

Appendix A – Draft Scrutiny Committee Terms of Reference

Article 7 - Scrutiny Committee

7.1 Purpose

7.1.07.1.1 In line with expectations set out in the Fire and Rescue National Framework the Authority has established a Scrutiny Committee to support it in achieving its strategic objectives. ~~Having determined to put in place such a committee, the Authority is required to have regard to relevant Statutory Guidance on Overview and Scrutiny. The committee ensures that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations.~~

7.1.2 ~~In line with that guidance, the Scrutiny Committee will act as a “critical friend”, aiming to amplify the voice of the communities served by WMFS, and drive improvement in the delivery of service and of strategic decision-making.~~

7.2.07.1.3 Effective scrutiny frameworks will be in place for both the scrutiny of strategic policy, as well as performance. Aligned to the role of the Fire Authority and CFO/CEO as set out in Articles 5 and 6 of this constitution, the scrutiny function should scrutinise decisions made or to be made, on the basis of ‘public safety’ aligned to the following definitions:

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

- a) Inform policy development and/or
- b) Hold the Authority to account

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

- a) Scrutinise performance of specific issues and/or

b) Hold officers to account

- 7.1.6 Call-in enables the committee to ask the Authority as a whole to reconsider decisions it has made before they are implemented, but only where it is believed that such a decision was made outside the agreed policy and budget framework, or because there is a clear deficiency in the information provided to support the decision. As WMFRA cannot operate an executive governance arrangement, it is expected call-in will be used rarely. The process for Call-in is outlined within part ## of the Authority Standing Orders. Call-in can:
- a) Suggest that a decision be reconsidered
 - b) Ensure all necessary information is provided to inform decision making

7.2 Independence and support

- 7.2.1 The Scrutiny Committee must be able to provide objective oversight and its role means it must have sufficient independence, and its recommendations must carry weight with officers and the authority as a whole.
- 7.2.2 To support this the committee has the power to summon any officer or member of the Authority to give account in respect of reviews or any other relevant matter. It may also request external organisations and bodies provide evidence and input to its work.
- 7.2.3 The committee shall also be granted access to such information as is necessary to undertake its role
- 7.2.4 The committee will utilise, in consultation with the Treasurer (S151 Officer), the democratic services budget for the purpose of buying in or co-option of any necessary external technical advice and support in connection with the reviews.
- 7.2.5 The committee will also be allocated such other resources – such as officer time – as is necessary and reasonable to undertake its agreed role effectively.

7.3 Role and Functions: -

7.3.1 To carry out scrutiny reviews selected by the Committee, with appropriate consideration of committee and officer capacity and cost. Such reviews will be member-led, and evidence based, and will produce SMART (specific, measurable, attainable, realistic and timely) recommendations to the Authority. Such reviews can be one-off or held over multiple meetings depending on the matter to be scrutinised.

~~7.3.1~~7.3.2 To regularly review and shortlist topics for scrutiny review in the forthcoming municipal year.

~~7.3.2~~7.3.3 To track and monitor the implementation of review recommendations that are accepted by the Authority.

~~7.3.3~~ ~~To summon any officer or member of the Authority to give account in respect of reviews or any other relevant matter.~~

~~7.3.4~~ ~~To manage, in consultation with the Treasurer (S151 Officer), a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews.~~

~~7.3.5~~7.3.4 To review and scrutinise strategic performance information of the Shared Fire Control on an annual basis.

~~7.3.6~~7.3.5 To have responsibility for scrutiny of Equality, Diversity and Inclusion and workforce diversity throughout the West Midlands Fire Service and to review policies and monitor performance in relation thereto.

~~7.3.7~~7.3.6 To monitor and scrutinise as appropriate the Authority's HR policies.

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

7.3.8 To monitor and scrutinise workforce productivity

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

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

- 7.3.11 To scrutinise the service's approach to complaints as the designated member for complaints under the Local Government Ombudsman Code of Practice, and to receive statistics on complaint numbers and handling, and produce and approve an annual report on complaint handling for submission to Full Authority. -
- 7.3.12 To scrutinise strategic development and assurance of transformational collaborative working agreements (up to implementation) aligned to the 'Duty to Collaborate' (Policing and Crime Act 2017)
- 7.3.13 To review the strengths, weaknesses and opportunities of strategic collaboration work between the service and regional partners.
- 7.3.14 To deal with any matters referred to it by the full Authority, the Member Engagement Forum, the CFO/CEO, Clerk, Monitoring Officer or Treasurer, not within its work programme.
- 7.3.15 To refer any matter for consideration by the Authority, another Committee or an officer where considered appropriate.
- 7.3.16 To submit its minutes to the Authority.

7.4 Meetings and quorum

- 7.4.1 In order to allow for separation of the Scrutiny and decision-making functions, findings and recommendations of Scrutiny reviews will be presented to the Authority by the Chair of the Scrutiny Committee. Members (excluding substitutes) of the Scrutiny Committee shall not vote on matters arising from Scrutiny reviews.
- 7.4.2 The Committee will sit in public with minimum exceptions.
- 7.4.3 In addition to its programmed meetings, the Committee will hold additional meetings, as and when required, in order to efficiently manage its workload.
- 7.4.4 Three Members who are eligible to vote shall form the quorum of the Committee. No business shall be transacted at any meeting of the Authority unless a quorum is present.