeguarding – Progress Update

Assistant Chief Fire Officer (ACFO) Gary Taylor, Director Service Delivery, presented a report on the review of safeguarding. It was noted that following the submission of the scoping document at the June 2018 meeting, a formal report had been provided to establish the approach to the review and the confirm the membership of the Scrutiny working group.

Andrea Simmonds, Partnerships Manager, and Pete Wilson, Group Manager Prevention, provided a presentation to the Committee (as detailed in appendix 1 of the report).

The presentation covered the following:

- The purpose of the review
- Intended outcomes
- What informed the scope and intended outcomes
- Recommendations for undertaking the review
- Anticipated costs and benefits of external professional
- Timescales

The National Fire Chiefs Council (NFCC) had published a self-assessment toolkit in June 2018. It was noted that the intended outcomes of the review mirrored the toolkit quite closely.

It was noted that there was no single individual in the Service who had a full understanding of the subject of safeguarding. It was proposed that an external professional who possessed the overall skills and knowledge was to be appointed to support, guide and implement the review. In addition, an external professional could also offer subjective analysis.

The external professional and Scrutiny working group would be supported by an internal working group comprising Middle Managers. The internal working group would also implement the recommendations of the review with peer support from the NFCC National Safeguarding Group, the West Midlands Metropolitan Emergency Services Safeguarding Adults Group, and local safeguarding children partners.

There were financial implications with the appointment of an external professional. Costs were approximately £4,800 to £8,000.

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

- It was agreed that safeguarding applied to the 'rescue' element of the Service as well as to 'fire'.
- The financial costs quoted within the report were indicative and were provided to assist Members in their consideration of the recommendations as laid out within the report.
- It was acknowledged that the advice provided by consultants had to be carefully considered, particularly in situations where an organisation may not have the sufficient skills and knowledge to challenge. The Independent Review of Building Regulations and Fire Safety (the Hackitt Review) had also highlighted the possible risks involving the use of consultants and the potential for conflicts of interest to arise.
- The Service could consider the training of an officer to become a safeguarding expert, or to appoint an existing safeguarding officer. It was noted that this could prove to be a recommendation of the review but it was important to not pre-empt the outcomes of the review.
- The Service would be striving for a layer of skills, for example, to not only provide training for staff delivering services but to also provide organisational assurance.
- The Service was conscious of key national events and that the NFCC self-assessment toolkit had been issued prior to the Hackitt Review.

Resolved that the Scrutiny Committee approved the Scrutiny working group to take the review of safeguarding forward.

Resolved that the Scrutiny Committee confirmed the membership of the Scrutiny working group, as follows:

- Councillor Barlow
- Councillor Jenkins
- Councillor Tranter (Lead Member of working group)

Resolved that the Scrutiny Committee approved the appointment of an external independent professional to support the review.

24/18 Analysis of Progress of Quarterly Performance Against The Plan Quarter One 2018-19

Assistant Chief Fire Officer (ACFO) Gary Taylor, Director Service Delivery, and Area Commander Sarah Warnes, Strategic Enabler People Support Services, provided an overview of the report:

Performance Indicator (PI) 1 – The risk based attendance standard: at 4 minutes and 43 seconds a 10 second decrease had been observed during quarter one. The Service continued to significantly over-perform with regard to category 2, 3 and 4 four incident types, which allowed resources to be changed.

PI 2 – The number of accidental dwelling fires: performance was within the tolerance levels but the number of incidents had increased. This was in line with an increase in incidents which had been observed nationally, a trend which the West Midlands were on the tail end of (a sign of the prevention work undertaken by the Service considering larger increases in areas with lower levels of vulnerability than the West Midlands).

It was noted that PI 3 – Injuries from accidental fires in dwellings, and PI 4 – The number of deaths from accidental dwelling fires, were linked. A slight increase in the number of fires had been observed but the severity of such incidents had reduced. In turn, lower severity potentially resulted in fewer injuries and fatalities.

PI 5 - The percentage of Safe and Well visits referred by our partners: performance was just below the lower tolerance level. The target had been increased gradually over the years. The Service was confident that the target of 55% would be met for the year.

PI 6 – The number of Safe and Well points achieved by the Brigade: performance was above the upper tolerance level and reflected positive performance.

PI 7 – The number of people killed or seriously injured in road traffic collisions: the data for the current year was not

available at the time of the meeting (it was noted that the Service were not the custodians of the data). The issues surrounding road safety were often complicated and difficult to tackle but the number of fatalities was higher than the number recorded due to fire. It was frustrating that there were delays in receiving data which delayed timely analysis.

Positive performance had been observed across the PIs related to deliberate fires (PI 8 to PI 12) with all PIs reflecting performance within the tolerance levels or over-performance. This reflected the renewed focus that had been applied to managing deliberate fires. The number of incidents had reduced and would continue to be monitored to ensure that, in the eventuality that the number of incidents had bottomed out, that a subsequent increase was not experienced.

It was noted that the term arson had been changed to deliberate; this was to ensure alignment with the Police and the Home Office.

The two protection PIs, PI 13 The number of accidental fires in non-domestic premises, and PI 14 The number of false alarm calls due to fire alarm equipment in dwellings and non-domestic premises, were both rated as performing with the tolerance levels, although slightly above target. There had been some concern as to whether the performance observed to date could be maintained (forecasting indicated potential increases) and it was reassuring to see that it had been and the Service was confident it could be maintained going forward.

PI 15 – The percentage of employees that have disclosed their disabled status: the disclosure rate had remained constant. Business Partners in People Support Services were liaising with line managers to explore why individuals were not declaring and to understand any potential barriers.

It was noted that staff declaring their disabled status and other protected characteristics helped the Service to understand its workforce better and to implement support measures.

It was noted that overall, the rate of declaring protected characteristics across the Service was good, for example, declarations around sexuality and ethnicity were also both high.

PI 16 – The number of female uniformed staff: to date, 32% of new recruits for this year were female. The Service had set a target of 40% for the year and it was confident that this would be met.

In terms of progression, 27% of female staff in uniformed positions held the role of Crew Commander or above. This represented a slight decrease compared to the previous quarter but remained a significant improvement on the figure of 14% reported in 2012.

PI 17 - The percentage of all staff from BME communities: performance was within the tolerance levels with a slight increase observed from 10.6% in quarter four to 10.8% in quarter one.

PI 17a – The percentage of uniformed staff from BME communities: performance was within the tolerance levels. Of those firefighters recruited during the first quarter, six (27%) were BME. The Service's target for the whole year is 35% and whilst the figure was currently slightly below the target, the Service was confident that it would be met by the end of the year.

In terms of progression, 27% of BME uniformed staff held the position of Crew Commander or above. A lower rate of progression had been observed amongst BME staff (particularly uniformed staff) and People Support Services and the Inspire Group would be exploring this in more detail.

PI 18 – The average number of working days / shifts lost due to sickness – all staff: performance was within the tolerance levels although it did represent a 12.9% increase compared to the same period in 2017/18.

PI 19 – The average number of working days / shifts lost due to sickness – uniformed and Fire Control staff: performance was within the tolerance levels although an increase had

been observed. The figure represented a 12.9% increase compared to the same period in the previous year, but it was noted that the figures for that period were particularly low.

Work was ongoing with regard to restricted duties and there was positive direction of travel in the reduction in the number of days individuals were on restricted duties.

PI 20 – The average number of working days / shifts lost due to sickness – non-uniformed staff: Performance was above the upper tolerance level and represented a 35.4% increase compared to the same period in the previous year.

PI 21 - The total number of injuries: performance was above the upper tolerance level but it was noted that the actual number of injuries continued to be low considering the number of staff and visitors.

PI 22 – The total number of RIDDOR injuries: performance was marginally above the upper tolerance level. It was noted that the reporting figures were very low.

Members recognised and applauded the high levels of performance and the hard work of all staff within the Service.

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

- The pre-alert system would go live at the same time as the Vision 4 mobilising system (before October / November). Significant time savings were anticipated.
- It was agreed that an overview of the pre-alert system would be provided to the Committee and that a subsequent update detailing its impact and effectiveness would be provided following its initial implementation.
- A national campaign, a National Fire Chiefs Council Campaign, and local campaigns had been carried out regarding the fire risk of battery chargers for electronic cigarettes / 'vapes'.
- The input from volunteers, community workers and members of the community was invaluable in gaining local intelligence. It was such intelligence that enabled

the Service to identify vulnerable individuals who were 'off the radar'. Invariably, individuals referred to the Service by partners were already in the system and were in contact / engaged with one or more agencies.

- All Fire Officers were trained in fire investigation. The Service had a team of Fire Investigation Officers (the Fire Investigation and Prevention Section) who had enhanced fire investigation training and skills. This also included a full time Fire Investigation Dog handler. The team could assist at incidents where the cause of a fire could not be determined by Fire Officers in attendance. The team were experts within their field and supported Fire and Rescue Services both locally and nationally, as well as other agencies including the Police.
- It was agreed that a presentation on the work of the Fire Investigation and Prevention Section would be delivered to all Members of the Authority as part of the Member Development Programme.
- With regard to staff disclosing protected characteristics, Members understood the potential sensitivities surrounding declaring such information and the use of anonymous declarations were suggested as a means to increase the disclosure rate.
- The retention rates for female new recruits was currently 100%.
- Occupational Health provided support and welfare arrangements for potential mental health issues including mental health triage.
- It was noted that local stations worked with communities to increase awareness of and to reduce instances of violence (verbal / physical).

Noted

- The status of the Service's key performance indicators in the first quarter of 2018/2019 (Appendix 1).
- The progress made in delivering the three strategic priorities contained in 'The Plan' 2018-2021 (Appendix 1).
- The update on the performance information system detailed in section 5 of this report

It was agreed that

- An overview of the pre-alert system would be submitted to the Committee.
- An update on the pre-alert system detailing the impact and its effectiveness would be submitted to the Committee following its initial implementation.
- A presentation on the work of the Fire Investigation and Prevention Section would be delivered to all Members of the Authority as part of the Member Development Programme
- A presentation on the Service's approach to positive action would be provided at the November meeting of the Committee, when the next report on the review of positive action and firefighter recruitment would be submitted

25/18 Scrutiny Committee Work Programme 2018/19

The Committee noted the Work Programme for 2018/19.

The meeting finished at 12:35pm.

<p>Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680</p>

<p>Minutes of the Appointments, Standards & Appeals Committee</p>
--

Item 13

17 September 2018
at Fire Service Headquarters, Birmingham>

Present: Councillor Dehar (Vice-Chair)
Councillors Aston, Craddock, Hogarth and Tranter
(substitute for Cllr Edwards)

Apologies: Councillors Edwards, Spence and Walsh (Chair)

1/18 **Minutes of the Appeals Committee held on 23 November 2015**

Resolved that the minutes of the Appeals Committee held on 15 May 2017 be confirmed as a correct record.

2/18 **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 Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to any individual.

3/19 **Submission of Internal Disputes Resolution Procedure (IDRP) for The Firefighters' Pension Scheme**

In accordance with the Authority's procedures, the Committee considered an appeal, made under stage two of the IDRP of the Firefighters' Pension Scheme.

The Strategic Enabler (Finance and Resources) and the Payroll and Pensions Manager attended the meeting to outline the background to the appeal regarding a pension matter and the dispute related to the provision of information to the complainant as required under the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013.

Having considered the evidence submitted by both parties, the Committee decided to not uphold the appeal because it was felt that at the time the member chose to opt into the scheme, enough information was available to the member to meet the requirements of the Disclosure regulations.

At stage one the member's complaint had been rejected. Following an appeal by the member to this decision, compensation had been offered for the inconvenience that the matter may have caused. The Committee noted for the record that in addition to the stage two appeal not being upheld, that the offer of compensation was to also be withdrawn.

Resolved that the appeal is not upheld and that the decision of the stage one decision be confirmed.

(The meeting ended at 13.40 pm)

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

Minutes of the Governance and Transformation Committee

08 October 2018 at 09:30 a.m.
at Fire Service Headquarters, Vauxhall Road, Birmingham B7
4HW

Present: Councillor Aston (Chair).
Councillors Barrie, Brackenridge, Edwards, Hogarth,
and Young (Vice Chair).

Apologies: Councillor Walsh.
Professor Brake.

Observer: Councillor Iqbal.
Tim Martin, Head of Governance, West Midlands
Combined Authority (WMCA) and Jodie Townsend,
Governance Consultant, WMCA.

1/18 Declarations of Interest in contracts or other matters

There were no declarations of interest.

**2/18 Scoping the Role of the Mayoral Fire Advisory
Committee (MFAC)**

Karen Gowreesunker, Clerk to the Authority and Strategic
Enabler of the Strategic Hub, provided an overview of the
report:

The report contained two recommendations:

1. That members consider the background and proposed
approach to considering the governance arrangements
for West Midlands Fire and Rescue Service (WMFS)

within the Mayoral West Midlands Combined Authority (WMCA).

2. That members approve the purpose, scope and key assumptions of the Committee.

The draft Statutory Order (the Order) had entered the Parliamentary process on 23 September. A key 'ask' within the Scheme submitted to the Home Office in June 2018 was the constitution and composition of the Mayoral Fire Advisory Committee (which had subsequently been renamed as the Mayoral Fire Committee). A specific focus of the Governance and Transformation (G&T) Committee would be to develop proposals which would define the roles and responsibilities of the Mayoral Fire Committee (MFC), aligned to those defined and approved by all local constituent councils through the Governance Review, Scheme and the draft Order. All proposals of the G&T Committee would be submitted to the Fire Authority and onto the WMCA for consideration.

It was noted that the timeline within the report outlining the meeting dates of the G&T Committee and alignment to the progress of the Order could vary as progress developed.

A Member noted that the Order was progressing quicker than expected and asked if this would affect the timeline of the work of the committee.

It was advised that the timeline would be largely unaffected by the progress of the Order due to the work regarding constitutional issues / structures that was due to be undertaken.

It was noted that the WMCA would need to approve any constitutional changes and such changes would have to be considered at Board level, of which there were meetings scheduled in January 2019.

Karen Gowreesunker talked the Committee through a presentation which covered:

- Clarifying the Role and Responsibilities as laid out in the draft Order:
 - Chief Fire Officer role summarised
 - Role of the Mayor summarised
- Role of the MFC
- Considerations for role of the MFC
- Next steps

Note: the presentation is available in appendix 1 of these minutes.

The role of the Chief Fire Officer included operational and technical leadership of the Service, of fire functions and of staff. This role would be accountable for performance of the Service.

The role of the Mayor included the appointment of the Chief Fire Officer, approval of all key strategic documents, and holding the Chief Fire Officer to account for delivery of services.

A Member asked if the MFC would have any role in the appointment of the Chief Fire Officer. It was confirmed that it was solely the role of the Mayor (an excluded function).

The Order defined the role of the MFC that it was to advise the Mayor in the exercise of functions. The MFC was not a decision making body, however it does have voting rights. There was no scrutiny or audit role for the MFC. Proposals were proportionate to the makeup of the current Fire Authority (15 Members, the Police and Crime Commissioner, and two co-opted Members).

The role of the MFC could be to provide leadership (similar to the current Section 41 arrangements / role description), enabling local, regional and national representation on behalf of the Mayor, engaging in and contributing to national government policies, for example the lobbying work conducted via the Association of Metropolitan Fire and Rescue Authorities (AMFRA).

How the MFC would support the Service and the Mayor remained to be confirmed and work was underway regarding the governance framework to help develop this. This will be presented to the G&T Committee for consideration and to help form the proposals of the Committee. This work included examining the governance framework and addressing the gaps between the Fire Authority and the WMCA, for example the role of the Pension Board, the role of the Joint Consultative Panel, and engagement within the National Joint Council. Additionally, it was considered that the MFC would be able to support the committees of the WMCA during the transition period (as fire is a new function for WMCA).

A Member asked what would happen to the current membership of the Fire Authority when the Fire Authority would cease to exist. Would membership be decided in May 2019 following local elections and nominations made by the Local Authorities, or would the current membership continue in the interim period?

It was acknowledged that as of 1 April 2019, Members would have a reformed role and that the current roles would no longer exist. There was a need to examine possible ways to resolve this in the interim, for example for the current membership to continue in a shadow form.

A Member noted it could be possible for the Service to ask Local Authorities to nominate for the MFC for Members to be in place for 1 April.

With regard to the role of the MFC, a Member noted the following:

- That there was no visible audit function for the MFC, although there was the audit function established within the WMCA. The Member believed that there should be an audit into the MFC to allow the Committee to keep on top of audit issues.
- The Joint Consultative Panel could be exercised through the MFC.

- Standards to be a role of the MFC (depending if it was a process for the Service or WMCA).

A Member noted that it was a pity that the scrutiny role would not form part of the role of the MFC, considering the experience available within the current membership, and would not want to see any gaps in functions between the Service and the WMCA. The Member suggested could consideration to be given to a pre-decision scrutiny / consultation role for the MFC.

It was noted that decisions regarding the Service would be for the Chief Fire Officer and the Mayor in the new arrangements. The WMCA Overview and Scrutiny Committee would take on the role of scrutiny of the decision making. The MFC could consider the support that the Overview and Scrutiny Committee may need.

A Member asked how the supporting of WMCA committees during the transition period could operate.

It was noted that the support arrangements, if required, would need to be explored further and progressed accordingly.

A Member asked if there was one scrutiny committee in the WMCA and enquired as to the possibility of a sub-committee.

It was explained that there was the one scrutiny function within the WMCA, the Overview and Scrutiny Committee; a large committee that worked through a number of work streams and Task and Finish Groups. Members of the Overview and Scrutiny Committee had stated that they did not want to lose any experience or knowledge of current Fire Authority members. It was noted that there was the potential for a sub-committee to be convened for scrutiny, and also for an audit sub-committee. However, no decision had been made yet with further work and discussions to be had.

A Member agreed that there should be some form of audit role within the MFC and asked if there would a role for the Representative Bodies.

It was noted that the MFC was able to offer a support role.

It was agreed that there was a potential for representation of Representative Bodies on the MFC.

It was noted that there was review of Members Allowances currently being undertaken by the Fire Authority. The review was examining the current roles and would not look at the new roles within the MFC / WMCA as they will be very different (and the roles were still being developed). Once the roles were fully developed, Members Allowances would be examined again independently by the WMCA.

A Member noted that regional work would be a key feature of the MFC depending how much the Chair may wish to get involved, for example Staffordshire and West Midlands Fire Control, the Warwickshire Collaboration Project. On a national perspective, there was a desire to reinvigorate Association of Metropolitan Fire and Rescue Authorities (AMFRA). Additionally, there was a need to consider the approach regarding advising the Mayor, for example periodic reporting, quarterly / special meetings.

Considerations for the role of the MFC had included how the Committee would support Service and Mayoral priorities. This included Members providing leadership (similar to current Section 41 arrangements / role description), reporting back to their constituent Local Authorities and representing local communities.

A Member noted that currently, each Local Authority engaged differently in the Section 41 process and there was a need to ensure some uniformity across the seven Local Authorities. There was a need to lay out a blue print for Local Authorities and Section 41 Members to follow to enable this. A Section 41 leadership approach would be critical for the relationship between Local Authorities and the WMCA.

It was recommended that work should be carried out to further develop this local authority leadership principle and how information was reported back to the Local Authorities. There was also a need to ensure that current Section 41

Members were fully briefed to enable this. It was suggested that this could be a role for the MFC.

A Member noted that the Section 41 Members provided a bridging role between firefighters and the Fire Authority, and there was a need to maintain that relationship.

It was noted that feedback from this meeting of the G&T Committee would be used to inform ongoing work. Next steps included:

- 12 November – G&T Committee
- 10 December – G&T Committee and Policy Planning Forum
- January 2019 – WMCA Board meeting

It was noted that the Policy Planning Forum could provide an opportunity for wider discussion, and that more members could attend. There was the potential to schedule an extra meeting of the G&T Committee if required due to the timescales.

A Member suggested that it would be useful to look at the position of employees and how that would be managed, for example would there be a TUPE situation. There was a need to determine what Members were engaged in and not engaged in; Members were engaged in the governance aspect but not the reorganisation of the Service. There was a need to avoid any dilution of the service delivery and service support structure. It was clear that a single employer model could unravel that structure. There was a need for principles to be agreed to avoid such a scenario.

A Member questioned if Members were able to make such a request considering the advisory role of the MFC.

The Member responded that the WMCA had adapted its constitution to protect Service budgets and that there was a need for a similar approach to be taken to Service staff. The role of the Fire Authority and the MFC was to support this.

It was advised that the Order was very clear that it was the role of the Chief Fire Officer to determine staffing and

structures. This would be a legislative role once the Order was finalised, and therefore 'ring fencing' of staff would not be necessary.

A Member wanted to ensure that the Service was consulting with staff and asking for their views.

A Member noted that concerns had been expressed, particularly by the Representative Bodies.

It was advised that staff have been informed as the governance process has progressed and consultation with staff would take place over a specific time period. Additionally, the Representative Bodies received monthly updates via the Joint Consultative Committee. An update and further information would be provided at the next G&T Committee meeting.

A Member asked if the Representative Bodies had requested representation on the MFC.

It was advised that no formal request had been made. There was a need to consider potential conflict of Representative Bodies on the MFC, if the MFC would also be undertaking roles such as that of the Joint Consultative Panel. There was a need to explore and consider this area in more detail.

A Member noted that the Fire Brigade's Union had raised concerns over representation and accountability. The Member suggested that a case could be put forward for Observer Status on the MFC with speaking rights.

Concern was raised regarding the Employee Relations Framework and its status in the new structure. A Member noted that it was important that the Employee Relations Framework and the Health and Safety Framework were both taken forward into the WMCA.

A Member noted that the National Joint Council terms and conditions would continue to apply once the move to the WMCA had been achieved.

A Member asked if there had been a lot of feedback received from staff, including support staff. The Member noted their concern for staff, and that there was a need to responsibly safeguard them.

It was advised that members of the Strategic Enabling Team held communication visits, 'What's Happening Visits', at all stations and functions which included discussions on governance and the potential changes. Additionally, a number of videos and communications had been published for staff, supported by the holding of management briefings. To date, there hadn't been a huge amount of concern received although this could be due to the fact that the proposed changes seemed a long way off for staff and that could change as the date got closer.

The meeting finished at 10:53pm.

<p>Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680</p>

Minutes of the Scrutiny Committee

10 October 2018 at 10:00 a.m.
at Fire Service Headquarters, Vauxhall Road, Birmingham B7
4HW

Present: Councillor Tranter (Chair).
Councillors Barrie, Brackenridge, Jenkins and
Spence.
S Middleton.

Apologies: Councillors Barlow and Young.

Observer: Nil

26/18 Declarations of Interest in contracts or other matters

There were no declarations of interest.

27/18 Minutes of the Scrutiny Committee held on 12
September 2018

Discussion regarding the minutes resulted in the following points being raised:

- Work to develop the Safeguarding Review was progressing. A scope had been provided to an external company which would assess the scope and identify a suitable specialist to assist with the review.
- Meetings of the Safeguarding Review working group would be called once the specialist had been confirmed.
- It was noted that the go live date of the pre-alert system (previously noted as October / November 2018) had been delayed due to the supplier's inability to meet the deadline for delivery.

- It was anticipated that the pre-alert system would now go live in March / April 2019.

Resolved that the minutes of the meeting held on the 12 September 2018 be approved as a correct record.

28/18 **Dispute Resolution Report**

Helen Sherlock, Senior Business Partner, People Support Services, provided an overview of the report:

The report covered the period 1 January 2018 to 30 June 2018.

Five grievances had been received during the reporting period; three related to Bullying and Harassment, and two related to issues regarding Terms and Conditions of employment. One case of Bullying and Harassment was upheld and a subsequent management enquiry was commissioned which was ongoing at the time of the meeting. The other four grievances were not upheld.

The Service was in receipt of two Employment Tribunals that were related to two of the Grievances received during the reporting period.

There had been 14 disciplinary cases during the reporting period; 11 at Gross Misconduct and three at Misconduct. One incident had led to eight disciplinary cases, all of which had been pursued to formal hearings, resulting in two individuals being dismissed although one individual had been reappointed following an appeal. The remaining six individuals received formal warnings.

Helen Sherlock advised that a report had been submitted to the Joint Consultative Panel (JCP) in September 2018 detailing a review of Case Management Debriefs. The report covered all learning from debriefs conducted for the reporting period. Following this, a summary of debriefs and learning and actions identified would be included in future reports to the Scrutiny Committee as well as to the JCP.

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

- The amount of detail and information provided in the report was restricted to ensure individuals could not be identified.
- The number and level of cases was consistent with previous reporting periods. An overview of reporting periods for the current and previous reporting periods was provided in table format within the appendix to allow comparison.
- Business Partners within People Support Services and middle managers carried out initial investigations into possible disciplinary action. The decision whether to escalate a case to Gross Misconduct level was the decision of the Strategic Enabler People Support Services.
- Work was being carried out to formalise the debrief process and to enhance the capture of any learning identified. This would in turn help to improve processes and procedures.

Resolved that the Dispute Resolution Report be submitted to the Joint Consultative Panel.

29/18 Scrutiny Committee Work Programme 2018/19

Karen Gowreesunker, Clerk to the Authority and Strategic Enabler of the Strategic Hub advised that the Operational Assessment Improvement Register had been originally scheduled in the work programme to be submitted to the Scrutiny Committee at this meeting. However, the intention was to close the Improvement Register and as result, the report would now be submitted at the November meeting.

The Committee noted the Work Programme for 2018/19.

The meeting finished at 10:33pm.

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