

Scrutiny Review of Business Continuity Arrangements - Terms of Reference

1. Purpose of the review

To review proposals designed to mitigate Corporate Risk 6.1 by considering appropriate Business Continuity arrangements for West Midlands Fire Service.

2. Background

A similar set of proposals were considered by the Scrutiny Committee in October and November 2019, and ultimately neither option presented at that time was recommended to the authority by the committee. These options have been brought back to the authority as a result of the increased assessed likelihood and impact of industrial action in the short to medium term.

In June 2022, the Strategic Enabling Team increased Corporate Risk 6.1 to 16 from a rating of 12 (**4 likelihood & 4 impact**), its highest level, as a result of the changing national Industrial Relations environment and ongoing cost-of-living pressures. This indicated a significant risk to the authority being able to fulfil its statutory duties in the event of industrial action.

As a result, a report was presented to the Authority's Audit and Risk Committee on 26 September 2022 outlining the rationale for the increase in CR 6.1, and its potential impacts. It was agreed a report would also be presented to the Fire Authority on 10 October 2022 with proposals to mitigate CR 6.1 and alter the service's Business Continuity arrangements. To support the Fire Authority's consideration of these recommendations it was agreed at the Fire Authority meeting on 10 October that these proposals would be considered by the Authority's Scrutiny Committee, through a 'pre scrutiny' review. This will enable a decision of the recommendations made of the 10 October to be made at the next Fire Authority meeting.

3. Terms of Reference

The Scrutiny Committee are to review two options to provide appropriate business continuity arrangements for the Service, designed to mitigate Corporate Risk 6.1:

- a) Contingency contracts for existing firefighting staff
- b) An external provider

It should be noted that option b) is that recommended by the Chief Fire Officer, as outlined in the report to Fire Authority on 10 October 2022.

Scrutiny Committee are to consider the financial, governance, legal and operational impacts of each option, and produce a report, including recommendations, for decision by the Fire Authority.

4. Scrutiny Process

The Review will be undertaken by the members of the Scrutiny Committee in a public session on 7 November 2022, following the completion of the other business of the Committee.

The Assistant Chief Fire Officer (People) as lead officer for the Committee, the Deputy Clerk and Democratic Services Officer will support the Committee. Only elected Scrutiny Committee members will be entitled to ask questions as part of the review.

All participating stakeholders will be invited to submit written evidence to the committee ahead of their oral evidence session. This will be shared with Scrutiny Committee members ahead of the meeting, although Scrutiny Committee members may choose to ask questions outside of the scope of the submitted written evidence.

Stakeholders providing oral evidence will do so separately, starting with a brief presentation of key points from their written evidence followed by questions from committee members. As the session will be held in public meeting, stakeholders will be entitled to observe the rest of the session but will not be able to raise questions.

If stakeholders wish to provide evidence that is commercially sensitive or should otherwise not be in the public domain, then the Committee will meet in closed session at the end of the oral evidence session to hear such evidence and question stakeholders on those matters.

Upon completion of the oral evidence sessions, Scrutiny Committee will meet privately to consider the evidence presented and formulate recommendations to the Fire Authority.

Following this session, members will be supported to develop a scrutiny report to be presented to the Fire Authority. This will be shared virtually with authority members and formally presented to the December Authority meeting. Any urgent actions that are necessary as a result of the Scrutiny Review report may be addressed under the Arrangement to Act in Matters of Urgency through the process outlined within the Authority Constitution.

5. Invited Stakeholders

The following stakeholders will be invited to provide both written and verbal evidence to the committee:

- WMFS Officers
- Internal Auditors
- Representative Bodies
- The Home Office – regarding their assessment of WMFS BCP
- Potential External Resilience Providers

- Other fire and rescue services with experience of implementing identified options

6. Background papers

- [Business Continuity Arrangements: Fire Authority Paper, October 10 2022](#)
- [Update on Corporate Risk 6.1 – Business Continuity Arrangements: Audit and Risk Committee Paper, September 26 2022](#)
- [Business Continuity Arrangements: Scrutiny Committee Working Group, 21 October 2019](#)
- [Business Continuity Arrangements: Scrutiny Committee Working Group, 4 November 2019](#)
- [Business Continuity Arrangements: Scrutiny Committee Working Group, 11 November 2019](#)