

## **West Midlands Fire and Rescue Authority**

18 November 2019 at 1100 hours at  
Fire Service Headquarters, Vauxhall Road, Birmingham B7 4HW

Present: Councillor Brackenridge (Chair)  
Councillor Iqbal (Vice Chair)  
Councillors Barrie, Barlow, Cooper, Dehar, Edwards, Gill,  
Hogarth, Jenkins, Miller, Miks, Spence, Young and Walsh  
Mr Gurinder Singh Josan (Representative of PCC)  
Mr M Ager, Independent Member

### **83/19 Apologies for Absence**

Apologies were received from the Chief Fire Officer

### **84/19 Declarations of Interest**

The Chair and Councillor J Edwards declared a non-pecuniary interest in item 92.

### **85/19 Chairs Announcements**

The Chair informed the Authority that there was an opportunity to visit Fire Control following the meeting.

The Fire Safety Event was taking place on Tuesday 19 November and all members were encouraged to attend.

The Carol Service would be taking place on Sunday 8 December at St Martins in the Bull Ring at 1630 hours and all were invited.

Section 41 members were invited to attend the Passing Out Parade on Thursday 19 December 2019 at 1730 hours.

A photographer would be in attendance to take up to date photos of the Authority.

### 86/19 **Chief Fire Officer's Announcements**

The Deputy Chief Fire Officer made the announcements on behalf of the Chief Fire Officer. The Service acknowledged receipt of the Grenfell Report and would be working closely with the National Fire Chiefs Council.

The Chief Fire Officer wished to record his thanks to all staff supporting the work in South Yorkshire who had done a great job.

Staff who had attended at the exercise at Birmingham Airport were thanked for their excellent work.

The Chief Fire Officer also wished to thank Watch Manager Julie Cooper, who was the first female firefighter to retire in the West Midlands.

The Chair also stated that Julie Cooper was an outstanding firefighter and was proof that it is right for women join the Fire Service. The Authority were grateful for her service.

### 87/19 **Minutes of the Fire Authority meeting held on 30 September 2019**

**Resolved** that the minutes of the Fire Authority meeting held on 30 September 2019 be confirmed as a correct record.

### 88/19 **Portfolio Management (3PT)**

The Authority noted the strategic summary on the progress of delivery of value through 'Our Plan'. The continual representation of value release and investment in the three programmes would enable progression to be tracked.

The Authority had been provided with a report at their meeting on 30 September setting out the strategic overview of the approach to managing workstreams through Portfolio management.

The Cultural Review Project is seeking to achieve:

- A workforce that has the capability, behaviours, judgement and knowledge and reflects the diversity of the communities of the West Midlands.
- Drive public sector reform, innovation and change and that demonstrates to partners the ability to transform, deliver enhanced services and reduce dependency.

The cultural review report had been distributed to all staff on 7 October 2019. Six follow up sessions had been arranged with RealWorld HR to enable stakeholders to fully understand the content of the report. A wider stakeholder group meeting had also taken place and further meetings would be held in November 2019.

## HS2

During the development phase of HS2, there will be impacts on headquarters. The Project Executive has regular meetings with the developers to continually monitor the impact upon staff.

## **People Programme**

### Attendance Management

There had been an increase in sickness across the organisation. The impact of this had seen the increase in the ridership factor for staffing (operational staff) at 15.3 and Fire Control 26.3.

The main reasons for absence had been attributed to:

- Mental Health
- Joint Problems
- Gastrointestinal
- Muscular Skeletal: Back
- Colds and Flu

And these five reasons describe 52% of duty days lost to sickness.

Further work is being undertaken to understand better the reasons for the absence when recorded as mental health. A task and finish group had been established with key stakeholders. A video and information had been produced to ensure that HRMS data is completed. Four development sessions had been presented to the middle managers and support staff. The next step being middle managers delivering the development sessions to supervisory managers with People Support Services by the 30 November 2019.

### Vehicle Replacement Programme

The Authority noted that there was a £1.4m underspend within the Vehicle Replacement Project. This was due to the delayed introduction of:

- 5 Pump Rescue Ladders (PRL) due to issues with suppliers
- 1 Command Support Vehicle (CSV) due to technical specification
- 1 Detection, Identification and Monitoring (DIM) support vehicle awaiting government funding clarification.

### Emergency Services Mobile Communications Programme

The Authority received an update on the ESMCP, a national system to replace Airwave when the contracts expire. There had been a series of issues and delays and it was anticipated that the national project would be delivered at best by December 2022 and would be over budget by £3.1 billion.

Fire and Rescue Services are working together regionally to develop implementation plans which are coordinated with blue light partners.

The key matters and critical dependencies of the project were brought to the attention of the Authority, most significantly:

- Current West Midlands ESMCP Deployment is 2022. This coincides with the Commonwealth Games and both WMFS and West Midlands Police have raised concern.
- Unsure if current Mobile Data Terminals will be able to work with an ESMCP Modem or whether new devices will be required across all WMFS frontline appliances.
- Currently there are no plans for ESMCP to embrace the West Midlands 5G testbed.

Whilst Airwave remains available, officers are satisfied that the risk is being managed and have maintained the risk is medium.

### High Rise Incident Assurance (Culture/People/Process)

Following the Grenfell tragedy in 2017, the organisation had been proactively reviewing intelligence and its preparedness for incidents in high rise buildings.

The three programmes have been working cohesively and monitoring progress through an assurance plan. Key areas of activity are:

Policy Revisions – constantly reviewed and aligned to National Operation Guidance

Site Specific Risk Information (SSRI) System – a record of all high rise buildings and any pertinent information.

Incident Commander Competence – Standardised Assessments have been introduced to ensure all core competencies are consistently assessed and recorded.

Annual Competency Risk Assessment which reviews the frequently of existing operational activities and any new activities being considered.

Training Materials and support - there have been a number of enhancements to training and support materials.

Research and Development – A number of new pieces of equipment were being considered for inclusion on frontline appliances.

In response to a Member's enquiry the Strategic Enabler for People Support Services confirmed that the Authority had a Well Being strategy in place to address the mental health issues. A large focus was being placed on attendance management and being able to raise awareness of mental health. A number of Mental Health First Aiders were being trained on stations and in the various functions to provide staff with peers who they can talk to. The Employers Network and Birmingham Hospital Saturday Fund also provided a support mechanism for staff.

Officers were also looking into the reasons for Workplace Stress and working arrangements to help to stop this developing. Workplace impact assessments are being used by managers and further training is being provided to support managers.

Regular meetings take place where Managers can make some adjustment to support individuals to keep staff at work rather than not able to come to work because of the impact of work-related issues.

It was confirmed that the Service used to provide vouchers for flu jabs, but there was a low uptake and these are no longer provided but the Service does raise awareness and promotes the access to flu jabs for individuals.

In response to a Member's enquiry, it was confirmed that Managers receive support from the Occupational Health Team, to enable them to support their staff. There are Mental Health First Aiders and Business Partners who are able to signpost managers and individuals if further development or support is needed.

The Chair was pleased to see that mental health was getting the recognition it deserves. He had met and talked with members of the Occupational Health Team and stated that the service they provided was very good but there was always room for improvement.

It was noted that Health and Safety and Wellbeing formed part of the Cultural Review and was being discussed at the current round of Stakeholder meetings. Area Manager Ben Brook was thanked for his work on the Cultural Review Stakeholder process and it was confirmed that over 100 people had attended the events so far.

Members of the Authority were welcome to attend any of the events and this area had been raised in both the report from HM Inspectorate and Realworld HR.

#### 189/19 **Governance of the Authority 2019-20**

The Authority received a report on the proposed amendments to the Constitution in respect of the additions to the Terms of Reference of the Consultation and Transformation Committee following its first meeting as set out below:

- The role of the committee in championing digital transformation across the Service as a core consideration for collaboration;
- The role of the committee in enabling the Service to improve and evolve new and existing areas of collaboration through providing clear strategic direction, aligned to the Authority's strategy, Our Plan
- Member involvement in supporting collaborative relationships through links within respective local authorities

It was noted that any remaining references to the Executive Committee would be removed from the Constitution.

It was proposed that Four Observer positions for Recognised Trade Unions be made available on the Authority, enabling an open and transparent approach to joint working through being able to discuss issues raised at Fire Authority meetings.

To enable Trade Unions to ensure this approach is balanced with their responsibilities through the Trade Union and Labour Relations (Consolidation) Act 1992 ('the Act'), observer status ensures Trade Unions can contribute to the discussion but do not form part of the decision making structure or process of the Fire Authority.

One place for the following Trade Unions would be provided:

- Fire Brigades Union
- Unison
- Fire Officers Association
- Fire Leaders Association

The proposed Terms of Reference for an 'observer' position were set out as an Appendix and had been formed based on the Authority's constitution, an understanding of the current organisational policy and an understanding of how 'observer' and/or Trade Union representation works in other public sector services, where this exists.

Upon approval of the Terms of Reference, a Memorandum of Understanding (MOU) would be agreed between the Fire Authority and each Trade Union and once this had been agreed the position of an observer would be constituted.

One Member stated that she was pleased to receive the paper and felt that a lot of organisations should be taking the same route.

It was felt that this showed the Authority to be a progressive organisation that was both inclusive and listened to its employees.

The Chair agreed with the comments made.

The Service had been updating its Standing Orders and changing them into Policies. Some of the Standing Orders formed part of the Constitution and now needed to be updated when the new

Policies were published. This would be an ongoing activity and all new Policies were published on MESH. The Clerk would amend the Constitution accordingly.

**RESOLVED THAT:**

1. the proposed amendments to the Constitution as set out in the report in relation to the Collaboration and Transformation Committee Terms of Reference and the removal of any reference to the Executive Committee be approved.
2. the proposal of four observer positions on the Fire Authority for each recognised Trade Union aligned to the proposed Terms of Reference set out in Appendix 1 to the report and that these positions are constituted on the agreement of a Memorandum of Understanding be approved.
3. the Authority noted that the Clerk would develop a memorandum of Understanding aligned to the Terms of Reference set out in the report between the Authority and Trade Unions and that this would be agreed between the Chair, Vice Chair and Trade Unions.
4. the Clerk, in consultation with the Chair and Vice Chair, be authorised to make and publish any necessary consequential amendments to constitutional documents, in the light of amendments made to organisational policy documents.

**90/19 Statement of Assurance 2018-19**

The Authority received the Statement of Assurance 2018-19. The Authority are legally obliged to produce and review the Statement on an annual basis under the Fire and Rescue National Framework.

The Guidance on statement of assurance for Fire and Rescue Authorities in England issued by the Government in May 2013 remained currently and stipulates that the Statement of Assurance should include the following three key areas as part of any Statement of Assurance:

- Financial
- Governance
- Operational

The guidance also states that Fire and Rescue Authorities may wish to include a section of any potential improvements that have been identified across their accounting, governance or operational responsibilities to communities.

The following are all part of the West Midlands Fire and Rescue Authority's assurance process:

- Financial
- Governance
- Operational
- Future improvements

The Assurance Report Forward will be agreed with the Chief and Chair as the place holder wording was for administration and display purposes only.

**Resolved** that the Statement of Assurance 2018/19 be approved.

#### 91/19 **Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services Inspection (HMICFRS) and Cultural Review Outcomes**

The Authority noted an overview of the outcomes of both the HMICFRS Inspection and Cultural Review key findings.

In July 2017, HMICFRS extended its remit to include Inspections of England's Fire and Rescue Services. Inspections focus on the service provided to the public and they assess how well Fire and Rescue Services prevent, protect against and respond to fire and other emergencies and how well they look after the people who work for the service.

Fire and Rescue Services are given graded judgments at each inspection. These are:

- Outstanding;
- Good;
- Requires improvement, and
- Inadequate

The Inspection Process for the Service began in December 2018 with an on-site 'discovery' week where the inspection team reviewed information prior to the actual on-site inspection process which commenced on 28 January 2019 and spanned 2 weeks concluding on 8 February 2019.

In May 2019 RealWorld HR were asked to complete an independent cultural review of West Midlands Fire Service and for this to be completed by the end of September 2019.

The purpose of the review was:

- To undertake an independent root and branch review of the organisation including the Fire Authority, the Service, personnel and Trade Unions to assess the culture and relationships and the impact they have on the successful operation of the Service, along with the health and wellbeing of employees within the existing culture.
- To identify areas of good practice and further considerations that can be made to support effective and functional relations between all parties in the future.
- To identify future culture challenges within West Midlands Fire Service to ensure that best possible position to deliver for the communities of the West Midlands.

The review commenced on 10 June and was completed on 30 September 2019 with the issuing of the report review from Realworld HR to the Chief Fire Officer as the Commissioner of the Review.

The report had been communicated to all key stakeholders prior to the presentation of the report and its process to stakeholders by RWHR.

### Inspection and Review Outcomes

HMICFRS judged that West Midlands Fire Service:

- Is 'good' at effectively keeping people safe and secure from fire and other risks;
- Is 'good' at efficiently keeping people safe and secure from fire and other risks; and
- Is 'good' at looking after its people

Within the effectiveness pillar, the Service was rated as 'outstanding' for its response to fire and other emergencies. There Service is the only one from 44 other Fire and Rescue Services to achieve this level of recognition for its response service in this first year of inspection.

Within the 'people' pillar there were 2 x requires improved aligned to the question areas of:

- How well does the FRS promote its values and culture?
- How well does the FRS develop leadership and capability?

Other areas for improvement were set out in the Appendix to the report.

The Cultural Review outcomes do not provide specific recommendations aligned to each theme of the review.

The Executive Summary of the report and areas of considerations are reference through the report.

Both the Inspection and review outcomes have been communicated to staff, including the release of both reports.

RWHR were re-engaging with key stakeholders to enable consistency in the interpretation and understanding of the report over a four week period commencing 4 November 2019. It is intended that this will ensure the most effective delivery of the Authority's Strategy developing actions to areas for improvement for both the HMICFRS Inspection process (people) and Cultural Review.

It was intended that areas for improvement will be managed through the Service's Portfolio Management process and as such will be embedded into 3PT Projects.

Two dates had been identified in December and January to progress with the Stakeholder Groups and the dates would be issued imminently.

In response to a question from the PCC representative, it was confirmed that the Action Plan to address the Inspection Outcomes would be reviewed by the SET and will be managed through 3PT projects. The People outcomes will be reported through the Authority in form of reports and be managed through 3PT.

The Chair confirmed that the issue of 207 members of staff on temporary promotions had been addressed and the Improvement Plan would be owned by the whole organisation.

## 92/19 **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 £1.1m. Appendix A showed the current position of the Revenue Budget with an overall favourable variance of £0.192m. The Treasurer referred members to the Corporate Budgets and, in particular, the most significant variances related to the Service Delivery Response budget, where there was an adverse variance of £427,000 against the annual saving target of £3.8m (mainly due to the ridership factor being higher than the target level), which was off-set mainly by salary related savings within People Support Services, Operations and Corporate Service support. There had also been additional Section 31 Grant funding notified to the Authority following the February 2019 budget setting meeting.

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

### Appendix C

The Authority's approved capital programme for 2019/20 was £8.956m. The Scheme Analysis was shown at Appendix C of the report and indicated that the expenditure to the end of October 2019 was £2.9m.

The main forecast variance within the capital programme related to:

- The Vehicle Replacement Programme - delayed purchase of the command support vehicle pending the outcome of a review, delays in the Detection, Identification and Monitoring (DIM) vehicle awaiting the decision of government funding and slippage of 5 PRLs to 2020/21.
- Aston Fire Station, where there has been a delay to the completion of refurbishment phase of the current station which had slipped to 2020/21

- Coventry Fire House refurbishment requires to be retendered and has therefore slipped into 2020/21
- Replacement of windows and doors at Dudley, Handsworth and Sheldon Fire Stations have been rephased to 2020/21

The Earmarked reserves would be matched to the forecast changes in expenditure.

In response to a question from the PCC representative, the Treasurer confirmed that there may be a potential impact of a 3 to 4 month delay in the PRL's but it was recognised that the Transport Engineering Workshops (TEW) ensure that all vehicles are highly maintained and TEW officers were also involved in the procurement of vehicles and were keen to ensure the procurement was managed correctly and the specification was fit for purpose. It was also felt prudent to await government funding of the DIM vehicle.

One Member asked to be kept updated on the progress. The Treasurer confirmed that there would be a specific focus on the Vehicle Replacement Programme at the Authority meeting scheduled for February 2020.

Aston Fire Station delay – The first phase was now complete with the fire safety building being demolished and the new operational building complete. The slippage related to the conversion of the original listed fire station for use as a Birmingham City library and heritage centre.

Coventry Fire Station Training Facility – the potential Warwickshire and West Midlands joint training collaboration had not gone ahead. The funding envelope for the WMFS only facility had not proved sufficient at the tender stage and officers would be reviewing the specification and undertaking a further tender process.

### **93/19 Minutes of the Audit and Risk Committee held on 2 September 2019**

The minutes of the Audit and Risk Committee held on 2 September 2019 were received.

The Chair of the Audit and Risk Committee thanked Mike Griffiths, Julie Connor and Kal Shoker and Internal and External Auditors for their work on this Committee.

94/19 **Minutes of the Scrutiny Committee held on 3 September 2019**

The minutes of the Scrutiny Committee held on 3 September 2019 were received

95/19 **Notes of the Policy Planning Forum held on 17 September 2019**

The notes of the Policy Planning Forum held on the 17 September 2019 were received.

96/19 **Minutes of the Scrutiny Committee held on 26 September 2019**

The minutes of the Scrutiny Committee held on 26 September 2019 were received.

97/19 **Notes of the Joint Consultative Panel held on 30 September 2019**

The notes of the Joint Consultative Panel held on 30 September 2019 were received.

98/19 **Minutes of the Collaboration and Transformation Committee held on 7 October 2019**

The minutes of the Collaboration and Transformation Committee held on 7 October 2019 were received.

99/19 **Notes of the Policy Planning Forum held on 7 October 2019**

The notes of the Policy Planning Forum held on 7 October 2019 were received.

100/19 **Minutes of the Scrutiny Committee held on 7 October 2019**

The minutes of the Scrutiny Committee held on 7 October 2019 were received.

101/19 **Minutes of the Scrutiny Committee held on 7 October 2019**

The minutes of the Scrutiny Committee held on 7 October 2019 were received.

## 102/19 Minutes of the Scrutiny Committee held on 4 November

### 2019

The Leader of the Opposition Group thanked the Chair for allowing him to speak on behalf of the Conservative Members and stated that on most occasions the Opposition Group supported the Authority and had taken politics out of decision making.

However, he felt that the vote and final decision of the Scrutiny Committee, was a grave error of judgment.

The minutes stated:

That the Committee would not recommend option one 'a contingent workforce' and option two 'an external provider' but

The Scrutiny Committee proposed an additional recommendation:

"We recommend the Fire Authority does not accept option one, or option two in the report 'Business Continuity Arrangements. We recommend that the Fire Authority continues to utilise existing arrangements for business continuity during industrial action though the use of volunteers drawn from existing staff numbers.'

The Opposition Group were in support of the officers who had given evidence at the meeting and believed that management views should be noted and recommendations followed.

One Member felt that the Chief Fire Officer's recommendation would resemble an insurance policy for drastic situations, similar to household insurance. Members did not want to spend resources unnecessarily but if the Service were not able to support the community during times of Industrial Action, he felt this would be disastrous for the Fire Authority.

One Member stated if there was a disaster, he felt sure firefighters would help to safeguard the West Midlands.

The Leader of the Opposition Group also stated that the use of external resources had been accepted in London and used on a number of occasions. He wished to ask for a vote to the amendment to the Scrutiny Committee recommendation and to accept Recommendation 2 of the Chief Fire Officer's Report.

This was to ensure that we had sufficient firefighters if there was a strike.

The Chair thanked the Leader of the Opposition Group for his comments and respected the different view-point. The item would be discussed further in private session.

The minutes were received.

#### 103/19 **Exclusion of the Public and Press**

The public and press were 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.

#### 104/19 **Business Continuity Arrangements**

The Authority received a report outlining the legal and statutory duties of the Fire and Rescue Authority in relation to provision of business continuity and responding to incidents. The report highlighted the current business continuity arrangements and detailed additional arrangements that would enhance the resilience of the Service.

The Members of the Authority also received a briefing note from the Scrutiny Committee.

The Scrutiny Committee had reviewed the options over three additional meetings of the Committee throughout October and November. The Scrutiny Committee reviewed the options to be submitted the Authority, the options were:

- The provision of a contingent workforce
- The provision of an external provider – this option was the recommendation of the Chief Fire Officer

The Authority received details of the Fire Authority's statutory responsibilities under Fire and Rescue Services Act 2004 and the Civil Contingencies Act 2004, alongside the Fire and Rescue National Framework, in respect of effective Business Continuity Arrangements and how the risks are recognised and managed through the West Midlands Fire Service Corporate Risk Register.

In line with the National Framework, every Fire and Rescue Authority must assess risks with regard to Community Risk Registers (CRR) produced by Local Resilience Forums. The CRR is a public localised version of the National Security Risk Assessment (NSRA) which is not in the public domain.

A range of scenarios are outlined in the NSRA that directly link to the availability of the loss of staff:

Pandemic Influenza

Severe Weather Events

Industrial Action

Currently, West Midlands Fire Service officers cannot provide assurance to the Authority that they can meet the level of resilience detailed in Home Office expectations and the additional requirements that are required and recommended:

1. That the Fire Authority support the recommended option of engaging an external provider to enhance business continuity and resilience arrangements to enable The Fire Authority to meet expected resilience levels and
2. approve the funding to implement the required business continuity option.

In answer to an enquiry from the PCC representative, the Monitoring Officer confirmed that the requirement for 30% is an expectation by the Home Office and is not a legal requirement.

The Clerk to the Fire Authority recommended that the Authority fully considered the Business Continuity arrangements as identified and highlighted the Authority's legal responsibility that Business Continuity can be provided.

The Monitoring Officer echoed the evidence-based advice from officers to the Fire Authority and expressed his concerns about the potential organisational risk in the event of Home Office intervention and hoped that this would be borne in mind when making a final decision.

The Chair of the Scrutiny Committee outlined the details of the work undertaken by the Scrutiny Committee over the course of the previous three meetings in scrutinising the details and had

considered the evidence and consequences provided by officers, Union Representatives, representatives from Securitas, other Fire and Rescue Services, and the Health and Safety legal advisor.

The Scrutiny Committee recommended that the Fire Authority did not accept:

Option one 'a contingency workforce'

or

Option two 'an external provider,' in the report 'Business Continuity Arrangements'.

The Scrutiny Committee recommended that the Fire Authority continues to use existing arrangements for business continuity during industrial action through the use of volunteers drawn from existing staff members.

The recommendation was seconded by the Vice Chair of Scrutiny Committee, who thanked everyone who had taken part and stated that the pre-Scrutiny process had been robust and taken seriously and had taken a long time to consider. The Labour Group respected the proposals and understood the reasons why they were put forward but had not been convinced by the evidence.

Members discussed the issue again in respect of the second recommendation.

The Leader of the Opposition Group wished to move an amendment to support the resolution to support Option 2.

One Member wished to point out a confusion about who was the principal interest. He respected the views of the workforce but felt that the Authority's principal and legal responsibility was to the community and suggested that the responsibility to the workforce was overriding this.

Another Member had attended the pre-Scrutiny meetings as a substitute and had found it interesting. Key pieces of evidence had been provided from a variety of sources.

However, he felt that the conversation was theoretical as no strike action had taken place at the time (Summer 2019). The appliance availability information was interesting, had been noted but stated that previously the dispute had been local and personal to West Midlands and was not empirical. No strike action had been taken at the time.

He stated that the full document, minutes of the Committee and figures provided the particular piece of evidence.

The Member noted the fluctuation in fleet availability had dropped from 99% to 93% and this was fundamental in 'peace time' and expected fluctuations to occur all the time dispute or not but was comforted that the figures given to the Home Office were satisfactory and as there has been no further response from the Home Office, stated that this was a key piece of evidence in reaching his conclusion.

The Member supported the Scrutiny Committee recommendation based on evidence given to the Review.

Karen Gowreesunker, Clerk to the Fire Authority, asked Members to consider fully the Business Continuity arrangements and Scrutiny Committees recommendation and the legal responsibility that business continuity can be provided.

The Leader of the Opposition Group stated that the recommendation by the Chief Fire Officer would act as an insurance policy to safeguard the residents of the West Midlands from fire and disaster.

The Chair thanked Members for a full and robust debate

The Clerk reminded the Members of the Authority who were eligible to vote.

Councillor Brackenridge  
Councillor Cooper  
Councillor Dehar  
Councillor Gill

Councillor Iqbal  
Councillor Miller  
Councillor Miks  
Councillor Walsh

The Leader of the Opposition requested that the Clerk to the Authority clarify the position regarding Members who had attended the first pre-Scrutiny Committee but were unable to vote.

All members who took part in the review were not able to vote. Those eligible were requested to vote on the Amendment proposed by the Leader of the Opposition Group to accept Option 2 'an external provider' in the report 'Business Continuity Arrangements'.

For (2)  
Councillor Cooper  
Councillor Miller

Against (6)  
Councillor Brackenridge  
Councillor Dehar  
Councillor Gill  
Councillor Iqbal  
Councillor Miks  
Councillor Walsh

The amendment failed as follows:

(2) for and (6) against

Councillor Spence, Chair of the Scrutiny Committee, proposed:

“We recommend that the Fire Authority does not accept option one, or option two in the report 'Business Continuity Arrangements'. We recommend that the Fire Authority continues to utilise existing arrangements for business continuity during industrial action through the use of volunteers drawn from existing staff numbers.”

For: 6

Councillor Brackenridge

Councillor Dehar

Councillor Gill

Councillor Iqbal

Councillor Miks

Councillor Walsh

Against: (2)

Councillor Miller

Councillor Cooper

This was a named Vote and would be recorded in the minutes of the meeting. The recommendation was carried.

**Resolved that:** the Fire Authority continues to use existing arrangements for business continuity during industrial action through the use of volunteers drawn from existing staff members.

It was confirmed that Cllr Barlow had attended the first meeting on 4 November 2019 and this would be recorded in the minutes of the Scrutiny Committee held on this date.

#### 105/19 **Fire Safety Prosecution 1**

The Authority noted the action taken by the Chief Fire Officer, in consultation with the Chair and Vice Chair, on the instigation of legal proceedings for the failure to comply with the Regulatory Reform (Fire Safety) Order 2005.

#### 106/19 **Fire Safety Prosecution 2**

The Authority noted the action taken by the Chief Fire Officer, in consultation with the Chair and Vice Chair, on the instigation of legal proceedings for the failure to comply with the Regulatory Reform (Fire Safety) Order 2005.

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