

West Midlands Fire and Rescue Authority

21 June 2021 at 1100 hours

held at Fire Service Headquarters and digitally via Microsoft Teams

Present: In person:

Councillor Brackenridge (Chair)

Councillor Iqbal (Vice Chair)

Councillors Barlow, Hogarth, Locke, Padda, and Singh

Via Microsoft Teams:

Councillors Barrie, Dehar, Ferguson, Miller, Miks, Spence, and Young

Simon Foster, Police and Crime Commissioner

Professor S Brake, Co-opted Member – Health

Maurice Carter (Unison), Steve Price Hunt (Fire Brigade's Union), and Richard Merker (Fire Officers' Association).

Apologies: Co-opted Member – Business

10/21 **Hybrid Meeting of the WMFRA - introduction**

K Gowreesunker, Clerk to the Authority, welcomed all attendees to the first hybrid meeting of the full Fire Authority and provided an overview of how the meeting would proceed in line with the protocol agreed by the Authority and detailed within the WMFRA Hybrid Meetings Guidance Note (available on the Authority's Committee Management Information System).

11/21 To Elect the Chair of the Authority for the ensuing year

Resolved that Councillor Brackenridge be elected Chair of the Authority for the period ending with the annual meeting in 2022.

12/21 To Elect the Vice Chair of the Authority for the ensuing year

Resolved that Councillor Iqbal be elected Vice Chair of the Authority for the period ending with the annual meeting in 2022.

13/21 Apologies for Absence

Apologies were received from Cllr Walsh.

14/21 Declarations of Interest

The Chair declared a personal non-pecuniary interest, due to being a member of the Firefighters Pension Scheme(s).

Councillors Barlow and Hogarth, and Professor Brake, declared a personal non-pecuniary interest, due to being a member of the Local Government Pension Scheme.

15/21 Chairs Announcements

The Chair welcomed all attendees to the meeting of the full Fire Authority.

It was noted that a 1.5% pay award had been proposed for staff on grey book terms and conditions. It was believed that the Fire Brigade's Union's position was for its' members to accept the proposed pay award. It was noted that a pay award for staff on green book conditions remained a work in progress.

The Chair expressed a big thank you to all staff who have managed to maintain high standards of service throughout these difficult times.

16/21 Chief Fire Officer's Announcements

The Chief Fire Officer welcomed all attendees to the meeting.

The Chief Fire Officer thanked those Members who had left the Authority and welcomed the new Members.

Members were informed of the sad news of the passing of Martin Davis on 4 June 2021. After joining as a firefighter in 1982, Martin had progressed to and initially retired as Watch Commander with the Business Educational Safety Team (BEST), before being re-employed by BEST as a trainer in 2013. After a total of 38 years' service, Martin had been due to retire on 5 June 2021.

The Chair and all Members echoed the comments of the Chief Fire Officer and asked that their condolences were to be passed on.

Upon the start of a new political year, the Chief Fire Officer thanked staff at all levels in maintaining the high level of service delivered as well as the delivery of additional activities, acknowledging that in addition to presenting physical challenges, it had presented mental health challenges. The Service had put into place a variety of measures to support the physical and mental health of staff. It was also noted how Members had embraced digital ways of working.

Maurice Cater thanked the Chief Fire Officer on behalf of Unison, for the recognition of the mental health challenges that staff were contending with.

17/21 Minutes of the Fire and Rescue Authority 15 February 2021

Resolved that the minutes of the Fire Authority meeting held on 15 February 2021 be confirmed as a correct record.

18/21 Membership of the Authority 2021-22

The Authority noted the appointments made by the constituent district councils for 2021/22.

19/21 West Midlands Police and Crime Commissioner, Membership on the Fire Authority 2021/22

Karen Gowreesunker, Clerk to the Authority, provided an overview of the report. The report was submitted to inform the Authority of

the invite to, and subsequent request from, the West Midlands Police and Crime Commissioner (WMPCC) to join the Fire Authority, and to support the Authority's decision in response to this request.

The report noted that the correspondence between the Authority and the WMPCC included the invitation for the WMPCC to take a place on the Authority's Collaboration and Transformation Committee.

Following a vote by Members, the Chair noted that the invite to the WMPCC to take up a position on the Authority was in line with the requirements as set out in the Policing and Crime Act 2017. The Chair offered a warm welcome to WMPCC Simon Foster who was in attendance digitally.

Resolved

Members approved the WMPCC request to join the Authority.

Members approved the request for full membership with voting rights, on the basis that the WMPCC as an elected member, attends to enable this.

20/21 Questions on the Discharge of Functions

The Authority considered the report.

Resolved

That the following Members be nominated under Section 41 of the Local Government Act 1985, to answer questions raised in the course of proceedings of constituent councils on the discharge of the Authority's functions:

Constituent Council Lead Councillor Substitute Councillor

Birmingham	Cllr Iqbal	N/A
Coventry	Cllr Walsh	Cllr Miks
Dudley	Cllr Barlow	Cllr Miller

Sandwell	Cllr Padda	Cllr Singh
Solihull	Cllr Hogarth	
Walsall	Cllr Ferguson	Cllr Young
Wolverhampton	Cllr Brackenridge	Cllr Dehar

21/21 **Governance of the Authority 2021/22**

Karen Gowreesunker, Clerk to the Authority provided an overview of the report.

The report informed Members of a number of changes to the governance of the Authority that would be captured within the Authority's Constitution. Changes included amendments to the wording the Chief Fire Officer exemption to budget matters for Authority, amendments to arrangements to Act in Matters of Urgency, and amendments to the terms and conditions of the Scrutiny Committee and the Collaboration and Transformation Committee. Details of all amendments are laid out in full within the report.

Additionally, the report sought approval of the proposed calendar of meetings for the new Authority municipal year 2021/22, and approval of elements related to Members' Allowances.

Resolved

That the Authority approved the amendments proposed to the Constitution as set in the report in relation to:

- 1.1.1 refine wording of the Article 6, CFO exemption to budget matters for Authority, paragraph 6.2.3 to enable clarity of the circumstances and decisions for the application of this delegation Appendix 1.
- 1.1.2 amending the Scrutiny Committee terms of reference to align to the pre and post scrutiny definitions agreed by Fire Authority in October 2020 – Appendix 2.

1.1.3 amend Standing Order 17, Arrangements to Act in Matters of Urgency to align to current practice Appendix 3.

1.1.4 Amend the terms of reference for the Collaboration and Transformation Committee, removing the requirement for membership to be proportionate of the membership of the Authority – Appendix 4.

That the Authority approved the calendar of meetings for 2021/22.

That the Authority approved that no increase be made in Members' Allowances in 2021/22 by way of indexing or otherwise.

That the Authority approved the Members' Allowances Scheme for 2021/22.

That the Authority approved that the Clerk be authorised to make and publish any necessary consequential amendments to constitutional documents in the light of decisions made regarding governance arrangements for 2021/22 in consultation with the Chair, Vice Chair and the Chief Fire Officer.

22/21 Political Balance and Membership of Committees and Panels 2021/22

The Authority considered the report on the political balance and membership of committees and panels for 2021/22.

The Authority considered the Constitution and political balance of committees and assignment of Members to committees and panels for 2021/22.

It was confirmed that Cllr Iqbal would be the substitute Member for Cllr Young on the Joint Consultative Panel.

Resolved:

- (a) That the political balance and membership of committees and panels for 2021/22, as set out in the report, be approved.

- (b) That the appointment of Mr Ager as an Independent non-voting member of the Audit and Risk Committee be affirmed.
- (c) That the appointment of the co-opted members to the Scrutiny and Collaboration and Transformation Committees be approved.
- (d) That the appointment to the roles of Chair and Vice Chairs of Committees and Panels, as set out in the report be approved.
- (e) The appointment of Mr R Tomkinson to the role of independent person, appointed in pursuance of Section 28 of the Localism Act 2011, for the term of office expiring at the AGM in June 2022.

23/21 Appointments of Representatives to Serve on Other Bodies

The Authority considered the appointment of representatives to service on other bodies during 2021/22. The Authority noted the principles of proportionality apply where the Authority makes more than three appointments to bodies specified in the Act. An indication was given to the appendix where proportionality applied.

The appointment of representatives to serve on other bodies were agreed as per the report.

24/21 Member Attendance at Conferences, Seminars and Visits

The Authority considered the report which set out the arrangements for authorising attendance at conferences, seminars and visits.

Resolved

That the attendance of Members at conferences and seminars for 2021/22 be approved.

25/21 Governance Statement 2020/21

The Authority considered the report which sought comment and consideration of the Governance Statement for 2020/21.

Resolved

That the Authority's Governance Statement 2020/21 be approved.

26/21 Monitoring of Finances

Mike Griffiths, Treasurer to the Authority provided an overview of the report.

The report dealt with the monitoring of finances of the Authority in the current financial year and covered revenue expenditure and the Capital Programme. Expenditure was compared with a profile of the Authority's budget.

Appendix A compared the revenue budgeted to the end of May 2021 with the actuals to that date.

Overall, the Authority was within budget albeit with variances across various elements.

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

It was noted that the Firefighters' pension scheme was predominantly government financed.

Appendix C provided the capital monitoring statement and scheme analysis.

Resolved

That the monitoring of finances be noted.

27/21 Decisions Taken Under 'Matters of Urgency'

The Authority considered the report which provided an overview of the decisions taken under matters of urgency during the period of the Covid-19 pandemic when meetings of the Authority had been postponed.

The decisions were:

1. Procurement Policy

2. Planned Procurement 2021/22
3. Statement of Assurance 2019/20
4. Pay Policy Statement 2021/22
5. Corporate Performance Indicators 2021/22

It was noted that Members had been informed of such matters throughout the year.

Resolved

That the decisions taken and approved was noted.

28/21 Analysis of Progress of Quarterly Performance Against Our Plan Quarter 4 2020/21

Phil Loach, Chief Fire Officer provided an overview of the report.

The report outlined the status of the Service's key performance indicators in the fourth quarter of 2020/21 and the progress made in delivering the three strategic priorities contained in Our Plan 2020-23.

The overview of the report focussed on the appendix which provided the detailed commentary against the performance indicators.

It was noted that performance across the vast majority of performance indicators was impressive and reflected that the Service had maintained the delivery of core services.

PI6 'The number of Safe and Well points achieved by the Brigade' demonstrated under performance against the tolerance levels. The performance was below what the Service had set out to achieve due to the impact of the Covid-19 pandemic including lockdowns and business continuity arrangements. It was also noted that a lack of face to face contact had contributed to a lack of engagement.

PI15 'The percentage of employees that have disclosed their disabled status' demonstrated under performance against the

tolerance levels. However, performance was just 1% below the target, a target that was very ambitious.

PI 16 'The number of female uniformed staff' demonstrated under performance against the tolerance levels. A Member asked what the Service was doing to encourage female recruitment of firefighters. In answer to the question, it was acknowledged that there had been an impact upon recruitment as a result of not being able to hold face to face engagement. It was noted that the Service set ambitious targets regarding recruitment.

A Member asked what the Service was doing to encourage the recruitment from black, Asian, and minority ethnic (BAME) communities. In answer to the question, Members were asked to draw their attention to performance indicators 17 and 17a, where performance reflected the more sustainably successful recruitment and retention of BAME staff.

The Chair noted that it was only right that Members asked questions on recruitment. The fire sector had been singled out as a sector that struggles to recruit female firefighters. However, the Chair believed that the Service was leading the way nationally and understood and appreciated the challenges and difficulties in recruiting females and from BAME communities.

The Chief Fire Officer noted that by having a diverse workforce helped in the Service's aim of making the West Midlands safer, stronger and healthier, by having a workforce that reflected the communities it served.

Resolved

That the status of the Service's key performance indicators in the fourth quarter of 2020/21 were noted.

That the progress made in delivering the three strategic priorities contained in Our Plan 2020-23 were noted.

29/21 Contracts Awards Summary for Period to 30 April 2021

Mike Griffiths, provided an overview of the report which provided a six-month summary of all contracts that had been awarded since September 2020.

Resolved

That the summary of contracts in excess of £250,000 that had been awarded since September 2020, as laid out within the appendix to the report, were noted.

30/21 Annual Report of the Audit and Risk Committee 2020/21

Cllr Miks, Chair of the Audit and Risk Committee, provided an overview of the report which detailed the work of the committee and its Members during the year 2020/21.

The Committee had maintained its functioning throughout the COVID19 pandemic. It had met virtually utilising the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) Regulations 2020 to ensure business continuity as a Standing Committee of the Authority.

Cllr Miks thanked Members, Officers, both internal and external Auditors, and the members of the Pension Board, for their work and support.

Resolved

The Authority received the Annual Report of the Audit and Risk Committee 2020/21.

31/21 Minutes of the Audit and Risk Committee held on 22 March 2021

The minutes of the Audit and Risk Committee held on 22 March 2021.

32/21 **Exclusion of the Public and the 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, with regard to information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime.

33/21 **Notification of a Fire Safety Prosecution**

Resolved that the Authority noted the details of a forthcoming prosecution under the Regulatory Reform (Fire Safety) Order 2005.

The meeting ended at 12.14 hours.

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