

West Midlands Fire and Rescue Authority

29 September 2025 at 11.00 hours

**Meeting held at Headquarters
and digitally via Microsoft Teams**

Present: Councillor Bayton (Chair)

Councillor(s): Barrie, Hogarth, Jalil, Aston, Ferguson, Lloyd, Miks, Idrees, Locke, Haq and Evans.

Wasim Ali (Assistant Police Crime Commissioner), Professor Brake (Co-Opted Member), Sasha Hitchins and Darren Evans.

Chief Fire Officer (CFO) Simon Tuhill, Deputy Chief Fire Officer (DCFO) Simon Barry, Assistant Chief Fire Officer (ACFO) Steve Ball, Kelly Harding (Head of People), Satinder Sahota (Monitoring Officer), Tom Embury (Interim Clerk), Iain Newman (S151), and Kirsty Tuffin (Democratic Services).

Online: Zoë Billingham, Independent Chair of Corporate Governance Improvement Board (until 11:29am)

01/25 To receive any apologies for absence

Apologies were received from Cllr(s) Bernasconi, Dehar, Margetts and ACFO Richard Stanton.

02/25 Declarations of Interest

There were no declarations of interest submitted.

03/25 Chair's Announcements

The Chair welcomed members and officers, with a special welcome to Zoë Billingham, the Independent Chair of the Corporate Governance Improvement Board and the Best Value Inspection Team.

The Chair formally requested for the microphones used for Fire Authority to be replaced as a matter of urgency to ensure the meeting can be facilitated adequately. It was felt all relevant updates would

be provided throughout the agenda and therefore no further announcements were required.

04/25 **Chief Fire Officer's Announcements**

The Chief Fire Officer echoed the Chair's warm welcome to both Zoë Billingham and the BVI Team. He outlined a number of significant incidents attended by crews in the past week as follows:

- An unfortunate fatal fire occurred on 19th September in the Highters Heath area of south Birmingham. Sadly, one 36 yr old man died with the cause subject to police and fire investigation.
- On the same day a serious collision between a motorcyclist and car in Tiverdale, Oldbury occurred which sadly resulted in the motorcyclist being killed. Following both incidents crew welfare was paramount.
- Crews also attended a high-profile incident in the centre of Birmingham on 15th September involving a fire at a high-rise office building on Colmore Row. 8 crews attended and had to manually run out hose to the 16th floor due to building works rendering the dry risers installations out of use. Crews contained and extinguished the fire within a couple of hours to enable the bus and tram network to reopen for the end of rush hour.

The Chief provided an overview of Exercise Pegasus, a national exercise run by central government to test the nation's response plans through the local resilience forums to a pandemic. The exercise comes as a result of recommendations from the National COVID inquiry and is in three parts. The first part took place on 22nd and 23rd September and involved dealing with the emergence of a new virus from Asia. West Midland LRF were working alongside Warwickshire LRs as part of the exercise to coordinate our responses. WMFS co-chaired the strategic coordinating group and whilst a major incident wasn't declared, the next stage was due to take place in October where the situation will have escalated and there will be a need to test our individual and collective response.

05/25 **Public Questions**

Tom Embury, Interim Clerk confirmed no public questions had been received.

06/25 **Public minutes of the previous Fire Authority on Monday 16 June 2025**

Resolved:

1. That it be agreed that the minutes were a true and accurate record.

07/25 **Public minutes of the previous Fire Authority on Monday 23 June 2025**

Resolved:

1. That it be agreed that the minutes were a true and accurate record subject to 'fighters' being updated to 'firefighters' on page 27 of the agenda pack.

08/25 **Best Value Inspection – Update**

The Chief Fire Officer provided an overview of the Best Value Inspection Update report that outlined the progress made with the inspection and indicative cost associated.

Members were advised that the previous Fire Minister Dame Diana Johnson MP announced in November 2024 that a Best Value Inspection would take place. On the 8 July 2025 the Terms of Reference and appointed lead inspectors was announced and confirmed by the Ministry of Housing, Communities and Local Government.

A project team to support the inspection had been established with Kelly Whitmore, Head of Strategy, as the Senior Leadership Team Lead and Lucy Lawson, Governance and Strategic Planning Manager as the nominated Single Point of Contact (SPOC). Work has already begun for the team, with over 80 documents being provided to the inspection team since August 2025. The inspection team had also been in attendance at the last Corporate Governance Improvement Board meeting in September to observe the meeting. During this time the inspection team have met with senior officers with formal interviews planned with senior managers, authority members and

officers. The CFO reiterated that the inspection team would speak to anyone should they wish to make contact.

Members were advised that the cost of the inspection was the responsibility of the service. It was anticipated that the cost would be around £270k and would be covered within earmarked reserves. This figure may increase, and the service would ensure that all costs and any impact on officer time would be calculated to assess any impact this may have.

Following concerns on potential duplication of work between the Best Value Inspection Team and the Corporate Governance Improvement Board (CGIB), the CFO acknowledged the importance of avoiding this and asked for Zoë Billingham, Independent Chair of CGIB, to provide input following her meeting with the Lead Inspector. Zoë confirmed that she had met with Fenella Morris before the last CGIB meeting where it was acknowledged how each area of work must complement one another. Regular meetings would take place to ensure this.

It was agreed that as the figure may increase, a regular report be brought to each Fire Authority to keep members updated on the cost implications. It was acknowledged that both officer and member's time would be helpful to track.

Resolved:

1. That it be agreed that the content of the report, including the Inspection Terms of Reference included in Appendix A, be noted.

09/25 **Corporate Governance Improvement Board – Quarterly Update September**

Zoë Billingham, Independent Chair of CGIB, presented the Corporate Governance Improvement Board Quarterly Update up to September 2025 and provided an overview of the last CGIB meeting that took place on Friday 26 September. She acknowledged the importance of these updates to provide both the Fire Authority but also public on the work of the Board and the progress being made.

Members were advised that progress was being made at a strong pace and were on track to implement the approved Improvement Plan, with special acknowledgement being given to the teams involved. On Friday, CGIB had reviewed the Member Development Strategy, Member Role Description and the Definition of core Strategic Tasks that will all form part of the fundamental constitutional changes. The Board also received a presentation from VVV provided them with an essential update on the work of the constitution review where the importance of member engagement was acknowledged.

Thanks were given to the members of CGIB and the Interim Clerk for their work so far and to Fenella Morris. The Independent Chair would continue to liaise with Fenella to ensure both pieces of work compliment rather than duplicate and ensure the best possible outcome is reached. Future work of CGIB would include a full review of the Improvement Plan to track its progress to date.

Following queries on whether an Executive Committee was still being looked into, Zoë confirmed that no decision had been made on this recommendation as of yet. The Board were in the process of information gathering from across the country. The Interim Clerk reiterated that the Authority could not have a cabinet model and the proposal being looked at would be to incorporate an Executive Committee to the current committee structure.

Councillor Hogarth reiterated Zoë's comment of thanks to the Interim Clerk, praising the credit he has been to the service and superb advice given.

Resolved:

1. That it be agreed that members note the content of the update from the Independent Chair of CGIB.
2. That it be agreed that members note the actions and notes from CGIB meetings on 27 June 2025 (Appendix A) and the CGIB Forward Work Plan (Appendix B).

10/25 **Corporate Governance Improvement Plan – Update Report**

Tom Embury, Interim Clerk, provided an overview of the Corporate Governance Improvement Plan – Update report that outlined the

progress made against actions within the Governance Improvement Plan, including some minor changes.

Members were advised that progress had been made on actions within the plan, as outlined in table 5.1 within the report, with the following actions completed in June 2025; 1.b, 2.1, 5.b, 6.d, 6.e, 1.c and 4.f. A number of changes to the constitution would be made at November's Fire Authority meeting and it was agreed in CGIB on Friday that the Full Constitution, incorporating those changes would be brought to Full Fire Authority in February 2026. All changes to the plan were highlighted in red for members attention.

Following queries on the use of workshops ahead of February's meeting, The Interim Clerk confirmed that elements of the constitution would be brought to December and January Member Engagement Forums for members input ahead of February's Fire Authority.

Resolved:

1. That it be agreed that members note the progress made against the Corporate Governance Improvement Plan.
2. That it be agreed that members approve the minor proposed changes within the Improvement Plan included within Appendix A.

11/25 **Regulation 28 Report – Prevention of future deaths**

The Chief Fire Officer provided an overview of the Regulation 28 - Prevention of Future Deaths report and outlined the service's response to the recommendations received from the Senior Coroner, Louise Hunt in relation to the death of former CFO Wayne Brown.

Members were advised that the coroner concluded that findings relating to WMFS highlighted within the report did not contribute to the former CFO's death, however, did highlight two matters of concerns as per the report. Upon receiving the report, the service had 56 days to respond with actions to address those concerns. The following actions were highlighted:

- Review of Death in Service policy

- Incorporation of specific support and provision for senior officers within the service's Health and Wellbeing Policy and/or the WMFRA Constitution.
- Explore third party support for senior officers
- Strengthen process for officers involved in disciplinary proceedings.

The CFO advised that the action 3 was likely wider than just the West Midlands and could impacted on other Fire and Rescue Services. Work was underway with the Firefighters Charity, National Fire Chiefs Council and LGA to address this. One approach would be a 24/7 helpline. It was proposed that an update on progress on the above actions be brought to the Scrutiny Committee in January 2026, with a further review in July 2026.

Professor Simon Brake reiterated the importance of differentiating the CFO given the Authority responsibility for this role. It was agreed that updates on the actions be incorporated into a standing item on Member Engagement Forums agendas moving forward. It was agreed that wording under 5.1 of the report, incorporate how support will be for all staff, including senior officers and a specific reference to the support for CFOs.

Queries were raised from the Independent Member - Audit and Risk, around whether there was a formal process in place at the time focused upon Mental Health and, availability to Fire Authority members and whether other CFO deaths in the sector had been caused due to similar circumstances. The CFO reassured members that discussions had been held at the last Members Engagement Forum on changes made to occupation health to reflect the shift towards Mental Health and confirmed he was not aware of other CFO deaths. Several Councillors provided reassurance that all support and where to access it were provided to them during a difficult time where threatening emails and phone calls were directed to members and acknowledged what the previous CFO would have endured. It was agreed that an update be brought to Members Engagement Forum on the work that has been undertaken on the R28 and the formal pathways for members of the Service.

Resolved:

1. That it be agreed that the members note the content of the Senior Coroners Regulation 28 Report and the services response (linked within background documents).
2. That members note the LGA guidance on supporting employees experiencing online abuse and harassment.
3. That members note the proposed way that recommendations, and action against such recommendation, will be tracked within the service.
4. That it be agreed that updates on the Regulations 28 actions be incorporated into a standing item on Member Engagement Forums agendas moving forward.
5. That it be agreed that wording under 5.1 of the report, incorporate how support will be for all staff, including senior officers and a specific reference to the support for CFOs.
6. That it be agreed that an update be brought to Members Engagement Forum on the work that has been undertaken .

12/25 **Consultation Policy**

Tom Embury, Interim Clerk presented the Consultation Policy report that outlined the context and background to the development of a consultation policy.

Members were advised that although the authority/service were responsible for consulting on key matters, the policy aimed to put a clear process in one place to provide consistency. The new policy incorporated the service's statutory duties to consult and was aligned with the NFC Framework. Should the draft policy be approved, this would form how consultation would be undertaken for the review of the services CRMP, outlined in agenda item 13. A full Equality Impact Assessment, as outlined under 6.1 of the report, had been conducted and had identified areas that needed focus on and had been incorporated into the draft policy. The assessment had shown that some groups could be impacted and therefore, different approaches would need to be taken to reduce this impact.

Praise was given on the clarity of the policy. It was agreed that the last sentence of 10.6 of the policy be removed as the first section covered the requirement elements.

The Independent Member – Audit and Risk, queried the length of consultations and whether evidence showed changes to policies following consultations. Tom Embury advised the length was determined by what was being consulted on. If referring to the upcoming CRMP consultation, these concerns could be covered by the Scrutiny Committee who would have the opportunity to feedback on the draft consultation prior to its implementation. The service had a history of good engagement with its communities compared to other counterparts. Communication and consulting in multiple ways was key. The Chief Fire Officer echoed this and highlighted the positive feedback acknowledged by HMICFRS on the services consultation/ engagement. He provided an example of consultation changing policy with reference to Warwickshire Fire Service CRMP.

Resolved:

1. That it be agreed that members approve the draft consultation policy included within Appendix A, subject to the following amendment:
 - The last sentence of 10.6 of the policy be removed as the first section covered the requirement elements.

13/25 **2026 CRMP Public Consultation**

The Chief Fire Officer presented the 2026 CRMP Public Consultation report that outlined the phased approach to consultation of the Community Risk Management Plan (CRMP) including key themes and questions planned.

Members were advised that it was the intention to undertake a pre-consultation (phase 1) in January 2026, with a full consultation (phase 2) taking place late 2026. Appendix A reflected the proposed questions that would be fully transparent, inclusive and an opportunity to influence key decisions made on topics such as financial insecurity, estate, contaminants within stations and resilience/equality matters. It was acknowledged that it would take £9m just to bring the most urgent fire stations up to a basic required standard.

Members were advised that Phase 1 pre consultation would look to educate the public on these crucial matters and provide the opportunity to shape the direction of travel needed ahead of Phase 2.

It was the intention to look ahead and plan for a period of 15-20 years, to allow for opportunity around estates and to consolidate the need to reduce or combine where needed. July 2026 options will be provided with planned workshops to be scheduled. Members assistance in this involvement would be appreciated. Three different consultations would be created with slight amendments to each to reflect the audience: public, partners and a staff version.

Following queries on how the consultation would be tailored to keep public engagement, the CFO reassured members that there would be a balance of simple questions but ultimately some questions would need to be more complex given the nature of what is being discussed. Questions would be brought to life with the use of case studies, pictures and interactive tools to aide the public in responding. Members suggested using councillor drop in sessions, collaboration with the West Midlands Combined Authority and station visits to get the message out there. The CFO thanked members and confirmed he would be utilising their connections and the Service's own staff to enhance the consultations reach.

Concerns were raised on the ability to look ahead and plan 20 years in advance. The CFO advised that this would be a first for the West Midlands to plan so far ahead however, reiterated the importance of building long term plans. He acknowledged that the service may not get it completely accurate however, it would allow the service to keep on top of trends and future proof its approach. Examples given included the emerging risk of lithium batteries.

Sasha Hitchins, FBU Representative, advised that the union did have concerns with the review. She emphasised that staff needed to have confidence in the consultation and data referenced within needed to be correctly portrayed. The CFO provided reassurance that all data would be reviewed prior to the consultation going live. The Chair of the Authority provided further reassurance that regular meetings take place with the unions and they would be kept informed as things progress.

Following queries around the 12-hour shift pattern and praise given on the potential use of an interactive tool, the CFO advised members that the service did already have 12-hour shift patterns at some

locations. The consultation would look at options of expanding this further. The Interactive online tool would be very helpful and work was underway to get this in place.

Resolved:

1. That it be agreed that the authority approve the proposed approach to Community Risk Management Plan (CRMP) consultation as outlined within this report, including the draft content, consultation themes and proposed questions.

14/25 **Finance Update**

Iain Newman presented the finance update report that outlined the forecast outturn position based on period 4 of the 2025/25 financial year.

Members were advised that the forecast was based on 4 months of actual data and a projection of 8 months. The service had taken the opportunity to repay £14.8m loan to save on interest. Taking into account the loss of interest on investments and early repayment premiums and discounts, the cost saving for repaying the loan equated to around £200k per full year for the service. A treasury report would be submitted to Audit and Risk in October to provide further detail. As per 4.8 of the report, the forecast showed a £6,294k variance in capital that would be slippage into 2026-27. This had mainly been the result of slippage in the vehicle replacement programme. Although the process to acquire BRV+ and PRLs was underway, the majority of expenditure would not take place until the next financial year. The forecast showed 4.9% would be expected in the budget reserves and therefore the service was on track to reach the target of 6% in line with the national average.

Following queries on potential cash flow concerns as a result of early repayments of loans, Iain Newman reassured members that the service had £32m in liquid investments. There was no risk to cash flows as a result of early repayments and the service was better off as a result of paying no additional interest on the paid off loans.

Resolved:

1. That it be agreed that the authority note the overall forecast revenue underspend of £729k.

2. That it be agreed that the authority note the P4 capital forecast outturn variance of £6,294k against the budget, resulting mainly from slippage of the Vehicle Replacement Programme.

15/25 **Contract Award Summary**

Iain Newman presented the Contract Award Summary report that outlined contract awards taken since April 2025 in excess of £250k.

Following queries by members on the National Smoke Alarm Framework and work being conducted with other services, Iain confirmed that no money would be exchanged as the service let the contract and would be a transfer of goods between those involved. It was agreed that information on the BRV+ Chassis to explain why the annual cost and contract value differed and the percentage of those outlined within the social value element of the report were based within the West Midlands, would be provided to members.

Resolved:

1. That it be agreed that the appendix to the report, summarising the contracts in excess of £250k that have been awarded since April 2025 be noted.

16/25 **Interim Clerk Extension**

Please note: The current Interim Clerk, Tom Embury left the room prior to deliberations.

Kelly Whitmore presented the Interim Clerk extension report, highlighting the need to extend as a result of an extended secondment.

Both Members and Senior Officers praised the quality of work and advice given by the Interim Clerk, acknowledging he is a credit to the service. Members were provided with reassurance that Tom's mental health would be considered by HR to ensure his wellbeing is protected and the extension was in line with the current HR policies.

Resolved:

1. That it be agreed that the continued appointment of Tom Embury as Interim Clerk to the Authority until 16 February 2026 or until such time as the Services' Substantiative Clerk returns to the

service be approved. The interim appointment would be terminal with one months notice.

Please note: The Interim Clerk re-entered the room at 12:37pm.

17/25 **Pension Update – September 25**

Kelly Harding, Head of People, presented the Pension Update report that outlined the work of the Pension Board up to September 2025.

Members were advised that the Pension Board had raised concerns around the resource capacity within the pensions team given the number of new starters and the upcoming departure of the pension and payroll manager and will continue to monitor this. The service had strong compliance, as per 4.2 of the report, with 2 of 3 performance indicators receiving 100% completion. Remedy statements were doing well, acknowledging the impact of contingent decisions following the removal of national guidance. By August 2025, the service had issued 1,076 Annual Benefit Statements however, members were made aware that 581 Deferred Benefit Statements were not achieved by the required deadline due to a late update by the software provider. A further 143 active scheme members did not receive a statement due to other issues around remedy and contingent decisions. The late submissions were reported to the Pension Regulator as a breach and since the publication of the update report, all statements had been progressed.

Two Appointment, Standards and Appeals Committees had been held in July and September 2025 to deliberate on a total of 5 stage 2 appeals. All appeals had upheld the decision made at Stage 1 by the Scheme Manager. Councillor Hogarth expressed that the committee's decision had been difficult and individuals taking a career break need to seek good advice and have clarity that any break would impact on their pension. Kelly Harding echoed Cllr Hogarth's empathy to the 5 individuals impacted but unfortunately a decision needed to be made based upon the policy at the time and any career break would ultimately be leaving the service. A review of the policy was underway to look into this.

Following queries from the Independent Member around the figures held within 4.2 and the significant drop in members, Kelly reassured members that the Pension Board regularly spoke on this issue. It was hoped that the auto-enrolment due to take place in October 2025 would increase numbers enrolling back into the pension scheme. There were challenges in the societal shift that had occurred with the younger generation opting to not pay into the scheme as it was seen as less attractive and more optional than previous generations. The team were conducting education sessions with a desire to improve this trend.

Following queries around the option to anonymously ask individuals why they do not enrol into the scheme, Kelly Harding advised she could look into this as part of the auto-enrolment process in October. The CFO expressed that although it was important to find the reasonings, there were multiple factors impacting one's decision including cost of living challenges, the length of service being extended or simply staff wanting to explore careers outside of the fire and rescue service. Sasha Hitchins, FBU Representative, expressed concerns as the reasons behind one's decision to opt-out could be personal, sensitive issues that need to be treated very carefully. The Chair of the Authority asked that Kelly look into this further and discuss with the representative bodies. It was confirmed that it was unknown when national guidance would be published on Contingent decisions.

Resolved:

1. That it be agreed that members note the content of the six-monthly West Midlands Firefighter Pension Scheme Update report.

18/25 **Scrutiny Committee - Update Report September 2025**

Councillor Lloyd, Chair of the Scrutiny Committee, presented the committee's update report that outlined the work of the committee up to September 2025.

Members were advised of the committee's remit with a special welcome being extended to DCFO Simon Barry who would be the principal officer moving forward. He advised that the committee had been provided with an update following its review of the services

training and development process. Other items included business continuity, BRV+ and the annual letter from the Local Government Ombudsman. The Chair of the Committee thanked all the crews he spoke to personally for their feedback regarding the BRV+.

Upon reflection, although the Committee had agreed for Business Continuity to be brought to Fire Authority, it was felt that the item needed further review by the Scrutiny Committee. He felt the minutes did not comprehensively address the engagement with representative bodies but acknowledged they were to note and changes would be made by the Committee if necessary. The Chair of the Authority agreed that a discussion would be needed in regard to submitting draft reports to Fire Authority and the best approach to be taken. Sasha Hitchins, FBU Representative, requested that the reference within the minutes to 'further engagement' be removed as no engagement took place. The Chair of the Committee asked this be raised in the next Scrutiny Committee meeting if required.

Resolved:

1. That it be agreed that members note the work of the Scrutiny Committee as outlined in the report.
2. That it be agreed that members note the draft minutes of the previous Scrutiny Committee attached as Appendix A, which will be approved by the Committee at its October 2025 meeting.
3. That it be agreed that members note the Scrutiny Committee work plan for 2025-2026 attached as Appendix B.

19/25 **Audit and Risk Committee - Update Report September 2025**

Councillor Ben Evans, Chair of Audit and Risk Committee, presented the committee's update report that outlined the work of the committee up to September 2025.

Members were advised of the committee's remit and need to be politically independent. He advised members that in July, as per the delegation by the authority, Mr David Page had been appointed as the Independent Member of the Audit and Risk Committee. A second independent member would be sought in the near future, with the intention to have financial qualifications if possible. The issues identified with A&R within the improvement plan endorsed by

the Authority on 16 June was acknowledged, and the need to reshape the committee was emphasised.

The committee would be looking to undertake a full refresh of the Audit Charter and conduct deep dives into high risks included within the corporate risk register. The Chair of the Committee confirmed that he would be meeting regularly with both internal and external auditors to ensure a strong relationship is maintained.

Resolved:

1. That it be agreed that members note the work of the Audit and Risk Committee at its meetings held on Monday 30 June and Monday 21 July, as per report.
2. That it be agreed that members note the draft minutes of the previous audit and risk committee meetings held on Monday 30 June and Monday 21 July 2025, as attached in Appendix A and Appendix B, which are due for final approval and Octobers A&R Meeting.

20/25 **Appointment, Standards and Appeals Committee - Update Report September 2025**

Councillor Jail, Chair of the Appointment, Standards and Appeals Committee (ASAC), presented the committees update report that outlined the work of the committee up to September 2025.

Members were advised that as part of the Corporate Governance Improvement Board work, they had reviewed a revised version of the Member Development Strategy that would be discussed at the next Committee meeting. The Committee had met twice since the last Fire Authority meeting to deliberate on Stage 2 pension appeals. A total of 5 had been received and heard by the Committee with all Stage 1 outcomes being upheld.

Resolved:

1. That it be agreed that members note the work of the ASAC in the last quarter, as per the report.

21/25 **Fire Authority Work Programme**

Tom Embury, Interim Clerk, presented the Fire Authority Work Programme, that outlined proposed future agenda items. Members were advised that new additions were highlighted in blue.

Resolved:

1. That it be agreed that the Fire Authority work programme be approved.

22/25 **Exclusion of the public and press**

Resolved:

1. That it be agreed that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Paragraph 1 and 3 of the Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Please note: Private minutes of this session have been created and are exempt under Paragraph 1 and 3 of the Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.