



# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**Monday, 21 June 2021 at 11:00**

**To be held at Fire Service HQ and digitally via  
Microsoft Teams**

<b>Distribution of Councillors</b>	
<b><u>Birmingham</u></b>	D Barrie Z Iqbal M Locke S Spence
<b><u>Coventry</u></b>	C Miks S Walsh
<b><u>Dudley</u></b>	N Barlow P Miller
<b><u>Sandwell</u></b>	C Padda K Singh
<b><u>Solihull</u></b>	P Hogarth MBE
<b><u>Walsall</u></b>	K Ferguson A Young
<b><u>Wolverhampton</u></b>	G Brackenridge J Dehar
<b><u>Police &amp; Crime Commissioner</u></b>	S Foster
<b><u>Co-opted Members</u></b>	Professor S Brake TBC by ABCA
<b><u>Independent Member</u></b>	Mr M Ager
<b><u>Observers</u></b>	M Carter, UNISON
	R Merker, Fire Officer's Association
	S Price-Hunt, Fire Brigades Union

**Please note: Meetings of the political groups will be held at 10.00 am.**

# Fire Authority

You are summoned to attend the meeting of Fire Authority to be held on  
Monday, 21 June 2021 at 11:00

At Fire Service Headquarters, 99 Vauxhall Road, Nechells,

Birmingham B7 4HW

and digitally via Microsoft Teams

for the purpose of transacting the following business:

## Agenda – Public Session

- 1 Hybrid meeting of the WMFRA - introduction
- 2 To Elect the Chair of the Authority for the ensuing year
- 3 To Elect the Vice Chair of the Authority for the ensuing year
- 4 To receive apologies for absence (if any)
- 5 Declarations of interests
- 6 Chair's announcements
- 7 Chief Fire Officers Announcements
- 8 Minutes of the Fire and Rescue Authority 15 February 2021 7 - 18
- 9 Membership of the Authority 2021-22 19 - 24
- 10 West Midlands Police and Crime Commissioner, Membership on Fire Authority, 2021-22 25 - 30
- 11 Questions on the Discharge of Functions 31 - 32
- 12 Governance of the Authority 2021-22 33 - 54

13	<b><u>Political Balance and Membership of Committees and Panels 2021-22</u></b>	55 - 60
14	<b><u>Appointment of Representatives to Serve on Other Bodies</u></b>	61 - 62
15	<b><u>Member Attendance at Conferences, Seminars and Visits</u></b>	63 - 66
16	<b><u>Governance Statement 2020-21</u></b>	67 - 78
17	<b><u>Monitoring of Finances</u></b>	79 - 84
18	<b><u>Decisions taken under 'Matters of Urgency'</u></b>	85 - 92
19	<b><u>Analysis of Progress of Quarterly Performance Against The Plan Qtr 4 2020-21</u></b>	93 - 98
20	<b><u>Contract Awards Summary for Period to 30 April 2021</u></b>	99 - 104
21	<b><u>Annual Report of the Audit and Risk Committee 2020-21</u></b>	105 - 106
22	<b><u>Minutes of the Audit and Risk Committee held on 22 March 2021</u></b>	107 - 112

## **Agenda (not open to public and press)**

### **23 Exclusion of the public and press**

Chair to move:- *"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 for the reasons stated below."*

### **24 Notification of a Fire Safety Prosecution**

- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime.

**Agenda prepared by Stephen Timmington**

**Strategic Hub, West Midlands Fire Service**

**Tel: 0121 380 6680**

**Email: [stephen.timmington@wmfs.net](mailto:stephen.timmington@wmfs.net)**

**This agenda and supporting documents are also available electronically on the West Midlands Fire Service website at: [www.wmfs.net](http://www.wmfs.net)**

This meeting of the West Midlands Fire and Rescue Authority will be held at Fire Service Headquarters. However, please note that although the meeting will be open to the public, there will be limited capacity due to ongoing social distancing measures.

The meeting will also be held digitally via Microsoft Teams allowing observers to access remotely. To access the meeting, please contact a member of the Strategic Hub, West Midlands Fire Service, who will be able to provide login details (please note that Microsoft Teams is not required to join a meeting) or provide guidance if you wish to attend in person at HQ.

Clerk Name:	Karen Gowreesunker
Clerk Telephone:	0121 380 6678
Clerk Email:	Karen.Gowreesunker@wmfs.net



**West Midlands Fire and Rescue Authority**

15 February 2021 at 1100 hours

held digitally via Microsoft Teams

Present: Councillor Brackenridge (Chair)

Councillor Iqbal (Vice Chair)

Councillors Barrie, Barlow, Cooper, Dehar, Edwards, Gill, Hogarth, Jenkins, Miller, Miks, Spence, Young and Walsh

Mr G Singh Josan (Representative of the 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).

**1/21 Apologies for Absence**

Apologies were received from Mr M Ager, Independent Member and S Middleton, co-opted member – business.

**2/21 Declarations of Interest**

The Chair and Councillor Edwards declared a personal non-pecuniary interest in Item 8 Monitoring of Finances, due to being members of the Firefighters Pension Scheme(s).

**3/21 Chairs Announcements**

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

The Chair noted the continuing work supporting the vaccination programme.

The National Joint Council Employers Group would be speaking with the Fire Brigades Union again in due course regarding the undertaking of additional activities. The Chair noted that locally the Service was in a good place.

#### 4/21 **Chief Fire Officer's Announcements**

The Chief Fire Officer welcomed all attendees to the meeting.

There were approximately 300 volunteers undertaking additional activities with the majority carrying out vaccinator and other support roles. It was confirmed that volunteers had been deployed to deliver these activities.

Lateral Flow Tests continued to be provided at a number of sites across the Service. Approximately 30% of staff were taking the tests and an upturn in the number of police employees had been observed.

It was noted that Kevin Rowsell, Fire Officers Association representative, would be retiring shortly and all in attendance wished him a happy retirement.

16 February 2021 marked the first anniversary of the passing of Firefighter Andrew Moore. A virtual gathering was being held on the anniversary and there would be the unveiling of a commemorative plaque at Wolverhampton Fire Station the following week. All in attendance passed on their condolences.

Members noted the high level of partnership working which had been in place since the start of the pandemic. The provision of the Lateral Flow Tests as a joint resource underlined the inter-service support the Service was providing. A Member noted the work of Watch Commander Sacha Quinney and Medical Director Andrew Thurgood to enable the provision of the vaccination roles, a provision that was an invaluable resource to the community.



5/21 **Minutes of the Fire and Rescue Authority 14 December 2020**

**Resolved** that the minutes of the Fire Authority meeting held on 14 December 2020 be confirmed as a correct record.

6/21 **Budget and Precept 2021-2020**

The Treasurer to the Authority provided an overview of the report which required the Authority to consider the Capital Programme for 2021/22 to 2023/2024, the prudential indicators relating to the Authority's capital financing requirements, the Minimum Revenue Provision Statement, the Treasury Management Strategy, the Revenue Budget and to approve the consequent precept level and resultant for each constituent District Council.

It had been recognised since October 2020, following confirmation by the Treasury, that a one-year settlement would apply for next year. Although it was understandable why the Government had opted for a one-year settlement rather than a multi-year settlement given the uncertainty created by the convergence of Covid 19 and Brexit, it did not remove the fundamental principle that multi-year settlements were a more effective way of managing resources aligned to longer term planning. The Government's emergency Covid 19 measures would also eventually need to be accounted for. As a result, these considerations had been reflected at Policy Planning Forums since October, recognising potential funding reductions that could impact the Authority from 2022/23 onwards.

The Government had set a Council Tax referendum threshold of 2% for Fire and Rescue Authorities.

The provisional settlement for 2021/22 was announced in December 2020 at £53.002m, resulting in a core funding increase of £0.106m (0.2%). The Authority's total core funding was confirmed in February 2021.

It was noted that the Members had been provided previously with an indication that there was likely to be a reduction in the Council Tax base and a collection rate deficit in the current year.

As highlighted at recent Policy Planning Forums, it was noted that there were potential funding reductions due in the coming years. The report and Appendix I included a 5% year on year illustrative reduction but with a recognition that funding reductions could be at a higher level. It was acknowledged that if such reductions of the scale indicated within Appendix I were to materialise, there would be a need to make compensating Service savings in order to achieve a balanced budget position, and that there would need to be a need to identify transformation / efficiency savings from service delivery areas.

There were additional ongoing budget uncertainties, particularly Firefighter pension related issues, that had significant funding implications but at this stage remained unclear in terms of ongoing cost and how the funding for these would be met and by whom.

It was noted that the Business Rates Retention Scheme and the Fair Funding Review had both been deferred to at least 2022 and there was some uncertainty as a result.

The capital position was covered on page 23 of the report onwards and highlighted that there had been a lack of any specific capital funding for a number of years now. The Authority's capital programme was predominantly funded by earmarked reserves and it was highlighted there was a funding shortfall currently for year 3 of the programme. It was confirmed that no borrowing was anticipated in the coming year.

The report provided an estimated position reflecting the setting of a balanced budget but one that was dependent upon sufficient service transformation being realised.

In answer to Members' questions, the following points were raised:

- The report assumed the Service would be receiving Government funding reductions in the coming years. This allowed circa 12 months to prepare alternative options to ensure the Service had sufficient plans in place ready to be implemented to realise the required efficiency savings in from April 2022 onwards.

- It was confirmed that a grant of just under £2.8m had been allocated over two tranches by the Government in respect of Covid 19. The Service was forecasting spend in the region of £4.3m by the end of the current financial year the highest costs incurred being related to staffing costs associated with Voluntary Additional Shifts due to staff testing positive or having to self-isolate. Other significant costs included personal protective equipment, ICT and premise related issues. In January, the Home Office had advised Fire and Rescue Authorities to put in bids if they had spent more that contained within the previously provided grants. The Service had submitted a bid and would have to wait to see if the bid would be successful or not.
- In developing the Capital Programme, the Service identified the key assets due for replacement and/or investment and set aside funding accordingly, for example, the Vehicle Replacement Programme. This established the Capital Programme requirement but in year three (2023/24) funding did not currently match anticipated expenditure requirements.

The Chair noted that he always pressed the case that the Authority as per all within the sector did not receive any capital grants and this represented a major hole in funding. Many within the sector were having to either borrow or use reserves saved previously. There was a need for the Government to address this pressing issue. However, a letter received from the Home Office and the Fire Minister regarding reserves held by Fire and Rescue Authorities lead to an impression that the current arrangements were unlikely to change.

### **Resolved**

Members approved:

- The Authority's Net Revenue Budget for 2021/2022 of £101.749 million which includes a Council Tax requirement of £45.038 million, set out in Appendix A, together with the associated precept levels, set out in Appendix B, resulting in

a Band D Precept increase of 1.99%.

- The Authority's capital programme for 2021/2022 to 2023/2024 as set out in Appendix E.
- The Authority's Treasury Management Strategy which includes the Minimum Revenue Provision Statement set out in Appendix F and the Prudential Indicators in Appendix G.

## 7/21 **Three Year-Rolling Strategy 2021-24 and Annual Plan**

The Chief Fire Officer provided an overview of the report which provided the detail of the Strategic Community Risk Management Plan (CRMP) proposals which would be delivered through the Services three-year rolling Strategy, the proposed re-affirmation of the Authority's Strategic Vision, and the proposed three-year rolling Strategy objectives and Annual Plan priorities for delivery during 2021-22.

One-year priorities form the Annual Plan within the three-year rolling Strategy, providing more detail of the outcomes the Service aimed to achieve in that year to:

- Reduce vulnerability
- Increase public safety through removing, reducing, controlling; and / or mitigating risk in the community through prevention, protection and response priorities

In line with requirements under the National Framework, the CRMP had been reviewed for 2021-24, incorporating the identification, review and assessment of existing and potential future risks to the community within the West Midlands. This identified 'foreseeable risks' that exist or were emerging across the county which fell within the scope of the Fire and Rescue Services Act, the Regulatory Reform Order, the Civil Contingencies Act and other relevant legislation, as well as the objective of a Fire and Rescue Service which were to reduce, mitigate or manage death and injury, damage to property, the economy and / or environment.

To support the review of the CRMP and meet the requirements set out in the National Framework, the Authority had engaged in a ten-week consultation exercise from 7 October to 16 December 2020. A detailed breakdown of the consultation outcomes was set out in Appendix 5 of the report.

The CRMP proposals were set out within the report. The proposals were high level 'evidence based', taken from the consideration of the broad outcomes of the CRMP review and outcomes, the WMFS Strategic Analysis for 2016-2019 and 2017-2020, assessments of individual risks through the CRMP process, 2020 CRMP consultation outcomes, as well as the application of professional knowledge and judgement. The proposals were underpinned by the survivability study which had been undertaken in 2015/16 and provided the Service with a sound evidence base to the overall timeline for the survival of a victim of in the home (and other emergency incidents) and the impact that a five minute response time could have on risk to life.

The CRMP proposals were:

- CRMP proposal 1:

The Strategic Enabling Team will commission the review of those key factors that contribute to the survivability timeline and research through the Technical CRMP group. The outcomes of this review will form the evidence base for future CRMP proposals.

- CRMP proposal 2:

The current approach to responding to Road Traffic Collisions, Automatic Fire Alarms and Secondary Fires will be reviewed to determine the opportunities these changing risks provide in considering alternative approaches to responding.

- CRMP proposal 3:

The future impact of these emerging risks on the CRMP will be incorporated in the three-year rolling strategy. This will include how Prevention, Protection and Response Services may need to change to enable flexibility in the delivery of our services.

- CRMP proposal 4:

The most appropriate interventions to reduce vulnerability to fire and other risks will be determined through the CRMP, using the principle of an integrated approach to intervention, protection and response activity enhancing the 'up stream' approach to fire fighting.

- CRMP proposal 5:

The Service will continue to research, understand, implement a range of opportunities to digitally enable its workforce and communities to transform the delivery of services to our communities.

In line with proposals 5, the proposals would be underpinned by digital transformation. In addition to the digital transformation of internal mechanisms, some of the Services provided by the Service would be delivered digitally.

It was proposed that the Authority's vision statement, 'Making the West Midlands safer, stronger and healthier', continued and it was recommended that it be reaffirmed in recognition of the risk that continues to exist and increase across the West Midlands and the ability of the Authority as a Fire and Rescue Authority to seek to prevent and mitigate these risks through its statutory functions of prevention, protection and response.

As part of the development of the three-year rolling strategy, the Strategic Enabling Team had considered the outcomes of the CRMP, the STEEPLE and strategic planning considerations and had refreshed the one year priorities in the annual plan, as well as setting broad Strategic Objectives for the three-year strategy. The proposed objectives were:

- Response – dealing excellently with incidents
- Prevention – delivering interventions which support safer and healthier communities
- Protection – protecting life and property to make businesses stronger and communities safer

The proposed one-year Strategic Priorities (paragraph 5.38 of the report) set out in more detail how the three-year objectives would be worked towards and achieved during 2021-22.

In response to Members' questions, the following points were raised:

- The Service undertook an invest to save approach, although this was effectively considered currently via the use of the ear marked reserves. The option to borrow to save going forward would be a consideration but it was not something anticipated over the next 12 months.
- There could be the possibility that the three-year rolling strategy and Annual Plan could be reviewed if funding reductions of more than 5% were to come into effect as part of ways to resolve such a funding deficiency.

The Chair noted the early engagement with staff to deliver the Plan and outcomes.

A Member noted that the change of name from IRMP to CRMP would help emphasise the focus on the community.

The Chair noted that Members were grateful for all of the work that had gone into the development of the CRMP.

**Resolved:**

That Members noted the outcomes of the evidence based CRMP review.

That Members approved the CRMP proposals that would be developed for implementation over the period of the three-year rolling Strategy 2021-24.

That Members re-affirmed the Authority's Vision Statement for the Authority's Strategy.

That Members noted the context of planning for the three-year Strategy and Annual Plan.

That Members approved the three-year Strategic Objectives 2021-24 and refresh of the Annual Plan priorities for delivery in 2021-22.

## 8/21 **Monitoring of Finances**

The Treasurer to the Authority provided an overview of the report which dealt with the monitoring of the finances of the Authority in the current financial year and covered the revenue expenditure and the Capital Programme.

Appendix A of the report compared the revenue budgeted to the end of January 2021 with the actuals to date. Actual spend to January 2021 including commitments was £81.359 million compared to a projected budget of £81.408 million, resulting in an overall variance of £0.049 million.

The most significant variance related to Command Delivery, Fire Control and Workforce Planning, mainly due to an underspend on the Operational pay budget.

In addition to the budget allocated as part of the 2020/21 revised estimates exercise (as at November 2020) for COVID19 related expenditure above the grant allocation, expenditure remained volatile and so the December 2020 & January 2021 impact of higher than anticipated absence levels was reflected in the monitoring statement (Appendix A). There was an opportunity to claim for additional COVID-19 funding, with submissions required by 14 February 2021. The Treasurer noted that the Authority would be advised of the outcome of the bid for Covid 19 pandemic related grant.

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

The Authority's approved capital programme for 2020/2021 was £7.496 million. A scheme analysis was shown in Appendix C. Expenditure to the end of January 2021 was shown as £1.789 million.

The main forecast variance within the capital programme related to the Vehicle Replacement Programme due to delays in the



purchase of the Command Support Vehicle, the Detection, Identification and Monitoring Vehicle, Water and Foam Units, Community Safety Trailers, and the slippage of six PRL's to 2021/22. Additionally, the replacement of windows and doors at seven fire stations had been re-phased to 2021/22 due to supplier lockdown during the pandemic.

In answer to Members' questions, the following points were raised:

- The Authority's procurement policy enabled the purchasing of goods and supplies such as replacement vehicles from British companies where practical and possible.
- It was noted that there was some flexibility regarding the Localism Act in terms of supporting local companies whilst achieving best value for money. It provided a strong legislative framework to build upon.
- It was noted that Birmingham City Council procurement services ran local purchase schemes which included a variety of purchases including West Midlands Police. The Service would look into the possibility of joining the scheme, or similar.

## **Resolved**

That the Members note the report on the monitoring of finances.

### **9/21 Minutes of the Audit and Risk Committee held on 7 December 2020**

The minutes of the Audit and Risk Committee held on 7 December 2020 were received.

The Chair of the Audit and Risk Committee wished to thank members of the committee, the internal and external auditors, and all officers including all members of the Service's finance team for their continued contributions and support.

The meeting ended at 12.12 hours.

Stephen Timmington

Strategic Hub

0121 380 6680

Stephen.Timmington@wmfs.net



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

1. **MEMBERSHIP OF THE AUTHORITY 2021/2022**

Report of the Clerk.

**RECOMMENDED**

THAT the report be noted.

2. **PURPOSE OF REPORT**

To advise of the appointments made by the constituent district councils to the Authority for 2021/2022 and of independent, co-opted and observer members.

3. **BACKGROUND**

The membership of the Authority for 2021/2022 is as set out in the Appendix.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

5. **LEGAL IMPLICATIONS**

Fire and Rescue Authorities were first established by Section 26 of the Local Government Act, 1985, which provides that such authorities shall consist of members appointed by the metropolitan districts comprised in the relevant county. The number of members to be appointed by each district council is set out in the Fire and Rescue Authority (Membership) Order 2017, attached as Appendix 1.

## 6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

### **Background Papers**

Letters/emails from district councils.

The contact name for this report is Michele Pym, telephone number 0121 380 7015.

Karen Gowreesunker  
CLERK to Authority

## **Membership of the West Midlands Fire and Rescue Authority 2019/2020**

### **Birmingham**

Councillor Zafar Iqbal* (Labour)	Councillor Mary Locke (Labour)
Councillor David Barrie (Conservative)	Councillor Sybil Spence (Labour)

Deputy S41 is not appointed

### **Coventry**

Councillor Seamus Walsh* (Labour)	Councillor Catherine Miks** (Labour)
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### **Dudley**

Councillor Nicolas Barlow* (Conservative)	Councillor Peter Miller ** (Conservative)
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### **Sandwell**

Councillor Charn Singh Padda* (Labour)	Councillor Kirat Singh** (Labour)
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### **Solihull**

Councillor Peter Hogarth* (Conservative)
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## Walsall

Councillor Kenneth Ferguson* (Conservative)	Councillor Ann Young** (Labour)
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## Wolverhampton

Councillor Greg Brackenridge* (Labour)	Councillor Jasbinder Dehar** (Labour)
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\* Member nominated to answer questions under Section 41 of the Local Government Act 1985 ("Lead" Member).

\*\* Substitute Member nominated to answer questions under Section 41 of the Local Government Act 1985 ("Lead" Member).

## Independent Member of the Audit and Risk Committee

Mr Mike Ager
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## Independent Member of Appointments, Standards and Appeals

Mr Ray Tomkinson	Standards Items only
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## Co-opted Members of the Authority

Professor Simon Brake	To be advised by Association of Black Country Authorities (ABCA) post AGM
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## Police and Crime Commissioner

Simon Foster Represented by: To be advised following resolution of West Midlands Police and Crime Commissioner, Membership of the Fire Authority report.
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## Observers to the Authority

One named representative from each representative body: Fire Brigade's Union Fire Officer's Association UNISON
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**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

**WEST MIDLANDS POLICE AND CRIME COMMISSIONER –  
MEMBERSHIP ON FIRE AUTHORITY 2021/2022**

Report of the Clerk and Monitoring Officer.

**RECOMMENDED**

- 1.1 THAT the Authority approve the West Midlands Police and Crime Commissioner's (WMPCC) request to join the Authority.
- 1.2 THAT the Authority approves the request for full membership with voting rights, on the basis that the PCC as an elected member, attends to enable this.

**2. PURPOSE OF REPORT**

- 2.1 This report is submitted to inform the Authority of the invite to and subsequent request from the WMPCC to join the Fire Authority and to support the Authority's decision in response to this request.

**3. BACKGROUND**

- 3.1 On 24 May 2021 the Chair of the Authority wrote to the WMPCC to invite the PCC to formally submit a written request for appointment to the Authority as provided for in the Policing and Crime Act 2017. The letter stated that upon receiving a request from the WMPCC, the Authority would:
  - a. consider the request;
  - b. provide a decision with reasons, and
  - c. publish those reasons in an appropriate manner.

- 3.2 On 28 May 2021, the Authority received a formal letter of request from the WMPCC to take up a voting position on the Authority. This letter also invited the WMPCC to take a place on the Authority's Collaboration and Transformation committee.
- 3.3 Both these letters are set out in Appendices 1 and 2.
- 3.4 As a Member of the Authority, the WMPCC will have voting rights only if the WMPCC attends. Any representatives for the WMPCC will not have voting rights as this power can only be exercised by an elected member.
- 3.5 As a co-member of the Authority, the WMPCC will not be remunerated for this role. It is believed the value and benefits for the WMPCC and Authority will be mutual. Benefits would include:
- continued and enhanced collaboration between Police, Fire and Rescue Services;
  - supporting progressive reform;
  - This will also ensure the Authority is reflective of the Authority's partnerships and enhance scrutiny audit and performance measurement to improve outcomes/effectiveness.
- 3.6 It is recommended that the Authority accept the WMPCC's request and provides a position of full membership with voting rights on the basis the WMPCC takes up this position. This is in the interests of greater collaboration, public safety and enhanced delivery of wider shared priorities to the communities of the West Midlands.

#### 4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

## 5. **LEGAL IMPLICATIONS**

5.1 The following legislation enables the changes raised in this report:

- The Localism Act 2000.
- Local Government Act 1985, Section 29 and Schedule 10 (Part 6).
- Local Government and Housing Act 1989, Sections 15 to 17 and Schedule
- Local Government (Committees and Political Groups) Regulations 1990 [SI 1990 No. 1553].
- Policing and Crime Act 2017.

## 6. **FINANCIAL IMPLICATIONS**

6.1 There are no financial implications.

## **BACKGROUND PAPERS**

Fire Authority Meeting November 2017

The contact name for this report is Karen Gowreesunker, telephone number 0121 380 6678

Karen Gowreesunker  
CLERK to the Authority

Satinder Sahota  
Monitoring Officer



Fire Service Headquarters,  
99 Vauxhall Road, Birmingham B7 4HW

Mr Simon Foster,  
West Midlands Police and Crime Commissioner,  
Lloyd House,  
Colmore Circus Queensway,  
Birmingham B4 6NQ

**Date:** 21 May 2021  
**Your Ref:**  
**Our Ref:** FRA210521/GB/KG  
**Tel No:** 07552 211600  
**Please ask for:** Greg Brackenridge

Dear Simon,

**Appointment on the West Midlands Fire and Rescue Authority**

I am writing on behalf of West Midlands Fire and Rescue Authority (the Authority) in relation to our discussions with regard to you joining the Authority in your role as Police and Crime Commissioner, in line with the representation model as outlined within the Policing and Crime Act 2017.

In keeping with the Authority's commitment to collaboration and engagement, and in line with the Policing and Crime Act 2017, I invite you to formally submit your written request for appointment to the Authority.

Further to the above, upon receipt of your request to join the Authority, I would like to extend the offer of your appointment to include a position on the Authority's Collaboration and Transformation Committee.

It should be noted that upon your appointment to the Authority, a full member voting position would only be provided if you, as an elected member, attend in the position of Police and Crime Commissioner.

It would be permissible for a representative to deputise on your behalf and this has existed since February 2017 providing valuable participation and scrutiny of Authority business. In the event of a representative deputising on your behalf it would be imperative to ensure that such a deputy was nominated and that the named representative was kept ensuring consistency would be maintained at all times. Additionally, as a non-elected member, any such representative would not be afforded voting rights. As a result, please ensure that the request includes the confirmation of

your representative if one is to be nominated.

If as Police and Crime Commissioner you attend Authority yourself, you will be able to engage in Authority business. Upon receipt of your request the Authority will:

- a) consider the request,
- b) provide a decision with reasons, and
- c) publish those reasons in an appropriate manner.

It is possible that if your request is received prior to the end of May 2021 this appointment could commence on the Authority's AGM on 21 June 2021.

Please direct your response to: The Clerk, West Midlands Fire and Rescue Authority, c/o Karen Gowreesunker: [Karen.Gowreesunker@wmfs.net](mailto:Karen.Gowreesunker@wmfs.net)

Please do not hesitate to contact me if you have any questions.

Thank you for your support in *Making West Midlands Safer, Stronger and Healthier*.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G Brackenridge', with a long horizontal line extending from the bottom of the signature.

Councillor Greg Brackenridge, Chair  
**West Midlands Fire and Rescue Authority**

Copies to: Phil Loach, WMFS  
Greg Brackenridge, WMFS  
Karen Gowreesunker, WMFS  
Lord Greenhalgh, Home Office  
Stuart Harwood, Home Office

**APPENDIX 2**

Ref. AU/FA/2021/June/20306212

OFFICIAL

28/05/2021

Dear Greg,

Thank you for your letter dated 21 May 2021.

**I write to formally submit my written request for appointment to the Authority.**

My appointment will allow us to facilitate a joint response to the Government's forthcoming White Paper on Fire Reform, consider respective governance issues, fulfil my statutory duties in relation to collaboration between police and fire, and meaningfully support the Authority's existing programme of work.

As you may be aware, I am currently recruiting a strategic board to support me to exercise my functions, which is likely to include a Deputy PCC and Assistant PCCs. My Chief Executive has spoken with Karen Gowreesunker, and clarified that, while I will formally be part of the Fire Authority, there will be instances from time to time where I send a nominated substitute. Karen has provided assurances that this is consistent with my formal uptake of the appointment.

I would be delighted to accept your further offer of a position on the Authority's Collaboration and Transformation Committee.

Separately, I am happy to extend the offer of a meeting with you and Phil Loach so we can discuss issues of mutual interest. I would be most grateful to meet before the Fire Authority's AGM on 21 June, and I will contact your Office so that we can make the necessary arrangements to identify a mutually convenient date and time for a meeting as soon as possible.

Many thanks. I look forward to meeting with you.

Yours sincerely

**Simon Foster**  
**West Midlands Police and Crime Commissioner**

## **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

### 1. **QUESTIONS ON DISCHARGE OF FUNCTION**

Report of the Clerk.

#### **RECOMMENDED**

THAT the Authority nominates the members listed below to answer questions on the discharge of the functions of the Authority as required by Section 41 of the Local Government Act 1985.

### 2. **PURPOSE**

The purpose of this report is to nominate members to answer questions put in the course of proceedings of constituent Councils on the discharge of the Authority's functions (as required by Section 41 of the Local Government Act 1985).

### 3. **BACKGROUND**

- 3.1 Under Section 41 of the Local Government Act 1985, arrangements have to be made for enabling questions on the discharge of the Authority's functions to be put in the course of the proceedings of any constituent district Council. Members of that Council can put questions to a Member who is nominated by the Authority for that purpose.
- 3.2 Although the Authority has responsibility for nominating Members, it is normal practice to seek the views of the district councils as to the person they wish to see nominated for this purpose. The nominations received are set out below:-

	<b><u>Lead Member</u></b>	<b><u>Substitute</u></b>
Birmingham	Councillor Iqbal	
Coventry	Councillor Walsh	Councillor Miks
Dudley	Councillor Barlow	Councillor Miller
Sandwell	Councillor Padda	Councillor Singh

Solihull	Councillor Hogarth	
Walsall	Councillor Ferguson	Councillor Young
Wolverhampton	Councillor Brackenridge	Councillor Dehar

#### 4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

#### 5. **LEGAL IMPLICATIONS**

- 5.1 Under Section 41 of the Local Government Act 1985, arrangements have to be made for enabling questions on the discharge of the Authority's functions to be put in the course of the proceedings of any constituent district Council.

#### 6. **FINANCIAL IMPLICATIONS**

- 6.1 There are no direct financial implications arising from this report.

#### **Background Papers**

Letters/emails from district councils.

The contact name for this report is Michele Pym, telephone number 0121 380 7015.

Karen Gowreesunker  
Clerk to the Authority



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

**1. GOVERNANCE OF THE AUTHORITY 2021/2022**

Report of the Clerk and Monitoring Officer.

**RECOMMENDED**

- 1.1 THAT the Authority approve the amendments proposed to the Constitution as set out in this 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.
- 1.2 THAT the calendar of meetings for 2021/22 as set out in Appendix 5 be approved.
- 1.3 THAT no increase be made in Members' Allowances in 2021/22 by way of indexing or otherwise;

- 1.4 THAT the Members' Allowances Scheme for 2021/22 as set out in Appendix 6, be approved.
- 1.5 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 CFO.

## 2. **PURPOSE OF REPORT**

This report is submitted for the Authority to determine its governance arrangements for 2021/22.

## 3. **BACKGROUND**

### **Governance arrangements during the COVID pandemic**

- 3.1 In response to the major incident which was instigated in the West Midlands on the 19th March 2021 due to the COVID pandemic, the CFO and Strategic Enabling Team formed as the Business Continuity Management Team (BCMT). This was to enable a clear focus on responding to the pandemic, ensuring the safety of staff and the most effective delivery of services to communities, whilst also ensuring their safety in the delivery of services.
- 3.2 This impacted on the Authority's "business as usual" as The Authority took the decision to pause Authority and Committee meetings to enable BCMT to focus on the delivery of operational matters, supporting the delivery of local priorities throughout the pandemic.
- 3.3 During the initial period of lockdown the Authority invoked Decision under Matters of Urgency (Section 17.1 Authority Standing Orders) enabling the continuity of decision making by the Chief Fire Officer and Chair of the Authority on items of strategic importance.
- 3.4 Arrangements were made for Authority Members to be kept informed using weekly Authority Covid-19 briefings via video conferencing. During 2020/21 the Authority held Authority and Statutory Committee meetings virtually, in accordance with the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) Regulations 2020, published by the Government allowing participation by remote attendance, during the period that physical meetings were not permitted.

- 3.5 Amendments to the constitution were approved by the Authority in October and December 2020.
- 3.6 Whilst Authority and Committee meetings have been paused during the Authority year 2020/21, the regular Covid 19 briefings which moved to Policy Planning Forums in September 2020 provided Members with strategic oversight of progress against business continuity objectives as well as delivery of the Authority's Strategy.
- 3.7 Fire Authority meetings will recommence as per the committee schedule set out in paragraphs 3.9-3.13 of this report from September 2021 onwards.

### **Constitution review**

- 3.8 Following the review of the Authority's constitution and CFO delegations in October 2020, further refinements are now proposed to enable clarity in the application of:
- 3.8.1 the CFO delegation to approve spend in excess of £250,000 in exception circumstances. This delegation is aligned to Article 6, paragraph 6.2.3, budget matters for Authority. Proposed refined wording as set out in Appendix 1 highlights this exemption can be applied against 'operational decisions which require immediate approval, to ensure the Authority is effectively managing risk to its communities and ensuring public safety.'
- 3.8.2 Article 9, Scrutiny Committee Terms of Reference proposed amendments are to adjust the article aligned to the agreed definitions of Pre and Post Scrutiny. Appendix 2 highlights proposed changes through a comparison of the current and proposed Article.
- 3.8.3 Standing Order 17, Arrangements to act in Matters of Urgency, where amendments are proposed to reflect current practice in Appendix 3.
- 3.8.4 Article 8, Collaboration and Transformation Committee, Appendix 4, proposed amendments are to remove the following requirement: the membership of the Committee will be such members of the political groups represented on the Authority as are appointed in proportion to their

representative allocation under the Local Government and Housing Act 1989 and the political group regulations.

### **Programme of Meetings**

- 3.9 As set out above in paragraphs 3.1-3.7 the 2020/21 Authority year has operated primarily under Matters of Urgency, with three Authority meetings undertaken during October, December and February and the continuation of statutory committees.
- 3.10 There have been four Audit and Risk Committee meetings during 2020/21 which have been arranged to enable financial timelines required or approval of the Statement of Accounts at the end of July 2021.
- 3.11 During 2020/21 Scrutiny and Collaboration Committee meetings were paused due to the operational demands of the Covid 19 pandemic. However as set out earlier in this report the regular briefings with Members which were weekly at the height of the pandemic enabled continued scrutiny and oversight of performance and collaboration with partners in meeting the needs of those most vulnerable in West Midlands communities. These meetings will recommence in September 2021.
- 3.12 Joint Consultative Panel meetings have not been held and these will recommence in September 2021.
- 3.13 A proposed programme of meetings for 2021/2022 is attached for approval as Appendix 5.

### **Members' Allowances Scheme**

- 3.14 In accordance with Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations), the Authority is required to make and approve a scheme of the payments of members' allowances each year.
- 3.15 The members allowance scheme does not allow for indexing beyond 1 April 2011. The member allowance scheme was reviewed by an Independent Review Panel and a report presented to the Authority in November 2018. Despite the outcomes of the review the Authority agreed to maintain its current members' allowance

scheme for 2019/20. This scheme continues for 2021/22.

- 3.16 The Localism Act 2011 introduced a new local standards framework and replaces independent members of the Standards Committee with an 'independent person'. Independent persons are entitled to claim travel and subsistence allowances as appropriate.
- 3.17 The members' allowances scheme is attached for approval as Appendix 6.
- 3.18 The governance structure is unchanged.

### **Member Role Descriptions**

- 3.19 The adoption of member role descriptions helps to define key roles and responsibilities and assists with any future reviews of remuneration. There have been no changes to role descriptions within the constitution for 2021/22.

## **4. EQUALITY IMPACT ASSESSMENT**

In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

## **5. LEGAL IMPLICATIONS**

This report invites the Authority to determine its decision making and governance arrangements for the coming year taking into account the relevant provisions of the Local Government Act 1972, Local Government Act 1985 and the Local Government and Housing Act 1989.

## **6. FINANCIAL IMPLICATIONS**

Provision is made in the Authority's budget to meet costs associated with the operation of the Authority's decision making structures and the payment of Members' Allowances.

## **BACKGROUND PAPERS**

Fire Authority Meeting February 2021  
Fire Authority Meeting October 2020  
Fire Authority Meeting December 2020

The contact name for this report is Karen Gowreesunker, telephone number 0121 380 6678

Karen Gowreesunker  
CLERK to the Authority

Satinder Sahota  
Monitoring Officer

### 2020/21 Exemption to Authority expenditure limit:

Article 6, paragraph 6.2.3, budget matters for Authority

The CFO can exceed the £250k expenditure limit in exceptional circumstances, specifically in relation to operational incidents, where a risk based assessment identifies the need to acquire specific resources in excess of £250k. The CFO is to provide a retrospective report to the Authority setting out the decision making considerations and the associated expenditure incurred in such instances.

### Proposed for approval:

Aligned to 6.2.3, budget matters for Authority, the CFO can exceed the £250k expenditure limit in exceptional circumstances. **These exceptional circumstances would align specifically to operational decisions which require immediate approval, to ensure the Authority is effectively managing risk to its communities and ensuring public safety. A risk based assessment will be undertaken which to support the need for this exemption to be applied in a timely manner.** The CFO will retrospectively **agree reporting requirements with the Chair to the** Authority and Vice Chair.

### 2020/21 Scrutiny Terms of Reference:

#### Article 9 - Scrutiny Committee

9.1 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. 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.

The main purpose of the scrutiny function is to:-

- i) Inform Policy Development  
(i.e. pre-decision scrutiny - to provide a political steer before a decision is taken/implemented. The Committee may do this by calling in matters considered at the Policy Planning Forum stage.)
- ii) Hold Officers and the Service to Account  
(i.e. the Committee may examine decisions that have already been implemented and may call upon officers to respond to its enquiries.)
- iii) Hold the Authority to Account  
(i.e. the Committee may call-in decisions for scrutiny before they are implemented, may examine decisions that have already been implemented and may call upon relevant members to respond to its enquiries.)
- iv) Conduct Reviews into Specific Issues  
(i.e. the Committee will identify matters that it wishes to conduct reviews into and call the relevant officers and members to assist it in carrying out those reviews.)

In carrying out its role the Committee will undertake pre and post scrutiny reviews as appropriate and aligned to the following definitions:

- Pre scrutiny enables changes proposed to strategic policy decisions to 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).



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

## 9.2 Role and Functions

To carry out a maximum of two scrutiny reviews per annum selected by the Committee. Such reviews will be member-led and evidence based, and will produce SMART (specific, measurable, attainable, realistic and timely) recommendations to the Authority.

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

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

To manage, in consultation with the Strategic Enabler for Finance and Resources, a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews. To receive and scrutinise performance information including progress against the Community Risk Management Plan and 'The Plan', the objectives and priorities and corporate performance indicators and review performance targets.

To review and scrutinise strategic performance information of the Shared Fire Control on a biannual basis.

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

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

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

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

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

To deal with any matters referred to it by the full Authority, the Policy Planning Forum, the Chief Fire Officer, Clerk, Monitoring Officer or Treasurer, not within its work programme.

To refer any matter for consideration by the Authority, another Committee or an officer where considered appropriate.

To submit its minutes and an Annual Report to the Authority.

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.

The Committee will sit in public with minimum exceptions.

In addition to its programmed meetings, the Committee will hold additional meetings, as and when required, in order to efficiently manage its workload.

### **Proposed for approval:**

#### **Article 9 - Scrutiny Committee**

- 9.1 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. 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.

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 as set out in articles 4 and 5 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:

- **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:

- i) inform policy development and/or
  - ii) hold the Authority to account.
- **Post scrutiny** enables the Fire Authority to seek assurance around operational decisions already made by the CFO and other officers in the delivery of strategic priorities and outcomes (for example: training, partnership working). Post scrutiny can
  - i) scrutinise performance of specific issues and/or
  - ii) hold officers to account.

## 9.2 Role and Functions

To carry out a maximum of two scrutiny reviews per annum selected by the Committee. Such reviews will be member-led and evidence based, and will produce SMART (specific, measurable, attainable, realistic and timely) recommendations to the Authority

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

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

To manage, in consultation with the Strategic Enabler for Finance and Resources, a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews.

To receive and scrutinise performance information including progress against the Community Risk Management Plan and 'The Plan', the objectives and priorities and corporate performance indicators and review performance targets.

To review and scrutinise strategic performance information of the Shared Fire Control on a biannual basis.

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

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

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

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

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

To deal with any matters referred to it by the full Authority, the Policy Planning Forum, the Chief Fire Officer, Clerk, Monitoring Officer or Treasurer, not within its work programme.

To refer any matter for consideration by the Authority, another Committee or an officer where considered appropriate.

To submit its minutes and an Annual Report to the Authority.

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.

The Committee will sit in public with minimum exceptions. In addition to its programmed meetings, the Committee will hold additional meetings, as and when required, in order to efficiently manage its workload.

### 2020/21 Standing Order 17

#### 17. Arrangements to Act in Matters of Urgency

- (1) The Authority shall make arrangements for its function to be discharged, in cases of urgency, as follows:-
  - (a) by delegation to the Executive Committee which shall deal with all matters of an urgent nature which cannot be reasonably delayed until the next ordinary meeting of the Authority or appropriate Committee; or
  - (b) in cases of extreme urgency, by delegation to the Chief Fire Officer.

This Standing Order shall not apply to the functions which are properly undertaken by the Appointments, Standards and Appeals Committee, or the Audit and Risk Committee.

- (2) Where the Chief Fire Officer proposes to act on a matter of urgency, such action must be within approved Authority policy. The Chief Fire Officer proposing to act under these arrangements must:-
  - (a) seek the agreement of the Clerk that he/she is satisfied that the matter in question constitutes a genuine matter of urgency, that all other avenues for the determination of the matter have been exhausted and that the urgency has not arisen due to a failure to finalise reports in time under normal procedures;
  - (b) consult the Chair and Vice-Chair of the Authority on the action the Chief Fire Officer proposes to take.
- (3) The Chief Fire Officer concerned shall record the urgent circumstances which make it necessary for action to be taken before the next ordinary meeting of the Authority or relevant Committee concerned.
- (4) Where action is taken under any of these circumstances, a report of that action, including a note of the circumstances which made it necessary, must be reported to the next ordinary meeting of the Authority.

## Proposed for approval

### Standing Order 17 - Arrangements to Act in Matters of Urgency

- (1) The Authority shall make arrangements for its function to be discharged, in cases of urgency, as follows:-
  - (a) By delegation to the Chief Fire Officer where matters of an urgent nature cannot be reasonably delayed, until the next ordinary meeting of the Authority, or appropriate Committee,

This Standing Order shall not apply to the functions which are properly undertaken by the Appointments, Standards and Appeals Committee, or the Audit and Risk Committee.

- (2) Where a Chief Fire Officer proposes to act on a matter of urgency, such action must be within approved Authority policy. A Chief Fire Officer proposing to act under these arrangements must:-
  - (a) seek the agreement of the Clerk that he/she is satisfied that the matter in question constitutes a genuine matter of urgency, that all other avenues for the determination of the matter have been exhausted and that the urgency has not arisen due to a failure to finalise reports in time under normal procedures;

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

### *Part 4*

- (b) consult the Chair and Vice-Chair of the Authority on the action the Chief Fire Officer proposes to take.
- (3) The Chief Fire Officer concerned shall record the urgent circumstances which make it necessary for action to be taken before the next ordinary meeting of the Authority or relevant Committee concerned.
- (4) Where action is taken under any of these circumstances, a report of that action, including a note of the circumstances which made it necessary, must be reported to the next ordinary meeting of the Authority.

## APPENDIX 4

### 2020/21 Collaboration and Transformation Committee

#### Article 8 – Collaboration and Transformation Committee

- 8.1 The Authority has established and Collaboration and Transformation Committee of 7 members. The membership of the Collaboration and Transformation Committee will be such members of the political groups represented on the Authority as are appointed in proportion to their representative allocation under the Local Government and Housing Act 1989 and the political group regulations.
- 8.2 Role and Functions:-  
To support the Fire Authority's role and responsibility with regards to: The strategic development and assurance of transformational collaborative working agreements (up to implementation) aligned to the 'Duty to Collaborate' (Policing and Crime Act 2017) and/or the delivery of the Authority' Strategy, The Plan.
- 8.3 Findings and recommendations of the Collaboration and Transformation Committee are to be submitted to the Authority by the Chair of the Governance and Transformation Committee.
- 8.4 To submit its minutes to the Authority.

#### Proposed for approval

#### Article 8 – Collaboration and Transformation Committee

- 8.1 The Authority has established and Collaboration and Transformation Committee of 7 members. ~~The membership of the Collaboration and Transformation Committee will be such members of the political groups represented on the Authority as are appointed in proportion to their representative allocation under the Local Government and Housing Act 1989 and the political group regulations.~~



- 8.2 Role and Functions:- To support the Fire Authority's role and responsibility with regards to: The strategic development and assurance of transformational collaborative working agreements (up to implementation) aligned to the 'Duty to Collaborate' (Policing and Crime Act 2017) and/or the delivery of the Authority' Strategy, The Plan.
- 8.3 Findings and recommendations of the Collaboration and Transformation Committee are to be submitted to the Authority by the Chair of the Governance and Transformation Committee.
- 8.4 To submit its minutes to the Authority.

## APPENDIX 5

### WEST MIDLANDS FIRE AND RESCUE AUTHORITY

#### CALENDAR OF MEETINGS 2021/22

<b>Date</b>	<b>Time</b>	<b>Meeting</b>
<b><u>2021</u></b>		
<b>JULY</b>		
<b>Monday 26 July</b>	10.30	Audit & Risk Committee
<i>(May change to 19 July – To be confirmed)</i>		
<b>Tuesday 27 July</b>	10.30      10.30	Scrutiny Committee
<b>SEPTEMBER</b>		
<b>Monday 6 September</b>	10.30	Collaboration & Transformation Committee
<b>Friday 10 September</b>	15.00	Pension Board
<b>Monday 20 September</b>	10.30 12.00	Chair's Agenda Meeting Policy Planning Forum
<b>Monday 27 September</b>	10.30	Audit & Risk Committee
<b>OCTOBER</b>		
<b>Monday 4 October</b>	11.00	<b>Authority</b> [political groups at 10 am]
<b>Monday 18 October</b>	11.00	Policy Planning Forum
<b>NOVEMBER</b>		
<b>Monday 1 November</b>	10.30	Scrutiny Committee
<b>Monday 8 November</b>	11.00 14.00	Policy Planning Forum Audit & Risk Committee
<b>Monday 29 November</b>	10.30 12.00	Chair's Agenda Meeting

	14.00	Policy Planning Forum Joint Consultative Panel [pre meeting tbc]	
Date	Time	Meeting	Time
<b>DECEMBER</b>			
Friday 10 December	15.00	Pension Board	
Monday 13 December	11.00	<b>Authority</b> [political groups at 10 am]	
<b>2022</b>			
<b>JANUARY</b>			
Monday 10 January	11.00	Policy Planning Forum	
Monday 24 January	10.30	Joint Consultative Panel (pre meeting tbc)	
Monday 31 January	10.30 12.00	Chair's Agenda Meeting Policy Planning Forum	
<b>FEBRUARY</b>			
Monday 14 February	11.00  13.00	<b>Authority</b> [budget and precept setting] [political groups at 10 am] Scrutiny Committee	
Monday 28 February	11.00	Policy Planning Forum	
<b>MARCH</b>			
March	TBC	Pension Board	
Monday 21 March	10.30	Audit & Risk Committee	
Monday 28 March	11.00	Policy Planning Forum	
<b>APRIL</b>			
Monday 11 April	10.30	Joint Consultative Panel [pre meeting tbc]	
Monday 25 April	11.00 13.00	Policy Planning Forum Collaboration & Transformation Committee	

<b>MAY</b>		
<b>Monday 16 May</b>	11.00	Policy Planning Forum
<b>Monday 23 May</b>	10.30	Scrutiny Committee
<b>JUNE</b>		
<b>June</b>	TBC	Pension Board
<b>Monday 6 June</b>	12.00 14.00	Policy Planning Forum Audit & Risk Committee
<b>Monday 13 June</b>	10.30	Chair's agenda meeting
<b>NEW MUNICIPAL YEAR Monday 27 June</b>	11.00	<b>Authority</b> [Annual Meeting] [political groups at 10 am]

The Appointments, Standards and Appeals Committee will meet as and when required.

## APPENDIX 6

### Schedule 1

#### WEST MIDLANDS FIRE AND RESCUE AUTHORITY

##### Schedule of Special Responsibility Allowances 2021/2022

<b>Responsibility</b>	<b>SRA (£)</b>
Chair	24,500
Vice-Chair	12,250
Leader of Principal Opposition Group	7,350
Collaboration and Transformation Chair	8,575
Collaboration and Transformation Vice Chair	6,575
Scrutiny Committee Chair	8,575
Scrutiny Committee Vice-Chair	6,575
Scrutiny Committee Member	4,900
Joint Consultative Panel Chair	8,575
Joint Consultative Panel Vice-Chair	3,975
Appeals, Standards and Appointments Chair	8,575
Appeals, Standards and Appointments Vice-Chair	3,975
Audit and Risk Committee Chair	8,575
Audit and Risk Committee Vice-Chair	3,975
<b>Elected Member Basic Allowance</b>	3,500
<b>Independent's allowances</b>	
<b>Independent Member of the Audit Committee</b>	350



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

**1. POLITICAL BALANCE AND MEMBERSHIP OF COMMITTEES AND PANELS 2021/2022**

Report of the Clerk and Monitoring Officer.

**RECOMMENDED:**

1.1 THAT the Authority approve:-

- (a) the political balance and membership of committees and panels for 2021/2022;
- (b) whether or not the current independent member of the Audit Committee should be appointed to serve on any of the committees and panels of the Authority and whether he should be treated as a voting or non-voting Member;
- (c) the appointment of co-opted members to Scrutiny and Collaboration and Transformation Committees
- (d) the appointment to the roles of Chairs and Vice-Chairs of Committees and Panels;
- (e) the appointment of Mr. Ray 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.

**2. PURPOSE OF REPORT**

To approve the political balance and membership of committees and panels for 2021/2022 aligned to the changes approved in the Governance of the Authority 2021/22 report.

## **BACKGROUND**

### **3.1 Political Balance on Committees**

The Local Government and Housing Act 1989 provides that where a Joint Authority is divided into different political groups, it shall review the representation of those groups.

It also has a duty following such a review, to determine the allocation of committee seats to the different political groups into which the Members of the Authority are divided. Regulations provide for a political group to comprise 2 or more members.

Based on the information available to me, the current political balance of the Authority is:-

Conservative 5

Labour 10

The attached appendix sets out a template showing the political balance on committees for 2021/22.

## **4. Committee Structure, Constitution and Political Balance**

4.1 The Authority is required to decide the constitution of its 4 committees for 2021/22, as set out in the Governance report and then decide the political balance on each committee using the following formula:-

- (a) Decide the total number of seats on the ordinary committees (disregarding any co-opted members/advisors);
- (b) Decide the number of members for each minority political group;
- (c) Decide the proportion of the membership of those groups to the membership of the Authority as a whole;
- (d) Apply the proportions to the number of seats in (a).

4.2 For the purpose of this exercise, the Joint Consultative Panel and the Policy Planning Forum are not included as the proportionality requirements do not apply to these bodies.



- 4.3 The number of committee seats in 2021/22 is 15. The proposed allocation of seats to political parties based on this number of seats is set out in the Appendix to this report, which is recommended for approval. The Authority is also asked to make appointments of members and co-opted members to serve on the committees and advisory bodies referred to in the Appendix. More information to assist members is provided below.

## 5. **Joint Consultative Panel**

- 5.1 The Joint Consultative Panel (JCP) comprises employees of the Authority and is therefore not regarded as an ordinary committee for the purposes of Section 15 of the Local Government Act 1989 and the rules regarding proportionality do not apply.

The Authority at its meeting on 21 June 2021, will be asked to approve a revised constitution for the JCP which provides that the Panel will comprise elected members of the West Midlands Fire and Rescue Authority [with voting rights] and recognised elected officials of the Trade Unions/Representative Bodies [without voting rights] as follows:

5 employers side and  
5 employee side\*  
    3 Fire Brigades' Union  
    1 Fire Officers' Association  
    1 UNISON

Fire Leaders Association by invitation as appropriate

\* subject to having a locally appointed/elected representative.

## 6. **Appointments, Standards and Appeals (ASA) Committee**

- 6.1 The Localism Act 2011 brought in changes to the framework of regulation of standards of conduct for elected and co-opted members and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. The relevant provisions of the legislation came into force on 1 July 2012.
- 6.2 The Authority at its annual meeting on 25 June 2012 appointed a Standards Committee; adopted a new Member Code of Conduct; and agreed arrangements to deal with allegations of breaches of the Code.
- 6.3 The Localism Act 2011 provides that an authority shall appoint one or more Independent Persons who must be consulted before any decision is taken on a complaint which has been investigated. The

Authority decided that the independent person/s appointed by Sandwell Council in pursuance of Section 28 of the Localism Act 2011 would be used by this Authority in relation to alleged breaches of the Code of Conduct. In view of the Authority's low level of complaints activity, it is suggested that the appointment of one independent person will be sufficient. The appointment of the independent person/s must be approved by a positive vote of a majority of all members of the Authority [not just of those present and voting]. Following the resignation of Mr. Bell, Sandwell MBC appointed Mr. Ray Tomkinson as an Independent Member. Mr. Tomkinson was appointed as an Independent Member to the Fire Authority in 2017/18 and has again agreed to continue in this role for a further year until the AGM in June 2020.

- 6.4 The Appointments, Standards and Appeals Committees were amalgamated into one committee in 2018/19 and comprise 7 members . It has been the practice to invite the independent person/s to attend as observer at meetings considering matters relating to Standards issues.

## 7. **Audit and Risk Committee**

- 7.1 The Authority established an Audit Committee in September 2007. Its remit was expanded in 2010/11 to take on performance management functions.
- 7.2 Mr M Ager has served as an independent Member of the Audit Committee since 2007. The West Midlands Fire and Rescue Authority appointed Mr Ager for a three year term of office expiring with the Annual Meeting of the Authority in June 2016. Mr Ager agreed to continue in this role for a further year until 30 June 2017 and has again agreed to continue in this role for a further year until the AGM in June 2022.
- 7.3 The Audit and Risk Committee will now comprise of 5 Members and 1 Independent Member.

## 8. **Scrutiny Committee**

The Scrutiny Committee will now comprise of 7 Members and a coopted member.

## 9. **Collaboration and Transformation Committee**

The Collaboration and Transformation Committee and will comprise 7 Members and a coopted member.

## 10. **EQUALITY IMPACT ASSESSMENT**

- 10.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out because the matters contained in this report do not relate to a policy change.

## 11. **LEGAL IMPLICATIONS**

- 11.1 The Local Government and Housing Act 1989 provides that where a Joint Authority is divided into different political groups, it shall review the representation of those groups. It also has a duty following such a review, to determine the allocation of committee seats to the different political groups into which the Members of the Authority are divided.
- 11.2 Non-compliance with the provisions of the 1989 Act would render the Authority's decisions vulnerable to judicial review.

## 12. **FINANCIAL IMPLICATIONS**

- 12.1 Provision is made in the Authority's budget for the payment of Members' allowances.

## **BACKGROUND PAPERS**

None

The contact name for this report is Michele Pym, telephone number 0121 380 7015.

Karen Gowreesunker  
Clerk to the Authority

Satinder Sahota  
Monitoring Officer



**West Midlands Fire and Rescue Authority**

Item 13

**Political Balance of Committees for 2019/2020**

Note: Proportionality applies to the Committees shown above the line.  
Those below are exempt.

**Committee**

	<b>Conservative</b>	<b>Labour</b>	<b>Total</b>
Appointments, Standards and Appeals	2	5	7*
Audit and Risk	2	3	5*
Collaboration and Transformation	2	5	7***
Scrutiny	2	5	7**
<b>Total</b>			<b>26</b>

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Policy Planning Forum****	5	10	15
Joint Consultative Panel	2	3	5

\* one independent member

\*\* plus one Cooptee

\*\*\* plus 1 cooptee and the Police and Crime Commissioner

\*\*\*\* plus 2 cooptees, the Police and Crime Commissioner and observers



**West Midlands Fire and Rescue Authority**  
**Appointments to Committees and Panels 2021/22**

<b>Appointments, Standards and Appeals Committee</b> <b>7 elected members plus 1 Observer</b> <b>(Lab 5; Con 2)</b> <b>At least one Member from each Authority</b>	
<b>Councillor</b>	<b>Substitute</b>
Cllr Seamus Walsh (Chair) (Coventry)	Cllr Catherine Miks (Coventry)
Cllr Greg Brackenridge (Vice Chair) (Wolverhampton)	Cllr Jas Dehar (Wolverhampton)
Cllr Zafar Iqbal (Birmingham)	Cllr Sybil Spence (Birmingham)
Cllr Charn Singh Padda (Sandwell)	Cllr Kirat Singh (Sandwell)
Cllr Ann Young (Walsall)	Cllr Mary Locke (Birmingham)
Cllr Nicolas Barlow (Dudley)	Cllr Peter Miller (Dudley)
Cllr Peter Hogarth (Solihull)	Cllr David Barrie (Birmingham)
Independent Person (Standards Items only)	
Ray Tomkinson (Observer)	

<b>Authority</b> 15 elected members & 3 co-opted members (Lab 10; Con 5) All Members to attend 1 Independent 3 Observers	<b>Policy Planning Forum</b> 15 elected members & 3 co-opted members (Lab 10; Con 5) All Members to attend. 1 Independent 3 Observers
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**Scrutiny Committee  
(7 elected members)  
(Lab 5; Con 2)**

**Plus 1 Co-opted Member (Non-Voting)**

<b>Councillor</b>	<b>Substitute</b>
Cllr Sybil Spence (Chair) (Birmingham)	Cllr Zafar Iqbal (Birmingham)
Cllr Mary Locke (Vice Chair) (Birmingham)	Cllr Zafar Iqbal (Birmingham)
Cllr Jas Dehar (Wolverhampton)	Cllr Catherine Miks (Coventry)
Cllr Kirat Singh (Sandwell)	Cllr Charn Singh Padda (Sandwell)
Cllr Ann Young (Walsall)	Cllr Charn Singh Padda (Sandwell)
Cllr Nicolas Barlow (Dudley)	Cllr Peter Hogarth (Solihull)
Cllr David Barrie (Birmingham)	Cllr Kenneth Ferguson (Walsall)
Co-opted Member (tbc by ABCA)	

**Collaboration and Transformation Committee  
7 elected members  
(Lab 5; Con 2)**

**West Midlands Police & Crime Commissioner  
Plus 1 Co-opted Member (Non-Voting)**

<b>Councillor</b>	<b>Substitute</b>
Cllr Jas Dehar (Chair) (Wolverhampton)	Cllr Greg Brackenridge (Wolverhampton)
Cllr Kirat Singh (Vice Chair) (Sandwell)	Cllr Charn Singh Padda (Sandwell)
Cllr Catherine Miks (Coventry)	Cllr Seamus Walsh (Coventry)
Cllr Zafar Iqbal (Birmingham)	Cllr Sybil Spence (Birmingham)
Cllr Mary Locke (Birmingham)	Cllr Sybil Spence (Birmingham)
Cllr Nicolas Barlow (Dudley)	Cllr Peter Miller (Dudley)
Cllr Peter Hogarth (Solihull)	Cllr David Barrie (Birmingham)
Simon Foster (West Midlands Police & Crime Commissioner)	
Professor Simon Brake	



<b>Audit and Risk Committee</b> <b>5 members</b> <b>(Lab 3; Con 2)</b> <b>Plus 1 Independent</b>	
<b>Councillor</b>	<b>Substitute</b>
Cllr Catherine Miks (Chair) (Coventry)	Cllr Seamus Walsh (Coventry)
Cllr Charn Singh Padda (Vice Chair) (Sandwell)	Cllr Kirat Singh (Sandwell)
Cllr Sybil Spence (Birmingham)	Cllr Mary Locke (Birmingham)
Cllr David Barrie (Birmingham)	Cllr Kenneth Ferguson (Walsall)
Cllr Peter Miller (Dudley)	Cllr Nicolas Barlow (Dudley)
Mike Ager (Independent Member)	

<b>Joint Consultative Panel</b> <b>(5 elected members + 5 employee representatives)</b> <b>(Lab 3; Con 2)</b>	
<b>Councillor</b>	<b>Substitute</b>
Cllr Ann Young (Chair) (Walsall)	Cllr
Cllr Greg Brackenridge (Vice Chair) (Wolverhampton)	Cllr Jas Dehar (Wolverhampton)
Cllr Charn Singh Padda (Sandwell)	Cllr Kirat Singh (Sandwell)
Cllr Kenneth Ferguson (Walsall)	Cllr Peter Hogarth (Solihull)
Cllr Peter Miller (Dudley)	Cllr David Barrie (Birmingham)



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

**APPOINTMENT OF REPRESENTATIVES TO SERVE ON OTHER BODIES**

Report of the Clerk

**1 RECOMMENDED**

THAT the Authority nominates representatives to serve on the bodies set out in the attached Appendix for the one-year term of office expiring with the Annual Meeting of the Authority in June 2022.

**2. PURPOSE**

The purpose of the report is to request the Authority to appoint representatives to serve on other bodies during 2021/2022.

**3. REPORT DETAILS**

The Authority is requested to appoint representatives to serve on other bodies as indicated in the attached schedule.

**4. EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out.

**5. LEGAL IMPLICATIONS**

- 5.1 The Local Government and Housing Act 1989 provides that the principles of proportionality apply where the Authority makes more than three appointments to bodies specified in the Act. An indication is given in the appendix where proportionality applies.

6. **FINANCIAL IMPLICATIONS**

Provision has been made in the Authority's budget to meet any costs involved relating to Members' allowances.

The contact name for this report is Michele Pym, telephone number 0121 380 7015.

Karen Gowreesunker  
Clerk to the Authority

**West Midlands Fire and Rescue Authority**

**Appointments to Other Bodies 2021/22**

<b>Organisation</b>	<b>Representative/s 2021/22</b>	<b>Notes</b>
<b>Local Government Association General Assembly*</b> (4 representatives)	Chair and Vice-Chair (or their nominees)  The Chair was authorised to exercise the Authority's Corporate Vote at the Local Government Association General Assembly. The Authority is entitled to 18 General Assembly votes which are allocated on the basis of proportionality of the General Assembly.	Proportionality applies.  The Association encourages Authorities entitled to three or four representatives on the General Assembly to allocate one of those positions to Minority Group Leaders on their Authorities.
<b>Local Government Association - Fire Service Commission</b> (3 representatives)	Chair of the Authority	Proportionality applies. Formerly the Fire Services Forum.

<b>Organisation</b>	<b>Representative/s 2021/22</b>	<b>Notes</b>
<b>West Midlands Road Safety Partnership</b>	Cllr Padda	Now - West Midlands Regional Road Safety Strategic Group. A review of required membership to this partnership group needs to take place during 2021/22
<b>Association of Metropolitan Fire and Rescue Authorities</b>	Chair and Vice-Chair of the Authority	
<b>West Midlands Fire Service Business Safety Limited</b>	(Dormant)	Application for Strike Off made to Companies House
<b>West Midlands Combined Authority</b>	Chair of the Authority	WMCA Board Observer

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

1. **MEMBER ATTENDANCE AT CONFERENCES, SEMINARS AND VISITS**

Report of the Clerk.

RECOMMENDED

THAT the events for 2021/22 set out in the attached Appendix be approved for the purpose of the payment of travel and subsistence allowances and conference fees (where appropriate), subject to the necessary budgetary provision being available.

2. **PURPOSE OF REPORT**

To seek approval for attendance of members at conferences and seminars for 2021/22.

3. **BACKGROUND**

- 3.1 The schedule of Approved Duties within the Members' Allowances Scheme allows for 'attendance as an appointed representative of the Authority, or of a Committee or Sub-Committee, at a conference, seminar or authorised meeting or visit at any other meeting authorised by the Authority.' A schedule of conferences, seminars and visits for the forthcoming year is submitted annually to the Authority for approval. The attached appendix provides for attendance by nominated members at two conferences and also makes provision for the approval of attendance by members at other ad hoc events, subject to the necessary budgetary provision being available.

4. **EQUALITY AND DIVERSITY IMPLICATIONS**

In preparing this report an initial Equality Impact Assessment is not required and has therefore not been carried out. The matters contained in this report do not relate to a policy change.

## **5. LEGAL AND STATUTORY IMPLICATIONS**

- 5.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 the Authority is required to make and publish a scheme setting out provisions for the payment of allowances to Members of the Authority.
- 5.2 Regulation 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003 states that such a scheme may provide for the payment of allowances in respect of travelling and subsistence undertaken in connection with or relating to such duties specified within the scheme (the scheme of approved duties).

## **6. FINANCIAL IMPLICATIONS**

Provision is included in the Authority's budget for costs associated with attendance at conferences and seminars and for members' travel and subsistence costs.

## **BACKGROUND PAPERS**

Members' Allowances Scheme.

The contact name for this report is Michele Pym, telephone number 0121 380 7015.

KAREN GOWREESUNKER  
Clerk to the Authority



## Appendix

Events proposed for approval by the Authority for 2021/2022 for the purpose of the payment of travel and subsistence allowances and conference fees (where appropriate), subject to the necessary budgetary provision being available.

<b>Event</b>	<b>Attendance By</b>	<b>Financial Implications</b>
Local Government Association Annual Fire Conference	Chair and Vice-Chair (or their nominees) and the Leader of the main Opposition Group	Conference fees and travel and subsistence
Local Government Association Annual Conference	Chair and Vice-Chair (or their nominees)	Conference fees and travel and subsistence
Asian Fire Services Association Conference	Chair and Chair & Vice-Chair of the Scrutiny Committee and the Leader of the main Opposition Group	Travel and subsistence
Fire Service Briefing Meetings arranged by the Home Office	Chair and Vice-Chair (or their nominee) OR all members of the Authority (as appropriate)	Travel and subsistence
Member training events/seminars organised by the Authority or approved by the Chair and Vice-Chair	All Members	Travel and subsistence
Communications visits to fire stations (up to two per quarter)	All Members	



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

**1. GOVERNANCE STATEMENT 2020/21**

Joint report of the Chief Fire Officer, Treasurer and Monitoring Officer.

RECOMMENDED

THAT the Authority approves the Governance Statement for 2020/21.

**2. PURPOSE OF REPORT**

This report is submitted to Members to seek comments and consideration of the Governance Statement for 2020/21.

**3. BACKGROUND**

- 3.1 West Midlands Fire and Rescue Authority is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for and used economically, efficiently and effectively. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 3.2 In discharging this overall responsibility, the Authority is also responsible for putting in place proper arrangements for the governance of its affairs, which includes arrangements for the management of risk.
- 3.3 Every Local Authority has to produce a Governance Statement (see attached Appendix) with its audited Statement of Accounts, which for 2020/21 are due to be made available by the end of September 2021.

- 3.4 The Governance Statement is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can, therefore, only provide reasonable and not absolute assurance of effectiveness. The Governance Statement is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.
- 3.5 The Statement is signed by the Chair of the Authority and the Chief Fire Officer who have a responsibility to ensure that the document is supported by reliable evidence and accurately reflects the Authority's internal control environment. The Governance Statement has operated throughout the year ended 31 March 2021 and up to date of the approval of the annual report and accounts.

#### 4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out because the matters contained in this report do not relate to a policy change.

#### 5. **LEGAL IMPLICATIONS**

The Authority has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. As part of this it has to produce a Governance Statement.

#### 6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

## **BACKGROUND PAPERS**

Audit and Risk Committee – 7 June 2021 (Agenda Item 6)

The contact officer for this report is Deputy Chief Fire Officer Wayne Brown, 0121 380 6907.

PHIL LOACH  
CHIEF FIRE OFFICER

MIKE GRIFFITHS  
TREASURER

SATINDER SAHOTA  
MONITORING  
OFFICER

**ANNUAL GOVERNANCE STATEMENT**

**1. Scope of Responsibility**

- 1.1 West Midlands Fire and Rescue Authority is responsible for ensuring that its business is conducted in accordance with the law and proper standards, that public money is safeguarded and properly accounted for. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.2 In discharging this duty, the Authority is also responsible for putting in place proper arrangements for the governance of its affairs which facilitates the effective exercise of the Authority's functions and which includes arrangements for the management of risk.
- 1.3 The Authority has complied with the code of corporate governance which is consistent with the principles of the revised CIPFA/SOLACE Framework 2016 published by CIPFA in association with the International Federation of Accountants (IFAC) – Delivering Good Governance in Local Government. The Authority has also complied with the requirements of CIPFA's statement on the role of the Chief Financial Officer in Local Government. This Annual Governance Statement explains how the Authority has complied with the code and also meets the requirements of Accounts and Audit (England) Regulations 2015, regulation 6 which require the Authority to prepare an Annual Governance Statement.

**2. The Purpose of the Governance Framework**

- 2.1 The governance framework comprises the systems and processes, culture and values by which the Authority is directed and controlled and its activities through which it accounts to and engages with the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, value for money services.
- 2.2 The system of internal control is a significant part of the framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can, therefore, only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies, aims and objectives, to evaluate the likelihood and potential impact of those risks being realised and the impact should they be realised and to manage them efficiently, effectively and economically.
- 2.3 The governance framework has been in place for the year ended 31<sup>st</sup> March 2021 and up to the date of the approval of the annual report and statement of accounts.

### **3. The Governance Framework**

The key elements of the systems and processes that comprise the Authority's governance arrangements include the following (adjustments required due to the Covid-19 pandemic are reflected in paragraph 5.11):-

- 3.1 The Authority has produced a Corporate Strategy setting out its objectives and there is regular performance monitoring in which achievement of the Authority's objectives is measured and monitored.
- 3.2 The Authority has established clear channels of communication with the community and stakeholders regarding the production of the Annual Report and consultation on the key priorities of the Service. This also encourages open communication.
- 3.3 The Authority facilitates policy and decision-making via regular Policy Planning Forums and Authority meetings. An Audit and Risk Committee provides independent assurance to the Authority on risk management and internal control and the effectiveness of the arrangements the Authority has for these matters. The constitution of the Committees including the terms of reference is reviewed annually and available on the Internet.
- 3.4 The Authority ensures compliance with established strategies, procedures, laws and regulations – including risk management. The Authority also maintains and reviews regularly its code of conduct and whistle blowing policy. There is a comprehensive induction programme in place and information regarding strategies and procedures are held on the intranet, which continues to be developed. The Authority has a strong Internal Audit function and established protocols for working with External Audit.
- 3.5 West Midlands Fire and Rescue Authority will continue to enhance and strengthen its internal control environment through the review of current policies and procedures.
- 3.6 The Authority has corporate risk management arrangements in place which are supported by an approved Risk Management Strategy enabling Managers and other senior officers to identify, assess and prioritise risks within their own work areas which impact on the ability of the Authority and its services to meet objectives. To consider the effectiveness of the Authority's risk management arrangements is a specific term of reference for the Audit and Risk Committee and risk management is a specific responsibility of both the Chair and Vice Chair.
- 3.7 The Authority's Corporate Risk Register identifies the principal risks to the achievement of the Authority's objectives and assesses the nature and extent of those risks (through assessment of likelihood and impact). The Register identifies risk owners whose responsibility includes the identification of controls and actions to manage them efficiently, effectively and economically.

- 3.8 The Authority ensures the economical, effective and efficient use of resources, and secures continuous improvement in the way in which its functions are exercised, by having regard to a combination of economy, efficiency and effectiveness as required by the Best Value duty. The Authority plans its spending on an established planning cycle for policy development, budget setting and performance management through the business planning process. This ensures that resources are aligned to priorities and secures best value from the resources that are available.
- 3.9 The Chief Financial Officer is a key member of the leadership team, helping to develop and implement the Authority's strategy. The Authority's financial system is an ORACLE based general ledger and management information system, which integrates the general ledger function with those of budgetary control and payments. Financial Regulations and Contract Procedure Rules are approved and regularly reviewed by the Authority. A rigorous system of monthly financial monitoring ensures that any significant budget variances are identified in a timely way, and corrective action initiated.
- 3.10 The Authority's performance management and reporting of performance management continues to be improved with a more focused Corporate Strategy, the setting of priorities and is supported by regular performance monitoring. Corporate performance is reported on a quarterly basis and this process provides officers and Members with the opportunity to share knowledge and understanding about key performance issues affecting services.
- 3.11 The Authority within its committee framework has an Appointment, Standards and Appeals Committee to promote high ethical standards amongst Members. This Committee leads on developing policies and procedures to accompany the Code of Conduct for Members and is responsible for local assessment and review of complaints about members' conduct. The Authority also has a Scrutiny Committee which undertakes performance management functions and informs policy development.
- 3.12 The Fire and Rescue National Framework for England sets out a requirement for Fire and Rescue Authorities to publish 'Statements of Assurance'. Specifically, Fire and Rescue Authorities must provide assurance on financial, governance and operational matters and show how they have had due regard to the expectations set out in their integrated risk management plan and the requirements included in this Framework. The Authority has approved the Statement of Assurance which is available on the Service's website.



#### **4. Review of Effectiveness**

4.1 The Authority has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the statutory officers and principal managers of the Authority who have responsibility for the development and maintenance of the governance environment, the internal audit annual report and comments made by the external auditors in their annual audit letter and other reports.

4.2 Section unit business plans contain a variety of performance indicators and targets that are regularly reviewed.

4.3 The Authority's political governance arrangements, which are appropriately reviewed by officers, set out the responsibilities of both Members and senior managers. In particular the Authority has identified the following statutory post holders:-

- Chief Fire Officer
- Treasurer
- Monitoring Officer

In addition to the statutory posts, the post of Clerk to the Authority has been maintained.

4.4 The arrangements for the provision of internal audit are contained within the Authority's Financial Regulations. The Treasurer is responsible for ensuring that there is an adequate and effective system of internal audit of the Authority's accounting and other systems of internal control as required by the Accounts and Audit Regulations 2015. The internal audit provision operates in accordance with the CIPFA Code of Practice for Internal Audit in Local Government. The Authority's Audit Plan is prioritised by a combination of the key internal controls, assessment and review on the basis of risk and the Authority's corporate governance arrangements, including risk management. The work is further supplemented by reviews around the main financial systems, scheduled visits to Authority establishments and fraud investigations. Internal Audit leads on promoting a counter-fraud culture within the Authority.

4.5 The resulting Audit Plan is discussed and agreed with officers of the Strategic Enabling Team and the Audit and Risk Committee and shared with the Authority's external auditor. Meetings between the internal and external auditor ensure that duplication of effort is avoided. All Authority Audit reports include an assessment of the adequacy of internal control and prioritised action plans to address any areas needing improvement.

- 4.6 The Authority's review of the effectiveness of the system of internal control is informed by:-
- The work undertaken by Internal Audit during the year;
  - The work undertaken by the external auditor reported in their annual audit;
  - Other work undertaken by independent inspection bodies.
- 4.7 From the work undertaken by Internal Audit in 2020/2021 the Internal Audit has given a 'reasonable assurance' that the Authority has adequate and effective governance, risk management and internal control processes. This represents an unqualified opinion and the highest level of assurance available to Audit Services. In giving this opinion it is recognised that assurance can never be absolute. The most that internal audit can provide is reasonable assurance that there are no major weaknesses in the Authority's governance, risk management and control processes.
- 4.8 The Authority is able to confirm that its financial management arrangements conform to the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government.
- 4.9 Audit Services have reported and advised on the implications of the result of the review of effectiveness of the governance framework by the sources noted above and that the arrangements continue to be regarded as fit for purpose in accordance with the Authority's governance framework. The areas to be specifically addressed are outlined in 5.5.

## **5. Significant governance arrangements within the Authority**

- 5.1 West Midlands Fire and Rescue Authority has a legal duty to provide an efficient, safe and effective fire and rescue service. The key priorities are:-
- Prevention – Safer and healthier communities
  - Protection – stronger business communities
  - Response – dealing effectively with emergencies
- 5.2 These form the basis of the Authority's Annual Plan 2020-23 which sets out the outcomes and priorities based on the Community Risk Management Plan and Medium-Term Financial Plan. The five-minute attendance standard lies at the heart of the Service Delivery Model. The model shows how staff provide the core prevention, protection and response services to make the West Midlands safer, stronger and healthier.
- 5.3 Grant Thornton, the Authority's External Auditors, published the Audit Findings Report for its 2019/2020 audit work which reported an unqualified opinion on the financial statements. It also issued an unqualified value for money conclusion stating that the Authority had proper arrangements in all significant respects to ensure it delivered value for money in the use of resources.

5.4 Based on audit work undertaken during the year an Annual Internal Audit Report was presented to the Audit and Risk Committee on 7 June 2021, Audit work which was completed in 2020/2021 included:-

- Risk Management
- Governance
- Fire Stations – Management of Fuel
- Absence Management
- Data Protection
- Payroll
- Accounts Receivable
- Accounts Payable
- Fixed Asset Accounting
- Budgetary Control

5.5 As a result of these audits the following was identified as the main issue:-

**Absence Management**

A review was undertaken to provide assurance of compliance with the requirements of the absence management policy. The review identified issues relating to:

- Examples were found of managers not following guidance on the recording of Fit notes (a Fit note is an official written statement from a doctor giving their medical opinion on a person's fitness for work) within the Authority's Human Resources (HR) management systems, including long term absences. In some cases, there was insufficient evidence to cover the total periods of sickness for these employees.
- One instance was found where a manager had made a decision outside of normal absence management procedures without seeking the advice of HR. This creates a risk that the Authority may not be able to demonstrate that actions are applied consistently and equitably.
- There was a lack of record keeping evidencing that an absence for an employee reaching a staged trigger, had been managed in accordance with the Authority's attendance management policy. There were certain mitigating circumstances, as responsibility for monitoring the absence had passed between manager's, but the root cause was that the necessary information had not been properly recorded and correctly updated to the required HR systems, and as such there was no clear trail of information to enable an informed handover to take place.
- There were no additional management checks on a sample of absences that had hit sickness triggers for compliance checking and monitoring.

- 5.6 The issues outlined above, together with any other issues highlighted in the Annual Internal Audit Report have been raised with relevant managers and actions have been taken to achieve improvements.
- 5.7 In February 2020, the Secretary of State for Ministry of Housing, Communities and Local Government (MHCLG) confirmed the Authority's funding settlement for 2020/21, which was a one-year settlement only.
- 5.8 In October 2020, the Treasury confirmed the decision of the Chancellor and Prime Minister that the Comprehensive Spending Review would only set departmental budgets for 2021/22 rather than the anticipated next three or four years, due to the economic disruption caused by Covid-19.
- 5.9 The funding settlement for 2021/22 was therefore also a one year only arrangement and in the Secretary of State for MHCLG settlement announcement there was no indication of further funding levels beyond 2021/22. In planning for the 2022/23 budget, for illustrative purposes a reduction of 5% was reflected in the overall core funding and a further 5% in 2023/24. It should be noted that this is a very provisional figure and there is the potential for the scale of reductions to be of a greater magnitude than this base assumption. Every 1% reduction in core funding represents a loss of circa £0.530m funding for the Authority.
- 5.10 With the anticipation of cuts to government funding continuing into future years, combined with pressures on Council Tax and business rate levels as a consequence of the Coronavirus pandemic, the Authority potentially faces considerable financial pressures which could result in difficulties to deliver an efficient and effective service, which in turn would increase the risk to the communities of the West Midlands. A key aim for the Authority is to therefore identify and deliver further Service efficiencies to ensure the ongoing stability of the Authority's financial position.
- 5.11 Covid-19 Governance Impact 2020/21  
Since March 2020, the Coronavirus pandemic resulted in two nationwide lockdowns and an emergency response, which had impacts on the Authority's "business as usual" during 2020/21.

During the initial period of lockdown, the Authority invoked Decisions under Matters of Urgency (Section 17.1 Authority Standing Orders) enabling the continuity of decision making by the Chief Fire Officer and Chair of the Authority on items of strategic importance. Items agreed and subsequently reported to the Authority, when it re-convened following legislation approving virtual decision-making meetings, included:

- approval of the appointment of a Deputy Monitoring Officer,
- approval of the WMFS key performance targets.

Several meetings were cancelled during the early weeks of the lockdown period and arrangements were made for Authority Members to be kept informed using weekly Authority Covid-19 briefings via video conferencing. During 2020/21 the Authority held Authority and Statutory Committee meetings virtually, in accordance with the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) Regulations 2020 published by the Government allowing participation by remote attendance during the period that physical meetings were not permitted.

## **6. Certification**

To the best of our knowledge, the governance arrangements, as outlined above have been effectively operating during the year with the exception of those areas identified as requiring improvement. We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified during the review of effectiveness and will monitor their implementation and operation as part of our annual review.

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Greg Brackenridge  
Chair  
West Midlands Fire & Rescue Authority

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Phil Loach  
Chief Fire Officer



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

**1. MONITORING OF FINANCES**

Report of the Treasurer.

RECOMMENDED

THAT the report be noted.

**2. PURPOSE OF REPORT**

2.1 This report deals with the monitoring of the finances of the Authority in the current financial year and covers revenue expenditure and the Capital Programme.

2.2 Expenditure is compared with a profile of the Authority's budget.

**3. BACKGROUND**

**3.1 Revenue Expenditure**

3.1.1 The Authority's 2020/2021 Council Tax requirement is £45.038 million and the revenue budget is £101.749 million.

3.1.2 Appendix A compares the revenue budgeted to the end of May 2021 with the actuals to that date. Devolved budgets are managed by the Section responsible for incurring the expenditure as opposed to corporate budgets, which are managed by the named Section on behalf of the Brigade as a whole.

3.1.3 Actual spend to May 2021, including commitments, was £15.695 million compared to a projected budget of £15.772 million, an overall favourable variance of £0.077 million.

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

### 3.2 **Capital Expenditure**

- 3.2.1 The Authority's approved capital programme for 2021/2022 is £7.975 million. A scheme analysis is shown on Appendix C. Expenditure to the end of May 2021 is shown as £1.284 million.

## 4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out because the matters contained in this report do not relate to a policy change.

## 5. **LEGAL IMPLICATIONS**

The course of action recommended in this report does not raise issues which should be drawn to the attention of the Authority's Monitoring Officer.

## 6. **FINANCIAL IMPLICATIONS**

These are contained in the body of the report and the attached Appendices.

## **BACKGROUND PAPERS**

Authority's Budget and Precept Report – February 2021  
Finance Office Budget Monitoring Files

The contact officer for this report is Wayne Brown, Deputy Chief Fire Officer, telephone number 0121 380 6907.

MIKE GRIFFITHS  
TREASURER



## REVENUE MONITORING SUMMARY TO MAY 2021

	LATEST BUDGET 2021/2022 £'000	PROFILED BUDGET £'000	ACTUALS + COMMIT- MENTS £'000	VARIANCE TO PROFILED BUDGET £'000
<b>DEVOLVED BUDGETS</b>				
Corporate Management	1,135	202	190	-12
Strategic Hub	598	115	103	-12
Portfolio & Organisational Intelligence	762	227	215	-12
Ops North, Preparedness & Response	2,086	305	239	-66
Ops South & Fire Control	2,466	467	454	-13
Prevention	6,368	1,042	972	-70
Protection	478	90	101	11
Resourcing	5,846	1,072	1,056	-16
Digital & Data	5,245	1,114	1,111	-3
Policy & Organisational Assurance	947	172	193	21
Communications & Engagement	858	171	182	11
People Support Services	525	83	85	2
Employee Relations	246	78	80	2
Organisational Development	58	10	10	-
Organisational Learning & People Development	4,091	707	765	58
Health, Safety & Wellbeing	2,583	474	464	-10
<b>CORPORATE BUDGETS</b>				
Ops North, Preparedness & Response	-116	9	8	-1
Ops South & Fire Control	46,988	7,876	7,913	37
Prevention	-48	8	-4	-12
Protection	100	17	24	7
Resourcing	16,375	871	858	-13
Digital & Data	131	90	90	0
People Support Services	2,230	420	431	11
Employee Relations	105	24	23	-1
Organisational Learning & People Development	100	18	27	9
Health, Safety & Wellbeing	-7	2	-2	-4
<b>Other Income &amp; Expenditure</b>	1,599	108	107	-1
<b>Appropriation to Reserves</b>	-	-	-	-

<b>TOTAL (NET BUDGET REQUIREMENT)</b>	<b>101,749</b>	<b>15,772</b>	<b>15,695</b>	<b>-77</b>
Core Funding	-56,711	-14,907	-14,907	-
<b>TOTAL (COUNCIL TAX REQUIREMENT)</b>	<b>45,038</b>	<b>865</b>	<b>788</b>	<b>-77</b>

**FIREFIGHTERS' PENSION SCHEMES**

**NON-FINANCIAL  
INFORMATION**

	2021/22 PROJECTION				ACTUAL POSITION AS AT MAY 2021			
	1992 FPS	2006 FPS	2015 FPS	TOTAL	1992 FPS	2006 FPS	2015 FPS	TOTAL
<b>Members of FPS at 1<sup>st</sup> April 2021</b>	76	6	1,169	1,251	76	6	1,169	1,251
<b>New Members</b>	-	-	82	82	-	-	-	-
<b>Opt-In (including net auto-enrolment)</b>	-	-	10	10	-	-	2	2
<b>Transitional Members during year</b>	-32	-	32	-	-	-	-	-
<b>Transfers from Other Pension Schemes</b>	-	-	4	4	-	-	-	-
<b>Transfers to Other Pension Schemes</b>	-	-	-4	-4	-	-	-	-
<b>Retirements</b>	-44	-6	-26	-76	-14	-1	-	-15
<b>Opt-Out</b>			-5	-5	-	-	-	-
<b>Leavers</b>			-5	-5	-	-	-	-
<b>Ill-Health Retirements</b>			-2	-2	-	-	-	-
<b>Members of the Fire Pension Schemes as at 31 May 2021</b>					62	5	1,171	1,238

**CAPITAL MONITORING STATEMENT 2021/22**

<b>Scheme</b>	<b>Year 2021/22</b>	<b>Latest Budget £'000</b>	<b>Actuals May 2021 £'000</b>	<b>Forecast £'000</b>	<b>Variance £'000</b>
<b>LAND &amp; BUILDINGS</b>					
Boiler Replacement Programme	Ongoing	285	0	280	-5
Roof Replacements	Ongoing	892	10	892	-
Windows/Door Replacement	Ongoing	677	0	681	4
Rewires	Ongoing	399	0	399	-
Drill Tower and Burn Facility	1 of 2	679	285	679	-
Other Building Modifications	2 of 2	59	2	59	-
Security Works	3 of 3	73	23	82	9
Occupational Health Relocation	3 of 3	36	0	36	-
Aston Fire Station	7 of 7	97	8	87	-10
Health & Safety Works (COVID)	2 of 2	320	260	320	-
<b>VEHICLES</b>					
Vehicle Replacement Programme	Ongoing	4,308	696	4,308	-
<b>ICT &amp; EQUIPMENT</b>					
C&C Upgrade-Vision 4/ESMCP	4 of 4	150	0	150	-
<b>Grand Total</b>		<b>7,975</b>	<b>1,284</b>	<b>7,973</b>	<b>-2</b>
<b>Funded By</b>					
Prudential Borrowing		0		0	-
Capital Grants / Contributions		74		74	-
Capital Receipts to be Applied		0		0	-
Revenue Financing / Earmarked Reserves		7,901		7,899	-2
<b>TOTAL</b>		<b>7,975</b>		<b>7,973</b>	<b>-2</b>
<b>SURPLUS(-)/DEFICIT(+)</b>					

## **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

### **1. DECISIONS TAKEN UNDER ‘MATTERS OF URGENCY’**

Report of the Chief Fire Officer.

#### **RECOMMENDED**

- 1.1 THAT Members note the decisions taken and approved under ‘Matters of Urgency’ during the period of the Covid-19 pandemic when the West Midlands Fire and Rescue Authority (WMFRA) meeting was 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

### **2. PURPOSE OF REPORT**

- 2.1 This report is submitted to confirm retrospectively the five decisions taken and approved under ‘Matters of Urgency’ whilst the WMFRA meeting was postponed during the Covid-19 pandemic.

### **3. BACKGROUND**

- 3.1 Following the notification of a major incident being declared across the West Midlands and Warwickshire by West Midlands Police (Thursday, 19th March 2020) in response to the Covid-19 pandemic, some of the full WMFRA and its Committee meetings were cancelled to enable a full focus on business continuity arrangements. The exception was the Audit and Risk Committee which is a Statutory Committee.

- 3.2 The WMFRA operated within the auspices of new legislation; The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 came into force on 3 April 2020 and expired on 7 May 2021. The legislation enabled WMFRA (as a local authority) to hold and alter the frequency and occurrence of statutory meetings without requirement for further notice (Regulation 4) and make provision for Councillors/Members of WMFRA to attend meetings remotely (Regulation 5). Attendance at meetings was permissible via audio link, if video link was unavailable. The WMFRA met weekly for online briefings from the Chief Fire Officer (CFO) on business continuity planning during the response phase of the pandemic. This progressed to monthly online briefings through Policy Planning Forum during the recovery phase of business continuity, The Fire Authority met on three occasions and the Audit and Risk Committee met on four.
- 3.3 The Constitution of WMFRA makes provision for required decisions that cannot be postponed being considered under Standing Order 17.1 'Arrangements to Act in Matters of Urgency'. This order provides the CFO with the delegation to make urgent decisions in consultation with the Chair and Vice Chair. This approach was implemented primarily to enable officers to focus on Business Continuity Planning for the Covid-19 pandemic, thereby reducing the impact on officer capacity.

#### 4. **PROCUREMENT POLICY**

- 4.1 The report sought the approval to amend Policy 1/8 Procurement Procedures.
- 4.2 The Policy has been reviewed in line with the UK leaving the European Union. The Cabinet Office has issued two Procurement Policy Notes which have been incorporated into the Authority's Procurement Policy. The main changes are:
- a change to the existing public procurement regulatory regime is that from 2300 hours on 31 December 2020, new UK public procurement opportunities will need to be published on the UK e-notification service called Find a Tender service (FTS). The FTS means new UK opportunities will no longer be sent to the Official Journal of the European Union (OJEU) or Tenders Electronic Daily (TED).

- the UK's exit from the EU means that additional freedoms, in relation to contract spend on goods, services and works contracts with a value below the public procurement threshold are available
- other changes to the Procurement Policy include replacing reference to the 'EU Directive' with 'Public Contracts Regulations 2015' and 'EU Threshold' with 'Public Procurement Threshold'.

It was RECOMMENDED:

That the Chief Fire Officer approve the revised Procurement Procedures Policy attached as Appendix 1 to this report.

The decision was made in accordance with Standing Orders by the Chief Fire Officer in consultation with the Chair, Vice Chair, Opposition Leader and Clerk to WMFRA. The decision was reported to the WMFRA Policy Planning Forum of 01 March 2021. It was resolved that the resolution be reported to the next ordinary meeting of the Fire Authority.

## 5. **PLANNED PROCUREMENT 2021/22**

- 5.1 The report was submitted to provide the rationale for the planned tender exercises and included the proposed route to market and funding provision as per Procurement Policy 1/8.
- 5.2 The Authority's Procurement Procedure requires a preliminary report to be submitted to the Authority for approval prior to the commencement of any tender exercise detailing the rationale for the procurement, the proposed route to market and the funding provisions. It should also be noted that the proposed tender exercise contained within the report can be supplemented with further reports to the Authority prior to the award of contract if requested by Members.

It was RECOMMENDED:

That the Chief Fire Officer give approval to proceed with the following tender exercises for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2021/22:

1. Roofing works
2. Reactive repairs framework agreement
3. Breathing apparatus sets
4. Pension system
5. Smoke alarm framework agreement
7. Air conditioning alterations
8. Leadership and development programme

The decision was made in accordance with Standing Orders by the Chief Fire Officer in consultation with the Chair, Vice Chair, Opposition Leader and Clerk to WMFRA. The decision was reported to the WMFRA Policy Planning Forum of 1 March 2021. It was resolved that the resolution be reported to the next ordinary meeting of the Fire Authority.

## 6. **STATEMENT OF ASSURANCE 2019/20**

- 6.1 The Fire and Rescue National Framework for England published in May 2018 sets out a requirement for Fire and Rescue Authorities to review and publish a 'Statement of Assurance' on an annual basis. The requirement is contained within Chapter 4 of the Framework which focuses on governance.
- 6.2 In line with this expectation, the Authority's Statement of Assurance (attached as Appendix 1) has been reviewed for the year 2019-20 and submitted for approval.
- 6.3 The 'Guidance on statements of assurance for Fire and Rescue Authorities in England' issued by the Government in May 2013 remains current. The guidance stipulates the content of a Statement of Assurance.

The following three key areas must form part of any Statement of Assurance:

- Financial
- Governance
- Operational

- 6.4 Additionally, the guidance states that Fire and Rescue Authorities may wish to include a section on any potential improvements they have identified across their accounting, governance, or operational responsibilities to communities. Therefore, a section entitled



‘Future Improvements’ has been included in keeping with the guidance and as per previous iterations of the Authority’s Statement of Assurance.

It was RECOMMENDED:

That the Chief Fire Officer approves the Statement of Assurance 2019-20 attached as Appendix 2 to this report.

The decision was made in accordance with Standing Orders by the Chief Fire Officer in consultation with the Chair, Vice Chair, Opposition Leader and Clerk to WMFRA. The decision was reported to the WMFRA Policy Planning Forum of 29 March 2021. It was resolved that the resolution be reported to the next ordinary meeting of the Fire Authority.

## **7. PAY POLICY STATEMENT 2021/22**

- 7.1 The Section 38 (1) of The Localism Act 2011 requires Fire and Rescue Authorities to produce a Pay Policy Statement for each financial year.
- 7.2 A Pay Policy Statement is expected to comply with the following elements:
- a relevant Authority must prepare a Pay Policy Statement for each financial year.
  - a Pay Policy Statement for a financial year must set out the Authority’s policies for the financial year relating to the remuneration of its Chief Officers.

A Pay Policy Statement for a financial year may also set out the Authority’s policies for the financial year relating to the other terms and conditions applying to the Authority’s Chief Officers.

It was RECOMMENDED:

That the Chief Fire Officer approves the Pay Policy Statement for the financial year 2020/2021 attached as Appendix 3 to this report.

The decision was made in accordance with Standing Orders by the Chief Fire Officer in consultation with the Chair, Vice Chair, Opposition Leader and Clerk to WMFRA. The decision was reported to the WMFRA Policy Planning Forum of 29 March 2021.

It was resolved that the resolution be reported to the next ordinary meeting of the Fire Authority.

## **8. APPROVAL OF CORPORATE PERFORMANCE INDICATORS 2021/22**

- 8.1 The WMFRA discusses and approves annually the Corporate Performance Indicators by which the Service will measure its performance against the priorities published in its three-year rolling strategy.
- 8.2 The Service, despite operating under Business Continuity Plans, was seeking to fulfil its responsibilities and Service Delivery Model to its communities. The impact of the Covid-19 pandemic upon performance could not be adequately measured without the identified performance targets (based on a three-year average of previous performance) being in place. Such an approach supported the process of graduated tolerances for performance introduced in 2017/18. The future reporting to both Scrutiny Committee and Audit and Risk would be detrimentally affected without the continuity of systems of measuring performance.

It was RECOMMENDED:

That the Chief Fire Officer approves the Corporate Performance Indicators (PIs) and targets for 2021/22 as set out in Appendix 4 to this report.

The decision was made in accordance with Standing Orders by the Chief Fire Officer in consultation with the Chair, Vice Chair, Opposition Leader and Clerk to WMFRA. The decision was reported to the WMFRA Policy Planning Forum of 17 May 2021. It was resolved that the resolution be reported to the next ordinary meeting of the Fire Authority.

## **9. EQUALITY IMPACT ASSESSMENT**

In preparing this report a full Equality Impact Assessment has not been undertaken.

## **10. LEGAL IMPLICATIONS**

There are no legal implications associated to this report.

## 11. **FINANCIAL IMPLICATIONS**

There are no direct implications arising from this report. The Authority's budget for 2021/22 supports the delivery of the priorities, strategic objectives, and outcomes.

## 12. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications.

## **BACKGROUND PAPERS**

West Midlands Fire and Rescue Authority 15 February 2021 'The Plan 2021-24

The contact name for this report is Karen Gowreesunker, Strategic Enabler, Strategic Hub, telephone number 07973 810338

PHIL LOACH  
CHIEF FIRE OFFICER





# Procurement Procedures Policy



AMENDMENT



CONTENT



RESPONSIBILITIES



PROCEDURE

Item 18

## 1

### STRATEGY

It is the strategy of West Midlands Fire and Rescue Authority (WMFRA) that all expenditure or income, incurred or received, in relation to any contract into which the Service enters, shall be processed in accordance with this policy and the Authority's Financial Regulations. The aim is to ensure a consistent value for money approach to procurement in all areas of activity, in a way that maintains public accountability and complies with all UK Procurement Legislation and minimises the risk of any allegations of fraud or malpractice.

When letting a contract, its monetary value and strategic importance shall determine the appropriate course of action in accordance with the WMFRA Procurement Procedures. All procurements, no matter of value, must follow the principles of Equal Treatment, Non-discrimination, Mutual Recognition, Proportionality and Transparency.

All procedural matters set out in the Procurement policy shall be subject to audit by the Authority's internal and external auditors.

It is a mandatory Government requirement that all expenditure by the Authority in excess of £5,000 is published on the Authority's internet site and this can lead to the submission of Freedom of Information requests. It is therefore vital that suitable records of all expenditure are maintained for this as well as audit purposes.

The Procurement Policy must be complied with on all occasions.

The procurement of all ICT goods and services must be secured via ICT and must not be purchased directly

## 2

### PURPOSE

The purpose of this policy is to provide the procedure and guidance for awarding contracts on behalf of the Authority.

This policy applies to capital and revenue expenditure. It shall also apply in respect of income, excluding income obtained from external funding, partnerships, sponsorship, or any special funding obtained as part of a bidding process.

These procedures will also apply to any tendering activity that is carried out by West Midlands Fire Service Business Safety Limited (currently dormant).



# Procurement Procedures Policy



AMENDMENT



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RESPONSIBILITIES



PROCEDURE

## 3

### RESPONSIBILITY

Any employee of WMFS with a pecuniary or other interest in any contract let by the Authority must, whether or not they have been directly involved in the award of such a contract, submit a report to the Team Leader, Service Support Administration detailing the nature of their interest.

Service Support Administration will maintain a register of pecuniary interests for inspection by auditors and will verify annually that any declared interests are still current.

Employees should not let personal or private interests affect their judgement of the public interest. Members of the Authority and employees should treat these non-pecuniary interests on the same basis as the law requires them to treat pecuniary interests. Members' interests shall be registered by the Clerk to the Authority.

Employees should ensure that hospitality given or received in connection with their appropriate duties can always be justified in the public interest. Similarly, gifts should not be accepted, the only exception being items of a very minor complimentary or token nature which could in no way be construed as offering financial or other material inducement ( Anti-Fraud Corruption and Bribery Policy for further guidance).

It is the Budget Holders responsibility to ensure funding is available before any procurement exercise is undertaken.

## 4

### PROCEDURES

#### Definitions

**'Asset':** An item with a cash value

**'Authority':** West Midlands Fire and Rescue Authority (WMFRA)

**'Budget Holder':** The person or persons authorised to incur expenditure in accordance with the estimates that make up a budget.

**'Central Purchasing Team':** the team responsible for sourcing and converting non-catalogue requisitions into Purchase Orders (including supplier selection) plus resolving invoice issues.

**'Contract':** an agreement between two or more competent parties for the provision of goods, services or works. Some contracts are required to be in writing in order to be enforced.

**'Contract manager':** member of Corporate Procurement who will support with the award and management of contracts.



# Procurement Procedures Policy



AMENDMENT



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RESPONSIBILITIES



PROCEDURE

**'Contract management'**: The management of contracts and suppliers to mitigate risk and ensure ongoing value for money for the organisation.

**'Contract value'**: the total sum for the whole period of the contract excluding VAT.

**'Corporate Procurement'**: The central procurement section charged with providing strategic direction and advice to secure value for money on all procurement matters. The Corporate Procurement Manager is in charge of this section under the Strategic Enabler - Finance and Resources.

**'E-Tendering Portal'**: an e-Tendering System (or Electronic Tendering System) facilitates the complete tendering process from the advertising of the requirement through to the placing of the contract.

**'Evaluation Criteria'**: clear details of what criteria will be used to evaluate the tender and how it will be scored.

**'Find a Tender'**; Find a Tender Service (FTS), is the new UK e-notification service where notices for new procurements are required to be published in place of the Official Journal of the European Union's Tenders Electronic Daily (OJEU/TED)

**'Financial Regulations'**: The financial regulations outlining employee responsibilities for financial matters and issued by the Strategic Enabler – Finance and Resources.

**'Formal quotations'**: An offer to provide goods, services or works, with a value exceeding £25,000, in writing, using the Authority's quotation documentation, as provided by Corporate Procurement.

**'Formal tenders'**: An offer to provide goods, services or works, with a value exceeding £100,000, in writing, using the documentation for the completion of tenders as provided by Corporate Procurement.

**'Framework agreement'**: An arrangement set up by the Authority or a third party organisation for the procurement of specific goods, services or works on agreed terms with agreed supplier(s) that may be utilised by other organisations as specified in the contractual agreement.

**'Lots'**: The parts into which a procurement of supplies, works or services might be divided.

**'Most economically advantageous tender'**: Represents value for money when assessing both quality and cost. This should be used as the basis to assess more complex tenders that are high risk or above £25,000 in value.

**'PCR 2015'**: THE PUBLIC CONTRACTS REGULATIONS 2015

**'Public Procurement Threshold'**: the contract value at which the Procurement Regulations apply. These thresholds are provided for in the Regulations and derive from the WTO Agreement on Government Procurement (GPA)

**'Service Support Administration'**: the section charged with the responsibility for dispatching, opening and registering formal quotations and tenders and notifying the successful supplier of the Authority's intention to award. This section is also responsible for the retention of all documentation relating to formal quotations and tenders.

**'Social Value'**: a measure of outcomes and benefits from any activity that tackles social problems, improves people's lives, communities or the environment.



# Procurement Procedures Policy



AMENDMENT



CONTENT



RESPONSIBILITIES



PROCEDURE

**'Spending Officer'**: an employee of WMFS who has a requirement for goods, services or works to be purchased from a third party in order to support the activities of West Midlands Fire Service.

**'Specification'**: a detailed description of the characteristics of a commodity or service required or desired.

**'Supplier'**: a person, firm, company or organisation supplying, tendering or quoting for goods, services or works. May also be known as a contractor or service provider.

**'Whole life costs'**: all costs associated with the acquisition, use, maintenance and disposal of the good(s) being purchased.

## 4.1 Letting contracts

The letting of all contracts shall comply with any UK legislation.

Financial provision must exist within the approved budgets; if it does not, a report should be submitted to the Strategic Enabler - Finance and Resources for them to consider the issue. Spending Officers shall ensure that a purchase order is raised for the provision of all goods, services or works.

Spending Officers must determine whether there is an existing contract already in place for the goods, services or works to be purchased. This information can be obtained from the contracts database by contacting Corporate Procurement.

Spending Officers must ensure they protect the interests of the Authority and it may be appropriate to enter into a legally binding contract irrespective of the level of expenditure. Clarification can be sought from the Corporate Procurement Manager before signing any contract.

In obtaining quotations and tenders, Spending Officers must ensure that (where possible) the appropriate levels of quality and social value are specified and when considering quotations and tenders, that outcomes are evaluated on a comparable basis.

In respect of income, this Procurement Policy and values shall apply, for example, for the disposal of assets.

When any employee either of the Authority or of a service provider may be affected by any transfer arrangement, Spending Officers must ensure that the Transfer of Undertaking (Protection of Employment) (TUPE) issues are considered and obtain advice from People Support Services and Corporate Procurement before proceeding with inviting quotations or tenders.

Where any personal data is shared as part of a contract, applicable data protection legislation (including General Data Protection Regulation (GDPR) and Data Protection Act 2018) makes it mandatory for data controllers to include specific provisions relating to data





# Procurement Procedures Policy



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CONTENT



RESPONSIBILITIES



PROCEDURE

protection in their contracts. Corporate Procurement or Data Management should be contacted for details.

## 4.2 Use of other public sector contracts or framework agreements

Where it is considered advantageous to make use of the contracts or Framework agreements awarded by other Public Sector Organisations, for example, Crown Commercial Services (CCS), or other Fire Authorities, the Spending Officer must ensure that they offer value for money.

A contract may be awarded to another Contracting Authority (e.g. Local Authority, Fire and Rescue Service) where the contract establishes or implements a co-operation between the participating contracting authorities, with the aim of ensuring that the public services they have to perform are provided with a view to achieving objectives they have in common and the implementation of that co-operation is governed solely by considerations relating to the public interest.

Advice should be sought from the Corporate Procurement Manager before using any such contracts or Framework agreements.

## 4.3 Monetary limits

All reference to monetary limits included in this policy shall be deemed to exclude value added tax applicable to the contract, levied by the Government, for the time being in force. For the purpose of applying the monetary limits throughout this Procurement Policy, the appropriate estimated value shall be the contract value. Values (or estimated values) used in the operation of this policy will normally be the total value of the goods and services supplied.

However, where a series of purchases are made for the same or similar purpose, then the value will be the aggregated value (or estimated value) of the purchases made within any single contract or period of 12 consecutive months or financial year and should take into account, where possible, the changes in quantity or value which would occur in the course of the 12 months following the initial contract.

The aggregate contract value must also take into account both capital and revenue expenditure during the life of the contract, for example, the purchase of a software package may also include ongoing annual support and training. All of these costs must be aggregated to arrive at the total contract value where it is to be included in the same quotation or tender exercise.

In the case of innovation partnerships, the value to be taken into consideration shall be the maximum estimated value of the research and development activities to take place during all stages of the envisaged partnership as well as for the supplies, services or works to be developed and procured at the end of the envisaged partnership.



# Procurement Procedures Policy



AMENDMENT



CONTENT



RESPONSIBILITIES



PROCEDURE

Requirements must not be artificially divided to make two or more orders of a lower value to avoid the requirement to obtain quotations or tenders.

In the event that the contract value exceeds the Public Procurement threshold the contract should be awarded in lots where appropriate. A lot can be a specific geographical area or subject category e.g. goods and training. Where the contract value exceeds the Public Procurement threshold and is not divided into lots an audit trail of the reasons must be submitted to the Strategic Enabler - Finance and Resources. Corporate Procurement should also be contacted for advice in this instance.

## 4.4 Contract value guidance

The procurement process adopted is dependent on the value of the purchase. Please refer to the table below to determine the process to be adopted and refer to the appropriate section within this order to obtain guidance.

If an existing contract or framework agreement is not in place, the appropriate procedure shall be followed as detailed in the table below:

Value of purchase (contract value)	Procurement process	Approval Required	Procedure
Under £5,000	Obtain three quotations if appropriate.	If lowest quote, accept. If you wish to accept other than the lowest quote, the reasons and justification must be recorded and retained by Spending Officer. Approval by Budget Holder	Section 4.5
£5,000 - £24,999	Three written quotations. Where the estimated contract value exceeds £10,000 quotations must be invited by using the e-tendering system	As above	Section 4.6
£25,000 up to £99,999	Formal quotations from at least three suppliers processed through Corporate Procurement.	Spending Officer must submit written report to the Corporate Procurement Manager. A copy of the report and approval must be saved with the contract documentation	Section 4.7



# Procurement Procedures Policy



AMENDMENT



CONTENT



RESPONSIBILITIES



PROCEDURE

	Prior to tender exercise commencing authorisation is required from the budget holder to confirm funding is available		
£100,000 – Public Procurement Threshold	Formal tenders from at least three suppliers processed through Corporate Procurement	<p>Spending Officer must submit written report to the Strategic Enabler - Finance and Resources to obtain approval prior to acceptance or in his or her absence refer to a Brigade Manager.</p> <p>Such approval will be subject to:</p> <ul style="list-style-type: none"> <li>a) The contract being awarded to the supplier submitting the most economically advantageous tender</li> <li>b) The value of the contract being within identified funding provisions</li> </ul> <p>If either of the above criteria are not met, a report must be submitted to the Fire Authority for consideration prior to the award of the contract.</p>	Section 4.8
Goods or services in excess of £189,330* Works or construction in excess of £4,733,252*	Formal tender (in accordance with the Public Contract Regulations 2015).	As, £100,000 to the Public Procurement threshold, above	Section 4.8

The Strategic Enabler - Finance and Resources shall review all monetary limits (with the exception of the Public Procurement Thresholds) shown in this policy annually and any resulting amendments shall be reported to the Authority.

\* Public Procurement Thresholds



# Procurement Procedures Policy



AMENDMENT



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For the procurement of goods and services the expenditure threshold value is £189,330.  
For construction the expenditure threshold value is £4,733,252.  
These limits are applicable for the period 1st January 2020 to 31st December 2021.

## 4.5 Contracts valued at under £5,000

This section shall apply to contracts for the provision of goods, services or works where the estimated contract value is below £5,000 and there is no existing contract in place. This is to be treated as a one-off non-recurring expenditure.

Due regard should be given to the desirability of securing competition in appropriate cases and, in so doing, Spending Officers must take steps to obtain the best value for money and be prepared to justify the method of selection of the supplier.

Where considered appropriate, a minimum of three verbal or written quotations must be recorded and documentation retained locally for one year to the end of the following financial year. In circumstances where three quotations have not been obtained, the reasons to justify the method of selection shall be recorded for audit purposes. Examples of cases where it may not be considered appropriate to obtain 3 verbal or written quotations are as follows:

- security works;
- health and safety works;
- operational impact;
- specialist works;
- Contract valued under £1,000; and
- proprietary item(s).

Reference should also be made to the special exemptions detailed in section 4.14 of this policy.

Spending Officers must not disclose the contents and value of quotations between competing suppliers.

"Off-payroll working in the public sector" moves the responsibility for deciding if the off-payroll rules for engagements in the public sector transfer from an individual worker's intermediary to the public authority, agency, or third party paying the intermediary. The measure makes that public authority, agency, or third party responsible for deducting and paying the associated employment taxes and NICS to HM Revenue and Customs (HRMC).

## 4.6 Written quotations (contracts valued between £5,000 and £24,999)

This section shall apply to contracts for the provision of goods, services or works where the estimated contract value is between £5,000 and £24,999 and there is no existing contract or framework agreement in place.



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Where practically possible quotations should be evaluated based on quality, social value and price.

Where the estimated cost exceeds the sum of £10,000 Spending Officers should obtain at least three written quotations. The Administration Team will arrange for the documents to be uploaded on the Authority's e-tendering system and for the quotations to be opened as soon as possible after the closing date.

Where the Spending Officer has endeavoured to obtain three quotations and fewer than three were received, the reasons why must be justified and approved by the Corporate Procurement Manager. In the event of only one quotation being received the Corporate Procurement Manager may request that additional bids are obtained.

However, if the Spending Officer wishes to accept an offer from one of the bidder(s) then the reasons and justification must be incorporated into a report to be submitted to the Corporate Procurement Manager.

If the Spending Officer wishes to accept other than the lowest quote a report must be submitted to the Corporate Procurement Manager to obtain approval prior to acceptance. Spending Officers wishing to enter into a contract where there is deemed to be a 'special exemption' (as detailed in section 4.14 of this policy), must obtain prior approval from the Corporate Procurement Manager.

The Spending Officer must contact the Central Purchasing Team to place a Purchase Order. All associated documentation is to be retained within the section of the Spending Officer for six years from the date the contract expires.

"Off-payroll working in the public sector" moves the responsibility for deciding if the off-payroll rules for engagements in the public sector apply from an individual worker's intermediary to the public authority, agency, or third party paying the intermediary. The measure makes that public authority, agency, or third party responsible for deducting and paying the associated employment taxes and NICS to HM Revenue and Customs (HRMC).

## 4.7 Formal quotations (contracts valued between £25,000 and £99,999)

In the case of contracts with an estimated value between £25,000 and £99,999, formal quotations must be processed via Corporate Procurement.

The involvement and approval of Corporate Procurement is required on all occasions for contracts with an estimated value that exceeds £25,000.

Spending Officers must submit the following information to Corporate Procurement:-

- The name and contact details of the Spending Officer
- a completed specification, including social value requirements;
- a note of any special conditions that will apply;



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- evaluation criteria, e.g. minimum (pass/fail) criteria plus quality questions
- completion or delivery date
- a list of suppliers (minimum of three) from which quotations are to be invited;
- an estimate of the predicted contract value, and
- the proposed closing date for quotations (this should be a minimum of 2 weeks from the date the quotation is dispatched and the date must not fall on a weekend or public bank holiday).

The quotation request must be submitted to Corporate Procurement at least two weeks prior to the quotation despatch date the Authority's e-tendering system will be used for this purpose. Corporate Procurement upload the documents and arrange for quotations to be opened as soon as possible after the closing date. Late bids will be automatically rejected by the e-tendering system.

The quotations will be opened by the Team Leader, Service Support Administration or their nominated representative;

The quotations will then be forwarded to both Corporate Procurement and the appropriate Spending Officer to evaluate quality, social value and cost and to submit a report to the Corporate Procurement Manager detailing their recommendations and requesting approval to proceed.

Where the Spending Officer has endeavoured to obtain three quotations and where fewer than three were received, the reasons why must be justified and approved by the Corporate Procurement Manager. In the event of only one quotation being received the Corporate Procurement Manager may request that additional bids are obtained.

Where examination of a quote reveals:

- any manifest error or ambiguity (such as an obvious arithmetical error in the total cost) that can readily be clarified, the supplier shall be given the opportunity to clarify their quotation and confirm this in writing;
- an abnormally low quote, the Contract Manager shall ask the supplier to confirm the details of the costing or withdraw their offer;
- that the offer requires clarification, the Contract Manager shall contact the supplier to seek clarification; and
- an arithmetical error, subject to the prior approval of the Strategic Enabler - Finance and Resources or an officer designated by him or her, the necessary correction shall be notified to the supplier in writing who shall within seven days from receipt of such notice either confirm their quote in writing as corrected or withdraw it.

The Contract Manager, on behalf of the Spending Officer, will submit a recommendation to the Corporate Procurement Manager for approval to award. The Contract Manager will send successful and regret letters to the suppliers as appropriate.





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Service Support Administration will retain a copy of all relevant documents, for audit purposes, for a period of six years from the date the contract expires. The Spending Officer must then contact Corporate Procurement to place a Purchase Order.

## 4.8 Formal tenders (contracts valued in excess of £100,000)

For any contract for the provision of goods, services or works where the estimated contract value exceeds £100,000, a sourcing strategy shall be agreed between the Spending Officer and Corporate Procurement. Formal tenders must be processed via Corporate Procurement.

Prior to commencing a procurement process with a value in excess of £250,000 a report must be submitted to the Fire Authority detailing the rationale for the forthcoming tender exercise and must include the proposed route to market and funding provisions. Corporate Procurement is responsible for collating and submitting these reports.

### 4.8.1 The Public Contracts Regulations 2015

The Public Contracts Regulations (PCR) and amendments set out the legal framework for public procurement. They apply when public authorities and utilities seek to acquire goods, services, civil engineering or building works. They set out procedures which must be followed before awarding a contract when its value exceeds the published thresholds.

From 1 January 2021 it is necessary to advertise in Find a Tender (FTS) in the case of contracts to which the Regulations apply. To confirm whether a contract necessitates advertising, Spending Officers shall contact Corporate Procurement to seek advice prior to processing any tender.

Any contract for the provision of goods or services for which the estimated contract values exceeds the limits stated in 4.4 (formal tender in accordance with PCR 2015) must be advertised in Find a Tender irrespective of the method of letting the contract.

It should be noted that the contract value is the total estimated value over the whole of the contract life including any extension options and includes both capital and revenue expenditure that is to be included in the same tender exercise.

The Public Procurement threshold values are applicable to 'public contracts' and are revised every two years.

The Authority is also required to consider the provisions of the Public Services (Social Value) Act 2012 for any service contracts that are above the Public Procurement threshold. The main aim of this Act is to ensure that public bodies consider how the services that they are commissioning and procuring might improve the economic, social and environmental well-being of the area in which the services will operate.

All Find a Tender notices shall be placed by Corporate Procurement who will also provide advice in this regard.



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General guidance regarding Procurement Regulations and the requirements of the Social Value Act 2012 can be obtained from Corporate Procurement.

## 4.8.2 The tendering process

The sourcing strategy shall encompass the tendering process, which may be by:

- competitive tendering
- further competition or direct award under a framework agreement
- competitive dialogue
- E-auction

## 4.8.3 Public advertisement

A public advertisement is required for all contracts over £100,000 except when a Framework Agreement is being utilised.

Methods of advertisement may include:

- Find a Tender (FTS) mandatory when value exceeds Public Procurement Thresholds
- Contracts Finder – mandatory for all contracts advertised
- Other specialist publications or trade journals.

All such advertisements will be placed via Corporate Procurement, who will advise on the content.

Advertisements must provide information regarding the nature of goods, services or works being tendered and the minimum capabilities required from a supplier e.g. technical capacity, financial stability, insurance cover, relevant contract experience, etc. The advertisement will also disclose the scoring criteria and the closing date.

All documentation shall be available to download from the Authority's e-tendering portal.

A Prior Information Notice (PIN), if required, can be published 12 months in advance of the procurement. The PIN shortens the timescales for the procurement exercise and means that no further advertising of the procurement needs to be carried out.

## 4.8.4 Invitation to tender

Short listing following public advertisement and pre-qualification exercise (Restricted Procedure):

- The restricted procedure is not to be used for contracts under the Public Procurement Threshold.
- If it is intended that after public advertisement a shortlist of suppliers will be compiled, then the procedure below must be followed:
- A minimum of 30 days' public notice should be given using one or more of the advertising methods mentioned in section 4.8.3 above. The wording of any advertisement must clearly indicate that a select list of potential suppliers will be compiled.





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- All such advertisements will be placed by Corporate Procurement who will advise on the content.

A selection questionnaire (SQ) will be produced by Corporate Procurement in conjunction with the appropriate Spending Officer and will be available for all interested firms to download from the Authority's e-tendering portal on same day the FTS notice is published. The purpose of the SQ is to assess whether potential suppliers can meet minimum criteria in the following areas:

- economic and financial standing including insurance cover;
- technical ability and capacity;
- health and safety (where applicable);
- equality & diversity (where applicable);
- sustainability (where applicable);

All adverts and the contract notice shall indicate the objective and non-discriminatory criteria or rules that apply, the minimum number of suppliers to be invited to tender and, where applicable the maximum number. The minimum number of suppliers shall be no less than 5. Only suppliers that meet the minimum criteria can be invited to tender.

All tender documentation (e.g. Invitation to Tender (ITT), specifications, drawings, evaluation criteria etc) must be made available electronically from the date of publication of the FTS notice (or Contracts Finder advert).

Completed questionnaires must be evaluated by the appropriate Spending Officer in conjunction with Corporate Procurement (and other stakeholders as appropriate) against the above mentioned and pre-determined criteria. Corporate Procurement or Service Support Administration, if advised by Corporate Procurement, will notify any applicants that are excluded with the reasons why.

Any appeal by an unsuccessful applicant or request for further details of the reason for exclusion must be handled by Corporate Procurement in conjunction with the Spending Officer.

If there are fewer than five persons who have expressed an interest or who meet the minimum pre-qualification criteria, then the written approval of the Strategic Enabler - Finance and Resources must be sought, prior to inviting tenders.

From April 2017 all Contracting Authorities must accept a European Single Procurement Document (ESPD) from a supplier as proof that the supplier meets the mandatory and discretionary criteria for the procurement.

#### 4.8.5 Open procedure

If the contract value is below the Public Procurement threshold or it is not intended to shortlist following public advertisement, then the procedure below must be followed:



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- A minimum of 30 days' public notice should be given using one or more of the advertising methods mentioned in section 4.8.3 above.
- All such advertisements will be placed by Corporate Procurement who will advise on the content.
- An invitation to tender (ITT) will be produced by Corporate Procurement in conjunction with the appropriate Spending Officer and will be available for all interested suppliers to download from the e-Tendering system.
- The ITT will include selection and award sections with detailed scoring criteria. All suppliers passing mandatory selection questions will go through to the award section.
- The timescales for conducting an open tender process for an above Public Procurement Threshold tender exercise are prescribed within the PCR 2015 and Corporate Procurement must be contacted for advice in this instance.
- The process for the receipt of tenders will be handled by Service Support Administration via the e-tendering system.
- Completed tenders must be evaluated by the appropriate Spending Officer in conjunction with Corporate Procurement (and other stakeholders as appropriate) against the criteria detailed in the ITT.
- 

#### 4.8.5.1 Reserving Below Threshold Procurements

The UK's exit from the EU means that additional freedoms, in relation to contract spend on goods, services and works contracts with a **value below the public procurement threshold**, are available. Options available from the 1<sup>st</sup> January 2021 are:

- Reserve the procurement by supplier location; acceptable locations are United Kingdom, the metropolitan county of the West Midlands or a non-metropolitan county of the West Midlands.
- Reserve the procurement for Small and Medium sized Enterprises (SMEs) / Voluntary, Community and Social Enterprises (VCSEs)

This means being able to run a competition and specify that only Suppliers that meet one or both of the above criteria can bid.

Reserving procurements can only be used with the approval of the Corporate Procurement Manager or the Strategic Enabler - Finance and Resources.

#### 4.8.6 Developing the invitation to tender (ITT)

All tender documentation must be developed in conjunction with Corporate Procurement and should include:

- a specification of the goods, services or works that describes the Authority's requirements in sufficient detail;
- the schedule of rates or pricing schedule;
- the terms and conditions of payment;
- the contract period or time within which the contract is to be performed (including any extension options);



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- the basis (minimum criteria plus lowest whole life cost or most economically advantageous tender) on which the tenders will be evaluated;
- the evaluation criteria (mandatory and discretionary) against which the tenders will be evaluated (including weightings);
- the conditions of contract or specimen contractual agreement (advice should be sought from Corporate Procurement regarding suitable conditions of contract); and
- the statement that the Authority does not bind itself to accept the lowest or any tender and will not be responsible for any costs incurred by suppliers associated with the preparation of their tender.

Unless otherwise agreed, the formal advice of the Corporate Procurement Manager must be sought for the following types of tenders or contracts:

- where the total value exceeds £100,000;
- those involving leasing arrangements;
- where it proposed to use a supplier's own terms and conditions;
- those involving the purchase of ICT hardware and/or application software (Note: The strategic head of ICT should also be informed of these types of contracts).
- any tenders that may be let using an e-auction.

#### 4.8.6.1 [Developing specifications](#)

The Authority may conduct market consultations prior to preparing the specification and should inform the market of their plans. Any decisions made from the engagement should not distort competition or result in a violation of the principles of non-discrimination and transparency. A record of any market consultations must be kept with the tender records. Where a supplier or a third party related to a supplier has been involved in a pre-market consultation exercise, the Authority must ensure that it takes appropriate measures to ensure that competition is not distorted by the participation of that supplier in the procurement process.

Specifications should set out the characteristics and quantity of the goods, service or works to be purchased to enable the supplier to determine and understand that which is to be supplied. This information can be in the form of a description of the physical, functional or performance characteristics. It can include a description of any requirement for inspecting, testing or preparing a material, equipment, supplies, social value or service for delivery.

The Spending Officer must ascertain the relevant British, European or International Standards which are necessary to describe the required quality.

The Authority is permitted to request specific labels when procuring goods, services or works with the specific (relevant) social or environmental characteristics linked to the subject matter of the procurement as long as the label requested is objectively verifiable, established in an open and transparent manner and accessible to all interested parties e.g. Fairtrade.



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To comply with the PCR 2015 the use of brand or trade names must be avoided where possible when describing products. Alternatively, the words 'or equivalent and approved' must also be included.

Specifications must not be written to discourage competition regardless of the contract value.

#### *4.8.6.2 Developing the tender evaluation criteria*

Under the PCR 2015, there is an obligation to state the criterion and sub-criterion on which the tenders will be evaluated in addition to the relative weighting given to each criterion. The criterion should be split into quality, social value and cost, with a minimum of 5% being allocated to social value. Although this is not a mandatory requirement for contracts that are valued below the Public Procurement Thresholds it is still considered best practice to follow this same procedure when developing the evaluation criteria.

Tender evaluation criteria and their relevant weightings should be determined and agreed prior to the invitation of tenders and must be published in either the tender advertisement or the tender documentation.

The criteria for awarding contracts shall be most economically advantageous tender (MEAT).

Tender shall be evaluated on the basis of the price or cost, using a cost-effectiveness approach, such as life-cycle costing in accordance with regulation 68 of the Public Contract Regulations 2015, and criteria, such as qualitative, environmental and/or social aspects, linked to the subject-matter of the public contract in question.

Such criteria may comprise, for example -

- quality, including technical merit, aesthetic and functional characteristics, accessibility, design for all users, social, environmental and innovative characteristics and trading and its conditions;
- organisation, qualification and experience of staff assigned to performing the contract, where the quality of the staff assigned can have a significant impact on the level of performance of the contract; or
- after-sales service and technical assistance, delivery conditions such as delivery date, delivery process and delivery period or period of completion.

Evaluation criteria must not include:

- non-commercial considerations;
- matters which discriminate against suppliers from the European Economic Area or signatories to the Government Procurement Agreement, for example, giving preference to local or UK based suppliers;
- anything that contravenes the principles of equal treatment, non-discrimination, mutual recognition, proportionality and transparency;
- criteria that has already been applied as part of the pre-qualification process



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Once the tender documentation is complete the Spending Officer should forward it to Corporate Procurement, who will upload the tender documents on the e-tendering system.

#### 4.8.7 Submission, opening and registration of formal tenders

Where the procurement falls above the Public Procurement Threshold then specific tendering time periods must be adhered to (seek advice from Corporate Procurement).

For tenders below the Public Procurement Threshold, suppliers must be given an adequate period of time in which to prepare and submit a proper tender which is consistent with the complexity of the contract requirement.

Normally a minimum of 30 days must be allowed for the submission of tenders following despatch.

All communications in relation to tender correspondence must be issued, returned and opened via Service Support Administration on behalf of Corporate Procurement using the e-tendering portal.

Service Support Administration will ensure that all tenders are opened at the same time, as soon as possible after the closing date and time. Late bids will automatically be rejected by the e-tendering system.

The tenders will be opened by the Team Leader, Service Support Administration or their representative.

The tenders will then be forwarded to Corporate Procurement and the appropriate Spending Officer for evaluation.

Where the Spending Officer has endeavoured to obtain three tenders and where fewer than three were received (or five when using the Restricted process), the reasons why must be justified and approved by the Strategic Enabler - Finance and Resources. In the event of only one tender being received the Corporate Procurement Manager may request that additional bids are obtained and that the tender exercise is repeated.

#### 4.8.8 Tender evaluation

Tenders shall be evaluated to assess how requirements will be met and to ensure that consideration has been given to the cost, social value and quality of the solutions offered. Evaluations shall be carried out by the Spending Officer and Corporate Procurement following receipt of completed tenders.

Evaluations shall be carried out in an open and transparent manner ensuring that all tenders submitted are treated equally.



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All completed tenders shall be evaluated against the assessment or award criteria as set out in the invitation to tender documentation.

Where the examination of a tender reveals:

- any manifest error or ambiguity (such as an obvious arithmetical error) that can readily be clarified, the supplier shall be given the opportunity to clarify their tender and confirm this in writing;
- that the offer requires clarification, Corporate Procurement shall contact the supplier to seek clarification via the e-tendering portal; and
- an arithmetical error, subject to the prior approval of the Strategic Enabler – Finance and Resources or an officer designated by him or her, the necessary correction shall be notified to the supplier in writing who shall within seven days from receipt of such notice either confirm their tender in writing as corrected or withdraw it.

#### 4.8.9 Acceptance of quotations and tenders

The Spending Officer must submit a written report to the Strategic Enabler - Finance and Resources to obtain approval prior to acceptance or in his or her absence a Brigade Manager. Such approval will be subject to:

- a) The contract being awarded to the supplier submitting the most economically advantageous tender
- b) The value of the contract being within identified funding provisions

If either of the above criteria are not met, a report must be submitted to the Fire Authority meeting for consideration prior to the award of the contract.

A report would also be submitted to the Fire Authority prior to the award of a contract if such a requirement was indicated by Members following receipt of the pre tender report (see section 4.8).

As a minimum this report must include the following information:

- title or details of the contract;
- date tenders were opened;
- details of recommended supplier;
- period of contract (including any extension options);
- value of the contract;
- whether the award is within the approved budget;
- social value benefits
- any other relevant information, for example, savings or efficiency gains.

A retrospective twice yearly Summary Report must be submitted to the Fire Authority for information only for contract awards in excess of £250,000. This will be produced by Corporate Procurement in conjunction with the Spending Officer(s).





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In respect of contracts in excess of the Public Procurement Threshold the 'mandatory standstill period' must not be undertaken prior to submitting a report to the Strategic Enabler - Finance and Resources or the Fire Authority.

Once approved, a copy of the report, approval and all tenders received must be retained for as follows:

Unsuccessful tender submissions may be disposed of 12 months after contract award. Successful tenders should be retained for a period of six years after expiry of the contract unless the contract is under seal.

Documents under seal should be retained for a period of 12 years after contract expiry.

## 4.9 Award of contracts and notification of suppliers

### 4.9.1 Award of contracts

Spending Officers may accept quotations where the total value is less than £25,000 provided they have been sought and evaluated in accordance with this policy and they have the appropriate authorisation of the Budget Holder. The Spending Officer must arrange for a purchase order to be raised via the Central Purchasing Team.

4.9.2 Where the contract value is over £25,000, Corporate Procurement are responsible for the notification of all suppliers simultaneously, of the intention to award the contract to the successful supplier.

Every contract in excess of £25,000 shall be in writing and must specify:

- the goods, services or works to be provided and the conditions to apply;
- the provisions for payment (for example, what is to be paid and when with a statement of discounts or other deductions);
- the time or times within which the contract is to be performed (contract period) including any extension provisions;
- the provisions for the Authority to terminate the contract;
- details of the social value agreed and the monitoring arrangements;
- the reference of the framework agreement where the contract is being placed under a framework agreement; and
- any other matters specific to the contract.
- All Contracts must be accepted by issuing a purchase order containing the above information. Contracts in excess of £25,000 must also be awarded with signed terms and conditions.
- All contract awards in excess of £25,000 must be reported on Contracts Finder by Corporate Procurement.

### 4.9.3 Award of contracts over £100,000

Spending Officers shall consult with Corporate Procurement following receipt of an approval to award, regarding any formal tenders (over £100,000). A minimum period of 6 weeks is



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required by Service Support Administration, Corporate Procurement and Sandwell Legal Services to prepare all the paperwork to send formal contracts to the successful supplier for signature. Where possible Spending Officers should build this timescale into the procurement process to ensure that contracts can be awarded prior to the required commencement date i.e. the date that the new contract begins.

Service Support Administration will retain a copy of all relevant documents for 6 or 12 years (see section 4.8.9) for audit purposes and will inform unsuccessful suppliers.

If it is determined that the contract for the goods, services or works is no longer required and therefore the procurement exercise needs to be terminated, the Spending Officer shall forward all associated documentation to Corporate Procurement with an explanation of why the exercise needs to be terminated. In the event that the procurement exercise is terminated Service Support Administration will notify the suppliers via the e-tendering system and retain the documentation on file for audit purposes for a period of 6 years.

For above Public Procurement Threshold tenders, Corporate Procurement shall publish details of the successful suppliers in a Contract Award Notice placed in FTS within 30 days of the contract award.

#### 4.9.4 Notifying and debriefing of suppliers

Apart from the debriefing required or permitted by this policy, the confidentiality of quotations, tenders and the identity of suppliers must be preserved at all times and information about one supplier's response must not be given to another.

Where the total value of the contract exceeds the Public Procurement Threshold the debriefing process will be handled by Corporate Procurement in conjunction with the Spending Officer. This is a mandatory process which is governed by the PCR 2015 and is known as the 'mandatory standstill period'.

Notification of the acceptance of a tender shall be sent in writing to the successful supplier. Such notification will be issued by Corporate Procurement and clearly marked 'Subject to Contract' where a subsequent formal contract let by the Clerk to the Authority is required by this policy.

All rejection letters shall include the scores awarded and reasons for the score. Where the value of the contract exceeds the Public Procurement Threshold the rejection letter shall also include the relative characteristics/advantages of the winning supplier and shall comply with the PCR 2015 'mandatory standstill period'.

In addition to the above if a supplier requests a debrief this will be carried out within 15 days from receipt of written request.

#### 4.9.5 Signature of contracts (including purchase orders)

Contracts will be signed as follows:





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Total value	Method of completion	Person responsible
Up to £24,999	Signature and Purchase Order	Budget Holder
£25,000-99,999	Signature on acceptance letter and purchase order	Corporate Procurement Manager
£100,000-249,999	Signature on contract and purchase order	Strategic Enabler - Finance and Resources or in his or her absence a Brigade Manager.
Above £250,000	Signature and common seal of the Authority	Clerk to the Authority

All contracts must be concluded formally in writing before the supply, service or construction work begins, except in exceptional circumstances, and then only with the written consent of the Strategic Enabler - Finance and Resources or in his or her absence a Brigade Manager. An award letter is insufficient. Refer to section 4.14 for special exemptions.

## 4.9.6 Contract Management

Contract management arrangements should be considered upfront at the pre-tender stage and must be discussed with procurement. Contract management should be incorporated into the final contract.

Things to consider are:

- Type of communication required with the supplier e.g. e-mail, conference call, face to face meeting, Skype, etc
- Frequency of contact/meetings
- Location of meetings
- Who should attend the meetings from all parties
- What management information do you want the suppliers to provide and how often
- What Service Level Agreements (SLA's) are required and/or service credit arrangements if they aren't met
- The prime responsibility is with the Spending Officer to manage the contract after award. The Procurement Section act as the facilitators for establishing contracts across the whole organisation on behalf of all Service areas/owners.
- Once a contract has been awarded it is the Spending Officer's responsibility to ensure that the chosen supplier(s) provides the service that was expected and agreed following the quotation/tender process.

The Procurement Section should be involved in any discussions regarding commercial or contractual issues but it is expected that Spending Officers will be responsible for any day to day technical or operational issues.



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## 4.10 Competitive Procedure with Negotiation or Competitive Dialogue Procedures

### 4.10.1 Using these procedures

A competitive procedure with negotiation or a competitive dialogue may be used in the following situations:-

- with regard to works, supplies or services fulfilling one or more of the following criteria:-
- the requirement cannot be met without adaptation of readily available solutions;
- the requirement includes design or innovative solutions;
- the contract cannot be awarded without prior negotiation because of specific circumstances related to the nature, the complexity or the legal and financial make-up or because of risks attaching to them;
- the technical specifications cannot be established with sufficient precision with reference to a standard, European Technical Assessment, common technical specification or technical reference;
- with regard to works, supplies or services where, in response to an open or a restricted procedure, only irregular or unacceptable tenders are submitted.

Advice from Corporate Procurement must be sought prior to the use of either of the above procedures.

### 4.10.2 Using Negotiation

Contracts under £100,000 may be awarded by negotiation when one or more of the criteria in section 4.10.1 applies. Spending Officers wishing to let a contract by way of negotiation must obtain the prior written approval of the Strategic Enabler - Finance and Resources or a Brigade Manager in his or her absence. Once approval is obtained, Corporate Procurement shall agree a negotiation strategy with the Spending Officer and support or conduct negotiations as appropriate.

The following procedures shall be adopted in all negotiations:

- an agreed record of the discussions held with prospective suppliers shall be kept;
- any agreement must be confirmed in writing by the prospective supplier;
- no information shall be given to a potential supplier as to any competitors' quotation or tender, particularly prices and discounts;
- all negotiations must be held in an open and fair manner;
- each supplier should be given the same opportunity to revise their offer;
- documentation must allow the Authority to reserve the right to award following the initial offer without the need for further negotiation;
- only officers designated by the Strategic Enabler - Finance and Resources or Corporate Procurement Manager shall be permitted to conduct negotiations; and
- a minimum of two officers must be present during all negotiations.



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A report on the financial or other benefits resulting from any negotiations should be submitted to the Strategic Enabler - Finance and Resources, prior to the award of any contract.

## 4.11 Use of approved supplier lists

Approved lists of pre-qualified suppliers should be used where recurrent transactions of a similar type are likely but where such transactions need to be priced individually and cannot easily be aggregated and priced in a single tendering exercise. Approved lists cannot be used for above Public Procurement Threshold contracts .

Spending Officers with devolved procurement responsibilities may draw up in consultation with Corporate Procurement:

- approved lists of suppliers ready to perform contracts to supply goods, services or works of particular types including without limitation on the basis of agreed contract terms;
- minimum criteria to be accepted on the approved list e.g. health and safety policy, social value policy; and
- criteria for the selection of suppliers from the approved list.
- No supplier may be entered onto an approved list until there has been an adequate investigation by representatives of Finance, Procurement and any other appropriate sections into the supplier's financial standing (where the contract exceeds £25,000) and their technical ability to perform the contract, unless such matters will be investigated each time quotes are invited from that list.
- The list and short-listing criteria must be reviewed periodically.

Review means:

the reassessment of the financial and technical ability and performance of those persons on the list, unless such matters will be investigated each time quotes are invited from that list; and the deletion of those persons no longer qualified, with a written record kept justifying the deletion.

All approved lists shall be maintained in an open, fair and transparent manner.

## 4.12 Use of framework agreements

A framework agreement is an arrangement set up by a third party organisation for the procurement of specific goods, services or works on agreed terms with agreed suppliers, that may be utilised by other organisations as specified in the contractual agreement.

Examples of organisations with framework agreements include Crown Commercial Services (CCS), Yorkshire Purchasing Organisation (YPO), etc. Other Fire and Rescue Services and Public Sector bodies may also establish framework agreements. It is the responsibility of the Spending Officer and Corporate Procurement to ensure the framework agreement can be utilised.

Contracts based on framework agreements may be awarded in one of two ways as follows:



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1. applying the specification and terms laid down in the framework agreement (where such specification and terms are sufficiently precise to cover the particular call-off) without reopening competition, that is, placing an order against a catalogue of goods and/or services.
2. where the specification and terms laid down in the framework agreement are not precise enough or sufficiently detailed for the particular call-off, by conducting a further competition exercise in accordance with the procedure detailed below. In any event the framework call-off conditions must always be followed.

#### 4.12.1 Option 1 - Placing an order under a framework agreement

When placing an order against a framework agreement catalogue the purchase order essentially acts as the contract.

The Spending Officer will be expected to compare the pricing from the listed suppliers for the products or services required in order to justify best value.

The authorisation prior to placing the purchase order must therefore be as follows:

Total value of purchase order	Person responsible for authorisation
Up to £24,999	Budget Holder
£25,000 – £100,000	Corporate Procurement Manager or in his or her absence the Strategic Enabler - Finance and Resources
Over £100,000	Strategic Enabler - Finance and Resources or in his or her absence a Brigade Manager plus a retrospective report for contracts over £250,000 to the Fire Authority will be required.

#### 4.12.2 Option 2 - Conducting a further competition exercise using a framework agreement

Where the value of the purchase exceeds £250,000 a preliminary report will need to be submitted to the Fire Authority as detailed in section 4.8

When conducting a further competition exercise the following requirements must be taken into account:

- always follow the framework agreement call-off conditions
- invite to tender all the suppliers listed within the framework agreement that are capable of meeting the particular need or requirement. This should be undertaken as per this policy and should allow a sufficient time limit for tenders to be submitted, taking into account factors such as the complexity of the contract and the required response. Ideally this should be a minimum period of 2 weeks;
- evaluating and awarding each contract to the supplier who has submitted the best tender (as per the guidance in this policy) on the basis of the award criteria set out within the framework agreement;



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- acceptance of quotations or tenders must follow the guidance contained in this policy under section 4.8.9; and
- a letter of acceptance or signed order form must be sent to the successful supplier which must be signed as per the provisions of section 4.9.5
- It should be noted that an FTS advertisement or any other advertisement does not need to be placed when conducting a further competition exercise under a framework agreement.

The advice of Corporate Procurement should always be sought prior to using a framework agreement.

## 4.13 Contract modifications

### 4.13.1 Modifications to existing contracts (contract values exceeding £5,000)

A contract modification may refer to an extension of the contract period or to changes/amendments to the contract specification or service provision.

Modifications may be undertaken to existing contracts awarded competitively or following invitation to tender provided that:

- a) where the modification, irrespective of value has been provided for in the initial procurement documents in precise, clear and unequivocal review clauses. Such clauses must specify the scope and nature of possible modifications or options as well as the conditions under which they may be used. In addition, the clauses must not alter the overall nature of the contract.
- b) where additional works, services or supplies have become necessary and were not included in the original procurement but a change of contractor is not possible for economic or technical reasons or because it would cause significant inconvenience or duplication of costs. The modification may not exceed 50% of the original contract price. Where the original contract value was above the Public Procurement threshold value, a notice must be sent to FTS or OJEU (if awarded before 31<sup>st</sup> December 2020).
- c) where the modification has been brought about by circumstances that could not have been foreseen and the modification does not alter the overall nature of the contract and any increase in price does not exceed 50% of the value of the contract. Where the original contract value was above the Public Procurement threshold value, a notice must be sent to FTS or OJEU (if awarded before 31<sup>st</sup> December 2020).
- d) where a new contractor replaces the previous contractor as a consequence of an unequivocal review clause or the succession of the initial contractor due to a merger, company acquisition etc provided that the new contractor meets the qualitative criteria established during the procurement.
- e) where the modification is not substantial within the meaning of the Presetext case e.g.



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the modification does not render the contract materially different in character;  
the modification does not introduce conditions which would have allowed other suppliers to bid; another tender to be accepted; or attracted other participants in the procurement procedure;  
the modification does not change the economic balance in favour of the contractor in a manner not provided for in the initial tender;  
the modification does not extend the scope of the contract considerably;  
the modification does not introduce a new contractor to replace the contractor to which the contract was initially awarded (in cases other than those mentioned in (d) above).

f) the modification is low value and below the threshold (for the type of contract) and is below 10% for supplies and service and 15% for works of the original contract price as long as the modification does not alter the overall nature of the contract.

For modifications between £5,000 and £99,999 and where the total revised contract value does not exceed £99,999, a written report should be compiled and submitted to the Corporate Procurement Manager for approval.

For modifications to contracts where the revised contract value is in excess of £100,000 a written report should be compiled detailing the required extension or variation and submitted to the Strategic Enabler – Finance and Resources for approval or a Brigade Manager in his or her absence.

Where the revised contract value (following modification) now exceeds £250,000, a retrospective report must be submitted to the Fire Authority for their information. For any modifications to a contract that was originally awarded under the PCR 2015 or EU Tendering Regulations, advice must be obtained from Corporate Procurement.

Contract modifications should not be agreed with suppliers until approval has been obtained.

## 4.13.2 Contingency allowance

Where contingency sums are deemed necessary contingency allowances should not exceed 10% of the original estimated contract value.

## 4.14 Special exemptions to this Policy

Spending Officers wishing to enter into a contract where there is deemed to be a 'special exemption' must obtain prior approval from the Corporate Procurement Manager for contracts valued under £100,000 and the Strategic Enabler – Finance and Resources for contracts valued at £100,000 and over, identifying the reason for the exemption and that part of the policy to which it applies.





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This provision does not apply to Facilities Management for emergency building works of less than £7,500 in value.

If the Strategic Enabler – Finance and Resources was involved in the initial decision making process then approval for the exemption must be sought from a Brigade Manager.

Examples of circumstances in which an exemption might be appropriate are as follows:

- a) the goods or materials are purchased or sold at auction, public fairs or markets;
  - b) the provision of goods, services or works is obtainable only from one supplier and no satisfactory alternative is available;
  - c) there are less than three suppliers known to be in the market for particular goods, services or works, (in such cases, tenders shall be invited from such lesser number of suppliers);
  - d) the prices of the goods, services or works are wholly controlled by trade organisations or government order and no reasonable satisfactory alternative is available;
  - e) tenders have or will be invited on behalf of any consortium, collaboration or similar body in which the Authority is participating, in accordance with any method adopted by such a body;
  - f) the goods or services are deemed expedient for Service requirements;
  - g) where the goods, services or works are so urgently required as not to permit the invitation of tenders. In such case, the prior approval of the Strategic Enabler – Finance and Resources, or a Brigade Manager in their absence, must be obtained; and
- Separate special exemption rules apply where the value exceeds the Public Procurement

Threshold and are very limited. Advice must be sought from the Corporate Procurement Manager in this instance. Under no circumstances does the Authority have the power to waive its obligations under law.

Where a contract or agreement is entered into under paragraph 4.14 (above) and its value exceeds £250,000, a retrospective report must be submitted to the next available Fire Authority Meeting. Corporate Procurement is responsible for the compilation and submission of these reports.

## 4.15 Bonds and parent company guarantees

The Spending Officer must consult the Strategic Enabler – Finance and Resources about whether a parent company guarantee is necessary when a supplier is a subsidiary of a parent company and:

- the total contract value exceeds £100,000;
  - the award is based on evaluation of the parent company; and
  - there is some concern about the financial stability of the supplier.
- The Spending Officer must consult the Strategic Enabler – Finance and Resources about whether a bond is needed where:
- the total contract value exceeds £500,000; and



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- it is proposed to make staged or other payments in advance of receiving the whole of the subject matter of the contract and there is concern about the financial stability of the supplier.

## Risk assessment and contingency planning

A corporate risk assessment must be prepared for all procurements with a potential value over the Public Procurement Threshold or where the failure of the contract will have a significant impact on the core operations of the Authority.

Contract managers (in conjunction with Corporate Procurement) must:  
maintain a risk register during the contract period;  
undertake appropriate risk assessments for identified risks; and  
ensure contingency measures are in place to comply with the WMFS Business Continuity Plan where appropriate.

### 4.16 Social Value

"As a concept, social value seeks to maximise the additional benefit that can be created by procuring or commissioning services, above and beyond the benefit of merely the services themselves" – The Public Services (Social Value) Act 2012.

Spending Officers must take Social Value into account when awarding a contract in excess of £5,000 for Supply, Services or Works.

A minimum of 5% of the overall award marks must be allocated to Social Value where Most Economical Advantageous Tender (MEAT) is used. It should be noted that a Supplier's bid cannot be rejected if they decline to offer Social Value unless Social Value is a fundamental part of the specification, and in such cases it must be shown as a mandatory requirement.

Details of the Social Value offered by the preferred Supplier must be included in the written report to the Corporate Procurement Manager or the Strategic Enabler, Finance and Resources, where reports are required.

The Spending Officer must monitor and record details of the performance and benefits obtained through the Social Value offered.

General guidance regarding Social Value can be obtained from Corporate Procurement.

### 4.17 Disposal of Goods

Assets that are no longer required should be disposed of to avoid unnecessary maintenance, risk and insurance costs. Before disposal the Budget Holder must make a judgement as to whether the asset can be reused elsewhere in the Service. Assets that are no longer functional, are not fit for purpose or are beyond economical repair must be disposed of.





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## Disposal options (in order of consideration)

- Reuse within the Service
- Sell; contact the Central Purchasing Team or the Warehouse & Distribution Section to discuss options. A minimum of two bids should be obtained for all assets with a value in excess of £5,000
- Donate to charity
- Scrap

Methods 2, 3 and 4 required the approval of the Corporate Procurement Manager prior to disposal.

Sales proceeds should be refunded back into the budget that the asset was originally purchased from. All sales must be reported to Revenues to enable an invoice to be raised.

## 4.18 Overseas Aid

It is the policy of West Midlands Fire Service (WMFS) to:

- provide humanitarian aid to communities in countries outside the UK (where such requests are made by the governments of countries experiencing a recognised natural disaster, or national catastrophe) which will improve the lives of those in need or increase their firefighting capabilities
- dispose of outdated firefighting equipment to countries overseas where there are insufficient funds to provide such equipment for themselves, which will benefit their community or fire personnel.

All requests for the provision of aid to a country outside of the United Kingdom should be submitted in writing to the appropriate section head.

The section head will forward the request to the Assistant Chief Officer (Process) for consideration and, if approved, the Assistant Chief Officer will obtain the Chief Fire Officer's confirmation before any action is taken. Please Note: Costs of transportation will not be met by the Authority, and insurance is required to be arranged in accordance with the instructions in [Management of Occupational Road Risk \(MORR\)](#)

Any personnel making such a request will have to make sure that the proposal falls within the Local Government (Overseas Assistance) Act 1993.



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### APPENDICES

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### DOCUMENT CONTROL AND AUDIT

<b>Audit</b>	
Responsible SET Member Accountable	<b>Finance and Resources</b>
Authorised by	<b>Mike Griffiths</b>
Direct enquiries to	<b>Policyofficers@wmfs.net</b>
EIA (Date Completed & Name)	<b>Complete TBC</b>
PIA (Date Completed & Name)	<b>Complete TBC</b>

<b>Review History</b>		
Version #	Date	Reviewed By
1.0	1/4/2020	J Campbell, New Template
2.0	13/1/2021	M. Beasley

<b>Amendment History</b>					
Version #	Date	Amended By	Section Amended	Amendment	Reason for change
2.0	15/2/2021	Jacky Perkins, Senior Contracts Manager	Various throughout document	<ul style="list-style-type: none"> <li>EU Directive amended to Public Contract Regulations 2015</li> <li>EU Threshold amended to Public Procurement Threshold</li> <li>Requirement to advertise contracts in Find a Tender (FTS)</li> <li>Section 4.8.5.1 added – Reserved Contracts</li> </ul>	Brexit  <a href="#">PPN 08/20</a>  <a href="#">PPN 11/20</a>



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## Introduction

Fire and Rescue authorities must provide annual assurance on financial, governance and operational matters and show how they have had due regard to the expectations set out in their Integrated Risk Management Plan (IRMP) and the requirements included in the [Framework](#).

The West Midlands Fire and Rescue Authority (WMFRA) is required to publish an annual Statement of Assurance as part of the Fire and Rescue National Framework for England.

The Statement of Assurance for West Midlands Fire and Rescue Service is published annually, to provide an easy and accessible way for communities, government, local authorities, and partners to assess the Authority's performance and governance arrangements.

National guidance on the content of Statements of Assurance published in May 2013 suggests that where authorities have already set out relevant information that is clear, accessible and user friendly within existing documents, they may wish to include extracts or links to these documents within their Statement of Assurance. This Statement includes extracts or links to key documents where relevant. This document sets out the approach taken to ensure that appropriate arrangements are in place in terms of governance and operational delivery. It is intended to provide transparent information about its financial, governance and operational affairs.

## Foreword – Chair and CFO

Welcome to the annual Statement of Assurance from Councillor Greg Brackenridge, Chair of West Midlands Fire and Rescue Authority (WMFRA), (The Authority) and Phil Loach, Chief Fire Officer, West Midlands Fire Service (WMFS). This Statement of Assurance provides the reassurance that in 2019/20 your Fire and Rescue Service contributed to 'Making the West Midlands, Safer, Stronger and Healthier'.

2019/20 was the last year of the Government's four-year settlement and core funding received by WMFS reduced by £0.982m. This has resulted in overall Government core funding being reduced by £38m between 2010/11 and 2019/20. Plans have been in place to manage this reduction and to minimise any potential impact on our community. This has continued to be a significant challenge for WMFS, but one that has been embraced through effective risk management and a commitment to continuously improving the way in which we deliver services to our communities, within a balanced budget.

During 2019/20 WMFS in response to the pandemic Covid-19, the West Midlands declared a major incident. This led to the adoption of its business continuity arrangements to be able to continue to provide services to the communities of the West Midlands, whilst keeping its employees safe.

The Covid-19 pandemic resulted in a nationwide lockdown which has had an impact on the Authority's "business as usual". The Authority operated within the provisions of the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020, to ensure continuity of governance and scrutiny of the Service and engagement with regional partners. This was managed through weekly briefing by video conferencing and the application of 'matters of urgency' enabled from the Authority Constitution.

The professionalism and dedication of the firefighters of WMFS to respond assertively, effectively, and safely – combined with the high risk-based, five-minute attendance standard – remains at the heart of its Service Delivery Model. WMFS has worked with academics and medical experts on research that shows the time it takes to get to an incident is critical to someone surviving a fire or a road traffic collision.

Our commitment to delivering excellent services to our communities was recognised by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) during 2019. WMFS are the only one of the 45 Fire and Rescue Services to achieve an 'outstanding' rating for its response to fires and other emergencies. This level of recognition for its response services was received in the first year of this new inspection process.

As Chair of the West Midlands Fire and Rescue Authority and Chief Fire Officer of West Midlands Fire and Rescue Service, we are satisfied that during 2019/20 the business of the service has been conducted in accordance with good standards and that public money has been accurately accounted for.

## Finance

The WMFRA places significant importance in ensuring that its financial management arrangements are in line with the expectations of a public body. As a public service the Authority are responsible for ensuring that public money is properly accounted for and spent in a way that provides value for money.

## Statement of Accounts

The 2019/20 (unaudited) [Statement of Accounts](#) were approved by the Fire Authority's Audit and Risk Committee on the 27 July 2020. The audited Statement of Accounts were then presented for approval by Members at the Fire Authority meeting held on 5 October 2020.



The Authority's accounts for the financial year 2019/20 consist of the following:-

- The Comprehensive Income and Expenditure Statement, the Authority's main revenue account, covering income and expenditure on all services.
- The Movement in Reserves Statement, which shows the movement in the year on the different reserves held by the Authority.
- The Balance Sheet, which sets out the financial position of the Authority at the 31 March 2020.
- The Cash Flow Statement, showing movements in cash and cash equivalents during the year and the cash position at the year end.
- The Pension Fund Account, which summaries the movements relating to the firefighters' pension schemes.

The Covid-19 pandemic impacted at the very end of the 2019/20 financial year and therefore the full impact of this is not reflected in the Statement of Accounts. However, the Authority are expecting significant challenges in the year ahead as it deals with the on-going crisis.

To help WMFS to respond to the pressures of Covid-19, the Authority received from the Ministry of Housing, Communities and Local Government (MHCLG) on the 27 March 2020, a cash advance to assist with cash flow of £2.3m. This payment relates to the section 31 business rates relief grant for 2020/21. To support Covid-19 funding, two separate allocations amounting to £2.8m have been made by the MHCLG to the Authority. The first issued on 20 March 2020 for £0.6m and the second, issued on 28 April 2020 for £2.2m. The utilisation and impact of these grants will be reported in the Statement of Assurance for 2020/21.

## Governance

The Authority is required to produce an “**Annual Governance Statement**” which is published in July each year at the same time as the “Annual Statement of Accounts”. The Governance Statement is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

It explains how our service manages its governance and internal control arrangements and measures the effectiveness of those arrangements.

## Governance Assurance

WMFRA is a Joint Authority established under the Local Government Act 1985, amended "The Fire and Rescue Authority (Membership) Order 2017".

It is a supervisory body that ensure that WMFS perform efficiently and in the best interests of the public and the community it serves. It means that the Service is answerable for its actions and performance to the public.

WMFRA have statutory responsibilities laid down in legislation including the:-

- Fire and Rescue Services Act 2004
- Civil Contingencies Act 2004
- Regulatory Reform (Fire Safety) Order 2005
- Fire and Rescue Services (Emergencies) (England) Order 2007
- Localism Act 2011
- Fire and Rescue National Framework for England 2018
- The Policing and Crime Act 2017
- The Health and Safety Work Act 1974

WMFRA is led by its Chair, Councillor Greg Brackenridge and it comprises of 15 elected Members who represent the 7 local authorities that make up the West Midlands, the West Midlands Police and Crime Commissioner and two co-opted Members (one representing health and one representing business). The 7 local authorities are:- Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall, and Wolverhampton councils.

WMFRA have a **Constitution** that outlines how it carries out its affairs. It explains how decisions are made and brings together in one document the detailed rules and procedures that govern the behaviour of those who work for or represent the Authority.

The Authority Members have developed and adopted a local **Code of Corporate Governance** document which incorporates how the Authority meets the seven principles of good governance. The Fire Authority ensures that its governance structures comply with the seven core principles and sub-principles of the **CIPFA/SOLACE** – 'Delivering Good Governance in Local Government Framework 2016'.

These principles are adhered to via the processes outlined in the Constitution.

To enable the authority to carry out its duties effectively, in addition to the Fire Authority meetings there are several committees and regular forums that include:-

- Appointments, Standards and Appeals Committee
- Audit and Risk Committee
- Collaboration and Transformation Committee
- Joint Consultative Panel
- Pensions Board
- Policy Planning Forum
- Scrutiny Committee

You can find out more about the Fire Authority and its Members on the website, [www.wmfs.net](http://www.wmfs.net). In addition, there is a Committee Management Information System (CMIS) which provides details of all Authority and Committee meetings, reports, minutes, and records of decisions.

## External Audit

The accounts are audited by independent external auditors (Grant Thornton UK LLP) who in addition to auditing the accounts, also provide assurance that the Authority has the correct arrangements in place for securing economy, efficiency, and effectiveness in its use of resources. The full external audit work programme and the risk-based approach are explained in Grant Thornton's [Audit Plan](#). Their findings and their opinion on the Authority's accounts and the value for money is included within the [Audit Findings Report](#). As a result of the external audit work in 2019/20, there were no significant matters arising that required the Authority to implement an action for improvement. The [Annual Audit Letter](#) summarises the key findings for the 2019/20 year.

## Internal Audit

Internal Audit is carried out by Sandwell Metropolitan Borough Council.

The purpose of internal audit is to provide the Authority with an independent and objective opinion to risk management, control and governance and their effectiveness in achieving the Authority's agreed objectives. To enable Sandwell Metropolitan Borough Council to provide this opinion, they are required to review annually the risk management and governance processes within the Authority. In addition, they need to review on a cyclical basis, the operation of internal control systems within the Authority. Internal audit is not a substitute for effective internal control. The role of internal audit is to contribute to internal control by examining, evaluating, and reporting to management on its adequacy and effectiveness.

The [Annual Audit Plan](#) is agreed by the Audit and Risk Committee and progress reported on a quarterly basis. The annual plan of Internal Audit includes the following:

- The areas subject to review (Auditable Area).
- The level of risk to the Authority assigned to each auditable area (high, medium, or low).
- The number and type of recommendations accepted by management.
- The level of assurance given to each system under review.
- Details of any key issues arising from the above.

Other sources of assurance on which the Authority may rely include:-

- The work of the External Auditors (currently Grant Thornton)
- The result of any quality accreditation
- The outcome of visits by HM Revenue & Customs
- Other pieces of consultancy or third-party work designed to alert the Authority to areas of improvement
- Other external review agencies

## Financial

The Accounts and Audit Regulations 2015 require that the accounts be submitted to Members for approval by the end of July. However, for 2019/20 only the Regulations have been amended by the Accounts & Audit (Coronavirus) (Amendment) Regulations 2020. The amendments to the Regulations were made in response to the unprecedented situation across the UK relating to COVID-19 and the need to reduce the pressure on all Authorities to comply with legal deadlines. As such, these Regulations provide the Authority with additional time to complete the 2019/20 audit, given the likely impact of the COVID-19 virus on the availability of staff and auditors to complete the audit process within current deadlines due to sickness or redeployment.

The deadline to publish the Authority's unaudited 2019/20 Statement of Accounts have been changed from 31 May 2020 to 31 August 2020 with the deadline to publish the audited accounts being pushed back from 31 July 2020 to 30 November 2020, these were published on the ?? **(They will be published in January 2021, date to be confirmed)**

## Data Transparency and Accountability

In preparing this Statement of Assurance, the Authority has considered the principles of transparency, promoting openness and accountability through reporting on local decision making, public spending and democratic processes. All

relevant information is published on the West Midlands Fire Service website in line with the [Local Government Transparency Code 2015](#), including information on how the Authority has spent its public money, demonstrating the Authority's commitment to transparency and accountability.

## **OPERATIONAL**

### **Integrated Risk Management Plan (IRMP)**

The IRMP provides an assessment and analysis of fire and rescue related risks within the West Midlands. It shows how WMFS will target its resources so that the Service can prevent incidents from happening, while also making sure resources are located in the best position to protect the community, enabling the Service to continue to provide the highest standards of service in the areas of Prevention, Protection and Emergency Response through the Service Delivery Model. The IRMP co-exists alongside the medium-term financial plan and 'Our Plan' which together comprise our three-year rolling strategy.

### **Public Consultation**

In line with the National Fire and Rescue Framework, we have committed to consult on the IRMP every three years, or where there is a material change to this risk assessment. WMFRA are committed to enabling the wider community to understand the strength in the risk-based approach to the delivery of services across the West Midlands and to understand the public's expectation of their Fire Service.

Since the last consultation that took place during 2016/17 there have been several national and local reports and inspections that have been undertaken:

- Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) independent assessment of the effectiveness and efficiency of all fire and rescue services.
- State of Fire and Rescue: The Annual Assessment of Fire and Rescue Services in England 2019; and
- The NFCC, National Employers (England) and LGA 'Fit for the Future' report 2020.

These are likely to change the way Fire and Rescue Services operate and deliver services to communities in the future. The service continues to monitor and act upon the outcomes of the Hackett and Kerslake reviews published in 2018.

The IRMP as an assessment of fire related risk across the West Midlands was scheduled to be consulted upon in late 2019 to support the determination of the Authority's strategic priorities 2020-21. However, the consultation process was paused as a direct result of the announcement of the General Election in December 2019.

The consultation was rescheduled for early in 2020 but was once again was delayed, this time due to the Covid-19 pandemic. The consultation is planned to take place late in 2020 and the results of the consultation will be shared in the Statement of Assurance, 2020/21.

The IRMP consultation will support a review of the Authority's three-year rolling Strategy and annual priorities for February 2021, enabling the revision of the Strategy for 2021-24.

## **Mutual Aid Arrangements**

WMFRA has mutual assistance arrangements in place with all the Fire and Rescue Services that surround the West Midlands – Hereford and Worcester, Shropshire, Staffordshire, and Warwickshire. Arrangements are in place to support the neighbouring Fire Services in the event of a large-scale incident or where the resources of our neighbouring Fire Services were greatly reduced.

The Authority is a partner in the West Midlands Conurbation Local Resilience Forum (LRF), the statutory multi-agency partnership set up to ensure the local authorities, emergency services and environment agency in partnership with other services including utility companies fulfil their duties under the Civil Contingencies Act 2004. The forum enables the planning to be in place in preparation for localised incidents and disastrous emergencies which may impact on the communities within the West Midlands.

The Police and Crime Act 2017 placed a duty on Fire, Police and Ambulance services to collaborate to improve the efficiency and the effectiveness of emergency services. WMFS will continue to work with partners to find better ways of working together to ensure we keep the communities of the West Midlands safer, stronger, and healthier. The service recognises that better joint working can deliver savings for taxpayers and improve services to the community. WMFS work with partners to optimise multi-agency response and resilience through enhanced working relationships, in line with the Joint Emergency Services Interoperability Programme (JESIP).

In support of National Resilience and enabled through Central Government funding, the service has enhanced its capability to respond to major emergencies such as terrorist attacks, industrial and domestic accidents, and natural disasters. WMFS are also a partner in the Multi-Agency Specialist Assessment Team (MASAT) which

provides an initial assessment of potential Chemical, Biological, Radiological, Nuclear or Explosive (CBRNE) incidents.

The Urban Search and Rescue (USAR) and International Search and Rescue (ISAR) teams are on call 24/7 providing the ability to rapidly respond to incidents locally, nationally, and internationally, assisting and undertaking search and rescue operations.

## **Health, safety, and wellbeing**

The Service has a primary responsibility for risk management and is committed to complying with its duties under the Health and Safety Work Act 1974 and associated legislation for health, safety, and wellbeing, to enable this.

In line with delivering a “safer, stronger and healthier West Midlands”, it is important to maintain focus on ensuring that the service continues to develop a positive approach to employee health, safety and wellbeing and to protect others from harm from its activities. To this end, the aim is for an assertive, effective, and safe approach when responding to emergencies.

The Authority and Service are committed to working with all its employees and partners (internal and external) to achieve high standards of, and continuous improvements in, health and safety, which protects employees and others we work with and affect.

This commitment has been recognised by the HMICFRS who stated, “*West Midlands Fire Service has robust health and safety arrangements in place, including a governance process for strategic oversight and management of all health and safety issues.*”

## **External Operational Assurance**

In July 2017, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) extended its remit to include inspections of England’s Fire and Rescue Services. HMICFRS assess and report on the efficiency, effectiveness, and people of the 45 fire and rescue services in England.

Inspections focus on the service provided to the public. They assess how well Fire and Rescue Services prevent, protect against, and respond to fires and other emergencies and how well they look after the people who work for the service.

Fire and Rescue Services are given graded judgements as outcomes of each inspection. These are:-

- Outstanding



- Good
- Requires improvement, and
- Inadequate

HMICFRS judged that West Midlands Fire service is:-

- 'Good' at effectively keeping people safe and secure from fire and other risks.
- 'Good' at efficiently keeping people safe and secure from fire and other risks and
- 'Good' at looking after its people.

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

Within the 'people' element there were two 'requires improvement' aligned to promoting values and culture and developing leadership and capability.

These areas for improvement were subsequently included for consideration by an 'Independent Cultural Review' conducted by an external service following the aversion of a Trade Dispute.

The purpose of this review was:-

- To undertake an independent root and branch review of the service 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 cultural challenges within WMFS to ensure the best possible position to deliver for the communities of the West Midlands.

The cultural review report stated the following:-

*'As an service, it therefore appears not a question of **'what'** you have to do to address the concerns and dissatisfaction of the Service that have led up to the dispute but more a question of **'how'** you are going to do it. At the minute there are*



*different views and opinions of how things should be led, managed and delivered and it is materialising as a perceived resistance to change.'*

It concluded that:-

- **Vision:** is clear and the staff recognises and appears to subscribe to it.
- **Values:** the core values describe what everyone feels is important to them.
- **Employee Relations Framework:** emphasises joint working.
- **Constitution:** of the Fire Authority is clear about the role of members.
- **Governance:** The senior management team have described levels of responsibility and accountability.
- **Development:** Managers are provided with input through the managing and leading excellence programme.

Both the inspection and the cultural review report have been communicated to all staff. All stakeholders have been involved in addressing the matters identified in numerous workshops and meetings. Work continues but has been delayed due to the Covid-19 pandemic.

## Awards

WMFS is always delighted to receive external awards and two that were awarded during the year were: -

The Guardian announced WMFS as the winner of the Workplace Diversity category of their Public Serves Awards 2019. The Guardian had recognised the work that the Service had done to encourage more people from under-represented groups, including women and people from black, Asian and minority ethnic (BAME). This was a fantastic achievement towards our objective of being an employer that reflects the composition of the communities we serve.

Fire Magazine "Excellence in Fire and Emergency Awards" recognised Coventry Fire Station and several of our partners pick up the Resilience and Learning from Major Incident's award for the fantastic multi agency work that has taken place at the simulation centre at Coventry University.

## Internal Operational Assurance

The Chief Fire Officer, Phil Loach leads the Strategic Enabling Team (SET). This senior management team oversee the shape and direction of the service and that it is adhering to our legal responsibilities.

WMFS operates a three-year rolling strategy known as '**Our Plan**', this document sets out how the Service will fulfil its vision of "Making the West Midlands safer, stronger and healthier". The aim is to achieve this through its priorities and outcomes set by the people of the West Midlands through consultation and with their Fire Authority. In summary, these include:-

- The **response priorities** that focus on dealing excellently with emergency incidents
- The **prevention priorities** focus on making safer and healthier communities
- The **protection priorities** focus on protecting life and property to make businesses stronger and communities safer

WMFS delivers its priorities with effective delivery through collaboration outcomes, which are:-

- People – WMFS will create an inclusive workforce
- Digital transformation – WMFS will enhance and transform services to its communities, underpinning them with innovative and digital solutions
- Value for Money – Working closely with its partner services is key to delivering its services effectively and efficiently.

## The performance of WMFS during 2019/20

The Service has an established online performance management dashboard system, supplemented by a quarterly reporting forum of senior officers and including the Chair of the Scrutiny Committee. The performance of the Service is reported and discussed at the Scrutiny Committee on a quarterly basis. thereby progress made against "Our Plan".

The setting of targets against operational and other performance indicators enables the Service to identify key areas for improvement which contribute to making the West Midlands safer, stronger, and healthier.

The five-minute attendance standard lies at the heart of its Service Delivery Model which shows how staff based mainly at fire stations deliver the three strategic objectives of response, prevention, and protection.

## Response

WMFS know that its five-minute response is based on evidence and knowledge of risk and that it saves lives, homes, and businesses. As at the 2019/20 year-end, the overall median attendance time to Category 1 incidents was 281 seconds (4.41 minutes) which was one second quicker than the previous year.

## Prevention

The prevention work focuses on reducing people's vulnerability to the type of emergencies to which the service responds. WMFS also have specialist prevention and partnership teams who support its firefighters in reducing anti-social behaviour, including arson, and improving road safety. As at the 2019/20 year-end the service attended 694 'Deliberate Vehicle Fires'. This was 13.9% below the forecasted target of 806. This kind of incident has continued to decline since 2014/15.

## Protection

The protection work focuses on helping businesses to thrive, making the West Midlands stronger. WMFS advises companies how best to comply with fire safety legislation, to keep its staff and customers safe. As at 2019/20 year-end the service attended 435 'Accidental Fires in Non-Domestic Premises'. This was 1.1% above the forecasted target of 430, yet despite this 'Accidental Fires in Non-Domestic Premises' were at the second lowest level since 1998/99.

## How do WMFS do it?

From finance through to its vehicles, technology and communications, the service works hard to ensure that its services are delivered in the most relevant, effective, and efficient ways. Everything that is done is achieved and risk in our communities is reduced by its cost-efficient, flexible, and agile workforce.

At a time of unprecedented change and financial challenges for the public sector, the staff of WMFS keep finding exciting and new ways to transform the services that are provided to achieve even more with less.

This has been made possible by the exceptional workforce, a blended fleet of vehicles, a new approach to communication and a commitment to the use of technology.

WMFS aspire to keep delivering services in the most relevant, efficient, and effective ways for its communities.

## National Developments

## **Phase 1 Report of the Public Inquiry into the fire at Grenfell Tower on 14 June 2017**

The report was published on 30 October 2019. It contains several recommendations against which WMFS is considering and is acting and will consider its position and where appropriate, take action to ensure continuous improvement in enabling the delivery of our Vision of “Making the West Midlands Safer, Stronger and Healthier.”

In the immediate aftermath of the fire, WMFS co-ordinated the sector response on behalf of the National Fire Chief Council (NFCC). The service collated and identified ACM cladding on tall buildings across all Fire and Rescue Services. This approach enabled the establishment and maintenance of effective communications and information workflows between government departments, the NFCC and all Fire and Rescue Services. As a service it continues to work closely with the NFCC to develop its own understanding and influence the sector approach moving forward.

As part of this approach, Fire safety and station-based crews completed fire safety audits and site-specific risk information (SSRI) visits at the 551 residential tall buildings in the Service’s seven local authority areas. This has included updated information on ACM and other flammable material attached to building exteriors.

As a regulator, WMFS is one of the few FRS that has used its legislative powers to ensure that risk is reduced by ensuring that plans are in place to remove unsafe cladding and address compartmentation issues. This initial and growing demand on Fire Safety Officers has been proactively managed through the increase of the number of staff by 11 officers.

The continual review of initial action plans, hazards and firefighting/protection systems is key to our capturing and recording of relevant information. Preplanning through SSRI and visits under 7.2 (d) of the FRS Act 2004 enables for WMFS to record risks and safety critical information. The service has worked closely with partners to understand risk in high-rise residential and other tall buildings. Where appropriate WMFS have increased its level of response to ensure this risk is managed during the initial stages of any incident.

WMFS is committed to continuous improvement and excellence in all aspects of its work and continually reviews all policies, systems, and processes in response to service intelligence. The high-risk policies and procedures have been reviewed, evaluated, and developed with key input from across the service, including those external links into National Operational Guidance (NOG). There was a strategic focus for all operational personal to familiarise themselves with the revised High-Rise policy and associated learning.

Through its effective partner relationships and specific events designed to target local authorities and house providers it has been able to influence the retrofitting of sprinkler systems in several tall buildings across the West Midlands area. This is consistent with both the Authority's and the NFCC's position promoting sprinklers and will significantly reduce risk to residents and firefighters who respond to fires in these premises.

The HMICFRS Inspection report of the Service published in late 2019 specifically noted the response and progress to the Grenfell Tower incident. It acknowledged the items described previously, of which re-prioritisation of risk-based inspection, competence of Incident Command and focus upon training and assessment featured significantly.

WMFS is currently considering its position and potential actions to be taken to ensure that it complies with or can support others to be compliant against all 47 recommendations of the Phase 1 recommendations. WMFS is considering and acting upon the recommendations from the 2019 Hackitt Report "Building a Better Future". The actions and activities arising will feature in the Statement of Assurance of 2020/21.

### **High Rise Incident Assurance**

The Service proactively reviews intelligence and its preparedness for incidents in high-rise and high-risk tall buildings which can present the most challenging environment for the community and firefighters. The approach taken in managing these properties and the risks they present was positively acknowledged in the recent HMICFRS report. Key areas of activity are: -

- **Policy Revisions** – the High-Rise Policy has been constantly reviewed as intelligence has emerged both nationally and locally. The policy is aligned to National Operational Guidance where appropriate and enhanced to provide additional support locally. The revised policy has followed the recognised consultation process through the Employee Relations Framework and is supported by a robust training and communication plan. Whilst operational in its nature, key policy matters include:-
  - The Regulatory Reform Order considerations
  - Building Construction
  - Different types of High-Rise/Tall buildings
  - Dry/Wet Risers
  - Evacuation
  - Fire Control
- **Site Specific Risk Information (SSRI) System** – the Fire Authority has a responsibility under the Health & Safety at Work Act to provide information as necessary and reasonable practice for its employees.

One of the ways that this is undertaken is through the SSRI system. This provides a record of all high-rise buildings and any pertinent information that Incident Commanders would need to effectively manage an emergency incident.

The system is also designed to provide supporting operational plans to help manage an incident e.g. Initial Operational Plan, Water Plan, or Environmental Plan.

Whilst the service policy sets out initial actions, quality assurance, review schedules (based on risk) and training expectations, the high-rise assurance plan has highlighted areas that require additional focus and rigor alongside enhancements in digital support. There is also a growing number of new builds across the West Midlands area which fall into this high-risk category of building that are now being included within the SSRI system in a timely manner.

- **Incident Commander Competence** – This is a critical area where the service has responsibility to both the community and its staff. A significant investment is made into systems to provide acquisition, ongoing maintenance, and assurance of incident command competence. To provide the higher levels of health and safety compliance we have introduced 'Standardised Assessments' to ensure all of the core competencies required of a firefighter/officer are consistently assessed and recorded.
- However, in supporting the Health & Safety Framework, the service undertakes an annual Competency Risk Assessment which reviews the frequency of existing operational activities and any new activities being considered. To provide enhanced assurance around high-rise incidents, the service sets an expectation that every officer would complete a standardised incident command assessment specifically based on a high-rise fire. Additional investment has been made to create capacity to accommodate increased demand for these assessments. There is also a similar requirement to assess the competency of flexi-duty officers using a standardised assessment process.
- **Training Materials and Support** – to support the revised policy and staff achieve excellence, there have been enhancements to training and support materials. This includes new training packages and XVR incident command simulations undertaken both at the Command Development Centre and remotely where the simulations are taken to stations using a mobile platform. This is further supported by the high-rise training facility at Oldbury Fire Station.

- **Research and Development** – To support ongoing improvement to the capability and approach to dealing with fires in high-rise buildings, there are multiple new pieces of equipment being considered for inclusion on its frontline appliances. Items being considered are:-
  - Cleveland Coil Hose – an alternative way to use firefighting hose.
  - Smoke curtains and smoke hoods to support evacuation.
  - Electric PPV to support firefighting operations, e.g. failure of West Risers.

## **Tall Buildings**

The Tall Building Action Plan satisfies all the recommendations from the Grenfell Phase One report and the assurance is provided to the Home Office via the National Fire Chiefs Council (NFCC) and reflected in the services Corporate Risk Register. WMFS is developing a revised Tall Buildings Policy in liaison with the NFCC and influencing the national approach through engagement with the National Operational Guidance Programme.

## **Staffing**

Staffing is managed and evaluated within the 'People' Programme as part of the 'Workforce Planning Project'. Overall, the staffing arrangements and model continue to work effectively and efficiently in the delivery of the Service Delivery Model. The staffing arrangements are based on reduced establishment levels supplemented with the use of Voluntary Additional Shifts (VAS).

The project places attention to the 'ridership factor'; this accounts for the number of days people are unavailable for operational duties outside of allocated annual leave and includes absence related to sickness and restricted duties. Awareness of the ridership factor contributes to the understanding of fleet availability and consequently a measure of the effectiveness of our Service Delivery Model.

## **Property Asset Plan Project**

The new Coventry Fire Station became operational in the summer of 2019. It has comprehensive new technology including a new turn out system where the appliance and incident type that is being mobilised is communicated via speakers through the turn out system. The training facility at Coventry is the next phase for development during 2020/21.

## **Fire Control Vision Project**



Fire Control are using technology on a day-to-day basis including the increased use of 999Eye which enables Fire Control operators to see the incident through the camera on the caller's mobile phone and mobilise the right resources to the incident. The use of the Dynamic Cover Tool enables Fire Control to position the fleet and crews where risk is highest enabling the service to achieve its attendance standards and save life.

### **Brigade Response Vehicles and Brigade Support Vehicles**

The Service operates a blended fleet of vehicles. The management of Unwanted Fire Signals from Automatic Fire Alarms is provided via Brigade Response Vehicles and Brigade Support Vehicles and has seen a reduction in the number of calls received. The performance indicator is 200 calls below target compared to nearly 400 over target for the same period in 2018/19. This is due to the work of Operational Crews, Business Support Officers and Fire Safety Officers giving advice and working with businesses to reduce the impact of calls on the Service Delivery Model.

The flexible staffing arrangements implemented due to the financial constraints are having an impact on value released by the Business Support Officers. This is due to the Officers being used to staff appliances during their shifts, reducing the Protection activities. The risk is being analysed and data is being reviewed to manage the issues highlighted.

### **Emergency Services Mobile Communications Programme (ESMCP)**

In 2011 the government set up the Emergency Services Mobile Communications Programme to look at options to replace Airwave. There has been a series of issues and delays where it is now anticipated that it will be delivered in December 2022.

WMFS continues to contribute to this programme through a dedicated project which also links to Staffordshire FRS due to the Shared Fire Control.

### **Distributed Training Model**

The distributed training model continues to make use of local assets and resources and provides opportunities for West Midlands Fire Service firefighters to undertake training at locations throughout the service area. This localised approach supports the ethos of personal accountability in relation to workforce competence and operational excellence in the delivery of effective, safe, and assertive firefighting.

As crews undertake most of their training whilst remaining available for response to emergency calls, the distributed training model is a key component in supporting the Service Delivery Model.



January to March 2020 has seen teams from the Services Learning and People Development delivering continuous professional development sessions for station-based assessors. This supports command delivery in having the right number of suitably qualified people in the right place at the right time to ensure excellence in the delivery and assessment of competence in core emergency response activities.

From April 2020 onwards, Services Learning and People Development will be making use of available and emerging technology to provide further support to the workforce in training and assessment of emergency response activities. There is also proposed significant investment of Coventry hot fire training facility to ensure it is fit for the needs of a modern ambitious Fire Service.

This continued focus on providing high quality training facilities and ongoing development of staff will ensure we are delivering excellent services to the communities we serve and will help us maintain and improve on our HMICFRS outstanding rating for responding to fires and other emergencies.

## **Covid-19**

To enable decision making in the context of the Covid-19 pandemic, from 18 March 2020, the Strategic Enabling Team formally met several times a week, as a Business Continuity Management Team. They were supported in the implementation of revised service provision through a Business Continuity Planning Team, comprising a cohort of Middle Managers. The Service instigated business continuity plans, in readiness for the virus's potential to affect the activities that could be delivered by firefighters and support staff. In addition, the organisation adhered to the [Coronavirus Act 2020](#) to ensure the health and well-being of all employees. The Service committed to the national Tripartite Agreement enabling firefighters and support staff volunteers to implement the coordinated efforts of sustaining partner organisations and our communities during the pandemic.

The Covid-19 pandemic occurred at the very end of the 2019/20 financial year and therefore its full impact is not reflected in this statement of assurance. The Authority response to the significant challenge that emerged will be reported in the Statement of Assurance 2020/21.





# **AUTHORITY REPORT**

## **PAY POLICY STATEMENT 2021/2022**

**March 2021  
People Support Services**

**PAY POLICY STATEMENT 2021/2022**

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## **Pay Policy Statement 2021/2022**

### **The level and elements of remuneration for each Chief Officer**

The basic pay details of all Chief Officers is available on the West Midlands Fire Service website [www.wmfs.net](http://www.wmfs.net) . The levels of pay will be determined by both national and local review following the guidance set out in the 'Gold Book' Terms of Conditions. All other payments will be contained within the Authority's statement of accounts which is also published on the West Midlands Fire Service website. The latest pay awards were published April 2020.

### **Remuneration of Chief Officers on recruitment**

On recruitment the Executive Committee is authorised to consider and make recommendations to the Fire Authority on the conditions of employment and salary of the Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Fire Officer. Considerations will be given to the guidance contained within the Pay Policy Statement for determining the level of salary for each Principal Officer.

### **Increases and additions to remuneration for each Chief Officer**

There is a two-track approach for determining levels of pay for Principal Officer roles. At national level, the NJC shall review annually the level of pay increase applicable to all those covered by this agreement. In doing so, the NJC will consider affordability, other relevant pay deals and the rate of inflation at the appropriate date. Any increase agreed by the NJC will be communicated to Fire Authorities by Circular.

Other decisions about the level of pay and remuneration to be awarded to individual Principal Officer roles will be taken by the local Fire Authority. This will be considered at the time of the Pay Policy Statement Review. (Advice on the implementation of a local salary structure is contained within the Pay Policy Statement).

## Remuneration of all other employees of the West Midlands Fire Service

### Living Wage

The Fire Authority is an accredited Living Wage employer and is committed to ensuring that all employees are paid, as a minimum, the real Living Wage. This is reviewed on a year on year basis and amendments are made to ensure that are aligned to the Living Wage.

### Green Book Employees

Salaries of 'Green Book' employees in the Service are set using locally determined pay scales and utilising an Integrated Personal Development System which is based around the nationally agreed Job Evaluation Scheme.

Please see Appendix 1D for the salaries of Green Book Employees including our lowest paid employees and the relationship between these employees and our Chief Officers. For this purpose, the relationship has been made to the Chief Fire Officer's salary. All new changes to Green Book salaries were reflected in the last Pay Policy Statement in April 2020.

### Grey Book Employees

Salaries of 'Grey Book' employees in the Service are set using nationally agreed pay levels.

National Pay Awards are also made to pay scales on an annual basis and these pay awards are applied to all employees. This annual award is applicable in April for Green Book Employees and July for Grey Book Employees.

Please see Appendix 1D for the salaries of Grey and Green Book Employees including our lowest paid employees and the relationship between these employees and our Chief Officers. For this purpose the relationship has been made to the Chief Fire Officer's salary.

### The use of performance related pay for Chief Officers

The West Midlands Fire Service does not use performance related pay for its Chief Officers.

### The use of bonuses for Chief Officers

The West Midlands Fire Service does not award bonuses to Chief Officers.

The approach to the payment of Chief Officers on their ceasing to hold office or to be employed by the Authority

The payment to Chief Officers on the ceasing of their employment will be in line with the benefits accrued through meeting the qualifying requirements of the relevant Pension Scheme.

In the case of any redundancy payments to be made to Chief Officers these payments will be set using the existing regulations for 'Gold Book' employees and their appropriate pension scheme.

Redundancy payments for Chief Officers eligible to join the Firefighters' Pension Schemes will be calculated based on the statutory maximum weekly pay. Gold book employees eligible to join the Local Government Pension Scheme will receive a redundancy payment in line with authority agreement under Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. See Appendix 1A.

Any settlement of £100,000 or more or any other payments will be subject to the approval of the Authority on a case by case basis.

The approach to the payment of all other Employees on their ceasing to hold office or to be employed by the Authority

- Green Book Employees

The payment of Green Book Employees on the ceasing of their employment will be in line with the benefits accrued through meeting the qualifying requirements of the relevant Pension Scheme.

In the case of redundancy the guidance contained within the pension policy statement will apply under the existing conditions of the Local Government Pension Scheme.

- Grey Book Employees

The payment of Grey Book Employees on the ceasing of their employment will be in line with the benefits accrued through meeting the qualifying requirements of the relevant pension scheme.

In the case of any redundancy payments to be made to Grey Book Employees eligible to join the firefighter's pension scheme, these payments will be set using the existing regulations for Grey Book employees. Redundancy payments will be calculated based on the statutory maximum weekly pay.

- Employees in Fire Control

In the case of redundancy the guidance contained within the pension policy statement will apply under the existing conditions of the Local Government Pension Scheme.

### The publication of and access to information relating to the remuneration of Chief Officers

Details of the Chief Officer's salary and remuneration including any expenses will be made available on the West Midlands Fire Service website. This information is contained within the Annual Report and Statement of Accounts.

### Discretions available to the Authority under the Local Government and Firefighters Pension Schemes

In line with the regulations of the Local Government and Firefighters Pension Schemes West Midlands Fire Service must formulate, keep under review and publish their policies on certain discretions contained within the Regulations. These regulations are included as appendices to this policy.

### **Definitions used within the Pay Policy Statement**

The term Chief Officer refers to those defined within the Localism Act. In simple terms the policy covers the Chief Fire Officer and those posts which report directly to him/her and also the next management tier below (excluding any secretarial or clerical roles).

The term 'lowest paid employees' is defined as a full time employee on the lowest paid role/rank for Grey Book employees and the bottom scale column point of the Green book pay scale or employee subject to the living wage if higher. These are the lowest paid employees other than apprenticeships which are paid less to reflect the nature of the training and development role.



## **IMPLEMENTATION OF A LOCAL SALARY STRUCTURE GUIDANCE**

### **Introduction**

1. Both the Employers and Brigade Managers recognise the importance of applying the appropriate skills and developing the competencies necessary to support and embed the cultural change inherent within these new terms and conditions.

### **Local Salary Structures**

2. When determining the appropriate level of salaries for all Brigade managers, the Fire and Rescue Authority should refer to the relevant minimum salary of the Chief Fire Officer and the most relevant benchmark data.
3. Normally the fire and rescue authority will wish to begin by determining appropriate salary for their most senior manager.
4. When deciding how these posts should be remunerated the following factors are to be considered:
  - a. the Chief Fire Officer's salary and that of any senior staff not covered by the Scheme of Conditions of Service (Gold Book);
  - b. the relationship of current salary to the appropriate illustrative national benchmark;
  - c. any special market considerations;
  - d. any substantial local factors not common to fire and rescue authorities of similar type and size e.g. London weighting; complex local, regional or national responsibilities which bring added value;
  - e. comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
  - f. top management structures and size of management team compared to those of other fire and rescue authorities of similar type and size;
  - g. the relative job size of each post, as objectively assessed through an appropriate job evaluation process or otherwise; and
  - h. incident command responsibility and the requirement to provide operational cover within the employing authority and beyond

The process for setting salary levels should include consideration of the following criteria:

- minimum salary levels for Chief Officers in relevant sized local authorities;
- market rates of pay for senior managers in a range of private and public sector organisations; and
- evidence of recruitment and/or retention difficulties with existing minimum rates.

There are a range of schemes and approaches available for authorities to use in assessing job size. To assist authorities, advice can be obtained from the Employers' Side Secretary of the NJC.

## APPENDIX 1A

### STATEMENT OF POLICY

Under Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, operative from 29 November 2006, each employer must formulate, keep under review and publish their policies on certain discretions contained within the Regulations.

This statement is applicable to all employees of the West Midlands Fire and Rescue Authority who are eligible to be members of the Local Government Pension Scheme (LGPS).

#### Regulation 5 - Power to increase statutory Redundancy payments

##### Explanation

*Employers have the discretion to resolve to use the employee's actual pay instead of the statutory maximum pay permitted under the Employments Rights Act 1996, in the calculation of redundancy payments.*

##### Policy

The Fire Authority will always use the employees' actual pay when calculating redundancy payments.

#### Regulation 6 –Discretionary Compensation

##### Explanation

*The Authority has the discretion to resolve to increase the lump sum compensation payable under the Employments Rights Act 1996 to an employee who loses their employment with the Authority, up to a maximum of 104 weeks' pay.*

##### Policy

The Fire Authority will not exercise this discretion and therefore will not increase the maximum payable beyond the statutory limit of 30 weeks' pay.

## **STATEMENT OF POLICY**

Under Regulation 60 (1) of the Local Government Pension Scheme (LGPS) Regulations 2013, each employer must formulate, keep under review and publish their policies on certain discretions contained within the LGPS Regulations.

This statement is applicable to all employees of the West Midlands Fire and Rescue Authority who are eligible to be members of the LGPS.

### **1. Regulation 30 (8) – Waiving of actuarial reduction**

#### **Explanation**

*From age 55, members who have left local government employment receive early payment of their retirement benefits and do not need their employer's consent. The pension benefits must be reduced in accordance with guidance provided by the Government actuary. Employers may determine on compassionate grounds that the benefits are not reduced.*

*For a member who joined the scheme prior to 1 October 2006 where the member's age and membership (in whole years) satisfies the "rule of 85" then the benefits would be reduced, unless the employer chooses to exercise the discretion within the regulations. For a member who joined the Scheme on or after 1 October 2006, then reduced benefits would be payable if taken before age 65.*

#### **Policy**

Each specific case will be judged equally and fairly on its own merits and would need to be funded by a lump sum contribution into the Pensions Fund by the Fire Authority. This discretion will only be exercised by the Fire Authority in cases where it can be demonstrated that the Fire Authority can fund the cost of the release within a 3-year period.

This discretion will be exercised by the Deputy Chief Fire Officer as delegated by Chief Fire Officer in conjunction with the Treasurer and Chairman to approve existing severance packages and members will be notified where discretion is exercised.

**2. Regulation 31 - Power of the Employing Authority to award Additional Pension**

**Explanation**

*An employer may resolve to award a member additional pension of not more than £6,500 a year, payable from the same date as their pension is payable under any other provision of these regulations. An additional pension may be paid in addition to any increase to total membership resolved under Regulation 16 so long as the overall total does not breach the limits laid down within these regulations.*

**Policy**

Each specific case will be judged equally and fairly on its own merits, having fully considered service delivery and financial costs.

**3. Regulation 30 (6) - Flexible Retirement**

**Explanation**

*A member who is aged 55 or over and with their employer's consent reduces their hours or grade can then, but only with the agreement of the employer, make an election to the administering authority for payment of their accrued benefits without having retired from that employment.*

**Policy**

Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs. This discretion will only be exercised by the Fire Authority in cases where it can be demonstrated that the Fire Authority can fund the cost of the release within a 3-year period.

**4. Regulations 16(2)(e) and 16(4)(d) - Funding of Additional Pension**

**Explanation**

*Where an active member opts to make Additional Pension Contributions (APC) under Rule 16(2)(e) these may be funded in whole or in part by the Employer. Under Rule 16(4)(d) the employee may opt to pay APC as a Lump Sum and this may also be funded in full or part by the employer.*

**Policy**

The Fire Authority will fund in whole or in part any APC operated by themselves under a salary sacrifice arrangement.

The Fire Authority will, however, not fund in whole or in part any other APC purchased either by periodical payments or Lump Sum direct from a members Net Pay.

The Fire Authority is not obliged by the Regulations to publish a statement on the following discretions contained within the LGPS 2013 Regulations but has chosen to do so.

5. **Regulation 22(8)(b) - Re-employed and Rejoining Deferred Members**

Explanation

*Where a deferred member becomes an active member again before becoming entitled to the immediate payment of retirement benefits in respect of their former membership, their former membership will be aggregated with their current active membership unless within 12 months from the date of the active member's pension account being opened they make an election in writing to the member's appropriate administering authority. The period of 12 months may be extended at the discretion of the employing authority.*

Policy

The Fire Authority will extend the period of 12 months beginning with the date that the active member's pension account is opened again to allow a member to choose not to aggregate his/her former membership in exceptional circumstances or where it was beyond the member's control.

6. **Regulation 100 (6) – Inward Transfer of Pension Rights**

Explanation

*A person who becomes an active member who has relevant pension rights may request his fund authority to accept a transfer value for some, or all, of his former rights. An election must be made in writing before the expiry of the period of 12 months beginning with the date that he became an active member or any such longer period as his employer may allow.*

Policy

The Fire Authority will extend the period of 12 months beginning with the date that he/she became an active member – thereby, allowing a member to transfer some or all of his/her rights from the relevant transferor in exceptional circumstances or in circumstances beyond the member's control.

7. **Choice of early payment of Deferred Pension**

Explanation

*Where a member became a deferred member between 31 March 2008 and 1 April 2014, they can apply for early release of benefits, and the Fire Authority can fund the costs of the release.*

Policy

Each specific case will be judged equally and fairly on its own merits and would need to be funded by a lump sum contribution into the Pensions Fund by the Fire Authority. This discretion will only be exercised by the Fire Authority in cases where it can be demonstrated that the Fire Authority can fund the cost of the release within a 3-year period.

This discretion will be exercised by the Deputy Chief Fire Officer as delegated by Chief Fire Officer in conjunction with the Treasurer and Chairman to approve existing severance packages and members will be notified where discretion is exercised.

**From 1 June 2004, an amended Internal disputes resolution procedure applies to active members of the LGPS and to others such as deferred and pensioner members, whose position may be affected by decisions taken by their former employer or LGPS administering authority.**

8. **The Internal Dispute Resolution Procedure**

Explanation

*Responsibility for determinations under the first stage of the procedure now rests with a 'specified person' appointed by your (former) employer. The Fire Authority must specify the job title and address of the person to whom applications should be directed.*

Policy

The specified person for the West Midlands Fire and Rescue Authority is:-

*Wayne Brown*  
Deputy Chief Fire Officer  
West Midlands Fire Service HQ  
99 Vauxhall Road  
Birmingham  
B7 4HW

The discretions within this Policy Statement will be reviewed at the point of regulation change but no less than yearly in line with the Authority's Pay Policy Statement.



**STATEMENT OF POLICY**

Under Rule B7 of the 1992 Firefighters' Pension Scheme Paragraph 5

(A) a fire and rescue authority may, having regard to—

- (a) the economical, effective and efficient management of their functions, and
- (b) the costs likely to be incurred in the particular case

- pay a lump sum in excess of two and a quarter times the full amount of the pension.

West Midlands Fire Service will formulate, keep under review and publish their policy on the discretion contained within this rule.

Due to the rate of the commutation factors laid down within the 1992 Firefighters' Pension Scheme it is possible for an unauthorised payment to occur if a member commutes the maximum allowable portion of their gross pension. In cases where this happens the Fire Authority will become liable to a further charge. When using this discretion the amount to which the lump sum will be increased will be limited to the maximum authorised payment allowed by HMRC regulations.

This statement is applicable to all employees of the West Midlands Fire and Rescue Authority who are eligible to be members of the 1992 Firefighters' Pension Scheme.

**Policy**

Each specific case will be judged equally and fairly on its own merits and would need to be funded by a lump sum contribution into the Pensions Fund by the Fire Authority. It is the Line Manager's responsibility to ensure that the recommendation is made and submitted to their SET managers for consideration. The value of the Lump Sum payment into the Pension account will be provided by the Pensions section on request and the remaining cost figures should be obtained from the Finance Liaison Officer.

This discretion will only be exercised by the Fire Authority in cases where it can be demonstrated that the Fire Authority can fund the cost of the release within a 3-year period.

This discretion will be exercised by the Strategic Enabler of People Support Services and Strategic Enabler of Finance & Resources.

## **STATEMENT OF POLICY**

Under Rule K4 of the 1992 Firefighters' Pension Scheme:

A fire and rescue authority may, in their discretion, withdraw the whole or any part of the pension, except a pension under Part C (awards on death—spouses and civil partners), for any period during which the person entitled to it is employed by any fire and rescue authority in whatever capacity.

Part LA Section 9 of the scheme rules states that:

Where an authority exercises its discretion not to withdraw the payment in whole or in part of any pension under rule K4 (withdrawal of pension whilst employed by a fire and rescue authority), the authority shall in the financial year in which payment is not withdrawn, transfer into the Firefighters Pension Fund an amount equal to the amount of pension paid during that financial year to that person which could have been abated or withdrawn. West Midlands Fire Service will formulate, keep under review and publish their policy on the discretion contained within this rule.

This statement is applicable to all employees of the West Midlands Fire and Rescue Authority who are eligible to be members of the 1992 Firefighters Pension Scheme.

### **Policy**

West Midlands Fire Service will withdraw the whole or part of the pension, except a pension under Part C (awards on death—spouses and civil partners), for any period during which the person entitled to it is employed by any fire and rescue authority in whatever capacity.

The amount of Pension withdrawn will be calculated by reference to the Aggregate Annual Pensionable Pay received in the twelve months prior to retirement increased on the same basis as the pension in payment. This figure will be known as the reference pay and will be increased annually in line with the annual pension increase order.

The pension will be reduced by an amount equal to the amount required so that the total income from the pension plus re-employment does not exceed the reference pay calculated above.

Pay in re-employment is the pay receivable under the contract of employment for the hours worked and excludes any payments made for non-contractual overtime. Where the pay in re-employment changes the amount of pension to be withdrawn will be recalculated.

## **STATEMENT OF POLICY**

The Firefighters' Pension Scheme (England) Regulations 2014 contain various regulations where the opportunity for alternative courses of action arises. In these circumstances West Midlands Fire Service will exercise discretion in line with this statement of policy.

This statement is applicable to all employees of the West Midlands Fire and Rescue Authority who are eligible to be members of the Firefighters Pension Scheme 2015.

### **Power to Delegate**

#### **1. Delegation (Regulation 5)**

The scheme manager must ensure that delegated powers are appropriate and current. [Regulation 5(2)]

#### **Statement of Policy**

The Fire Authority have recently confirmed that the Audit Committee will function as the Scheme Manager.

### **Opting Out**

#### **2. Opting into this scheme (Regulation 12)**

An optant-in will become an active member of the scheme with effect from the beginning of the first pay period following the date on which the option is exercised. There is an option for the scheme manager to vary the date on which the person becomes an active member, to such other time as the scheme manager considers appropriate. [Regulation 12(5)]

#### **Statement of Policy**

The Organisation will not vary the date on which a member becomes an active member.

**3. Opting out after the first three months (Regulation 16)**

An optant-out ceases to be in pensionable service with effect from the first day of the first pay period following the date on which the option is exercised. If the scheme manager considers that day to be inappropriate, it may vary the date to the first day of any later pay period as the scheme manager does consider appropriate. [Regulation 16(2)(b)]

Statement of Policy

The Scheme Manager will not vary the date on which an optant out ceases to be a member.

**Pensionable Pay**

**4. Pensionable Pay (Regulation 17)**

The Scheme Manager has discretion if continual professional development payments are to be treated as pensionable pay. [Regulation 17(1)(d)]

Statement of Policy

Continual Professional development payments will be pensionable.

**Retirement Benefits**

**5. Active Membership (Regulation 19)**

A person who is on unpaid authorised absence can count the period as active membership if the Scheme Manager permits them to be treated as an active member during that period. (Presumably this would be linked to Regulation 111(4) and subject to the member paying the appropriate contributions.) [Regulation 19(d)]

Statement of Policy

The Scheme Manager will permit a member on unpaid absence to count the period as active membership subject to contributions being paid.

## **Pensions Accounts**

### **6. Establishment of pension accounts: general (Regulation 28)**

The Scheme Manager must establish and maintain pension accounts for scheme members, but they may be kept in such form as the scheme manager considers appropriate.

#### **Statement of Policy**

The Scheme Manager will maintain pension accounts within an electronic Pension Administration System. The security and operation of these accounts will be reviewed regularly by the Local Pension Board.

### **7. Closure and re-establishment of active member's account (Regulation 37)**

If a member has more than two active members account and ceases pensionable service with less than three months' qualifying service in respect of one account, that account must be closed and benefits aggregated with one of the others; the member may select which one.

#### **Statement of Policy**

The Scheme Manager will use their discretion on a case by case basis in the best interests of the member.

## **Retirement Benefits**

### **8. Closure of deferred member's account after gap in pensionable service not exceeding five year. (Regulation 49)**

If a deferred member re-enters pensionable employment after a gap of five years or less, the Scheme Manager must close the deferred member's account and re-establish the active member's account, transferring entries from the deferred account. If the person had more than one relevant deferred member's account, they must selection – within three months of re-entering scheme employment – which one should close. If they fail to make a selection, the Scheme Manager must make the choice for them. [Regulation 49(3) and (4)]

#### **Statement of Policy**

The Scheme Manager will use their discretion on a case by case basis in the best interests of the member.

**9. Employer initiated retirement (Regulation 62)**

An employer can determine that an active member aged 55 or over but under age 60 who on the grounds of business efficiency is dismissed or has their employment terminated by mutual consent, can receive immediate payment of retirement pension without the early payment reduction. An employer may only use this discretion if the employer determines that a retirement pension awarded on this basis would assist the economical, effective and efficient management of its function having taken account of the costs likely to be incurred in the particular case. [Regulation 62(1) and (2)]

Statement of Policy

The employer will use their discretion on a case by case basis with the overriding control that any costs incurred in using this discretion will be recoverable within a three year period.

**10. Exercise of partial retirement option (Regulation 63)**

An active member aged at least 55 who would be entitled to immediate payment of pension if they leave pensionable service and who claims payment of the pension, may opt to claim the whole of their accrued pension but continue in pensionable service. The person concerned must give appropriate notice to the scheme manager and the partial retirement option is taken to be exercised on a date agreed between the member and the Scheme Manager. [Regulation 63(5)]

Statement of Policy

Where a member wishes to make an application for partial retirement under Regulation 63 they must provide written notice to the Scheme Manager. On a case by case basis the Scheme Manager will agree a date with the member on which the option shall be exercised.

**III-Health Benefits**

**11. Review of ill-health awarded or early payment of retirement pension (Regulation 68)**

The Scheme Manager must have a policy for reviewing, at such intervals as it considers appropriate, the award of ill-health pensions where the recipient is under deferred pension age and has been receiving the award for less than 10 years, and for reviewing the early payment of deferred pensions on ill-health grounds for so long as the recipient is below deferred pension age. [Regulation 68(1) and (2)]

Statement of Policy

The Scheme Manager will review the award of ill-health pensions, where the recipient is under deferred pension age and has been receiving the awarded for less than 10 years, and deferred pensions in payment early on ill-health grounds and where the recipient is below deferred pension age on a three yearly basis.

**12. Consequences of review (Regulation 69)**

If, following the review of a lower tier ill-health pension under Regulation 68, the Scheme Manager determines that the recipient is capable of performing the duties appropriate to the role from which the person retired on grounds of ill-health, the employer must consider whether or not to make an offer of re-employment. [Regulation 69(3)]

Statement of Policy

The Scheme Manager will consider whether or not to make an offer on a case by case basis.

**13. Commencement of pensions (Regulation 70)**

If a deferred member requests, and is entitled to, the early payment of retirement pension on grounds of ill-health, the scheme manager must determine the date of payment as being the date on which the person became incapable of undertaking regular employment because of infirmity of mind or body or, if that date cannot be ascertained, the date of the member's request for early payment. [Regulation 70(7)]

If a deferred member requests deferral of payment of a deferred pension beyond deferred pension age, or requests early payment



with an early payment reduction before deferred pension age, the Scheme Manager will decide the payment date after the claim for payment has been made.

#### Statement of Policy

The Scheme Manager will determine the date from which a deferred pension will become payable in the situations described in Regulation 70(7) and (8) on a case by case basis using information provided by the claimant, any appropriate medical professional, and with guidance from the Payroll and Pensions Manager.

### **Allocation**

#### **14. Allocation election (Regulation 72)**

The Scheme Manager must give consent for the allocation of a portion of pension to a dependant, who is not the spouse, civil partner or cohabiting partner of an active or deferred member. (Consent can be withheld if the Scheme Manager is not satisfied that the person nominated is not substantially dependent of the active member.) [Regulation 72(3)(b) and (4)]

#### Statement of Policy

The Scheme Manager will give consent for the allocation of a portion of pension to a dependent where acceptable evidence of dependency is provided by the Scheme Member. At the time of application the Scheme Manager will confirm to the member what evidence is to be provided.

#### **15. Adjustment of allocated benefit (Regulation 75)**

If a member who has made an allocation election dies after reaching age 75, and the amount of allocated pension does not qualify as a dependant's scheme pension under section 167 of the Finance Act 2004 (pension death benefit rules), the amount may be adjusted in a manner determined by the Scheme Manager. [Regulation 75(1) and (2)]

#### Statement of Policy

The Scheme Manager will make any adjustments allowed under Regulation 75(1) and (2) on a case by case basis.

## **Death Benefits**

### **16. Meaning of "surviving partner" Regulation 76)**

A cohabiting partner may be considered a "surviving partner" and potentially qualify for a pension provided by meeting certain conditions, one of which is that they must have been in a "long-term relationship" – a continuous period of at least two years – at the date at which entitlement needs to be considered. The Scheme Manager has discretion to allow the person to qualify where the period is less than two years. [Regulation 76(1)(b)(v) and (2)]

#### **Statement of Policy**

The Scheme Manager will not use their discretion to allow a person to qualify as a "Surviving Partner" where the relationship has been in place for a period of at least two years.

### **17. Person to whom lump sum death benefit payable (Regulation 95)**

The Scheme Manager has absolute discretion as to the recipient of any lump sum death benefit payable. [Regulation 95]

#### **Statement of Policy**

The lump sum death benefit will be paid to whosoever the Scheme Manager decides it should be. The discretion will be operated by the Payroll and Pensions Manager in consultation with the Strategic Enabler for People Support Services.

**18. Payment of pensions under Part 6 "Death Benefits" (Regulation 100)**

If a child's pension is due in respect of an eligible child under age 18, the Scheme Manager will determine to whom it should be paid and will give directions to that person as to how the payment should be applied for the eligible child's benefit. [Regulation 100(2)]

Statement of Policy

The child's pension in respect of an eligible child over the age of 7 will be paid to that child. A child's pension for a child over the age of 7 will be paid to that child's surviving parent with instruction that it should be applied for that eligible child's benefit.

**19. Surviving partner's pensions and eligible child's pensions: suspension and recovery (Regulation 101)**

A Scheme Manager has the right to cease paying a surviving partner's pension and/or eligible child's pension and recover any payment made in respect of a pension where it appears to the Scheme Manager that the recipient made a false declaration, or deliberately suppressed a material fact in connection with the award. (This does affect the Scheme Manager's right to recover a payment or overpayment under any other provision where the Scheme Manager considers it appropriate to do so.) [Regulation 101(2) and (3)]

Statement of Policy

The Scheme Manager will cease paying a surviving partner's pension and/or eligible child's pension and recover any payment made in respect of a pension where it appears to the scheme manager that the recipient made a false declaration, or deliberately suppressed a material fact in connection with the awarded except in cases where the Strategic Enabler for Finance and Resources deems it to be financially counter productive to do so.

**20. Provisional awards of eligible child's pensions: later adjustments (Regulation 102)**

If children's pensions have been made to certain persons on the basis that they were eligible children and there were no others, and subsequently it appears that any of those children were not eligible, or there was a further eligible child to whom no payment has been made, or that a child born after the member's death is an eligible child, the scheme manager has discretion to adjust the amount of pensions as required in view of the facts as they subsequently appear. The adjustments may be made retrospectively. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.) [Regulation 102(2) and (3)]

Statement of Policy

If children's pensions have been made to certain persons on the basis that they were eligible children and there were no others, and subsequently it appears that any of those children were not eligible, or there was a further eligible child to whom no payment has been made, or that a child born after the member's death is an eligible child the scheme manager will adjust the amount of pensions as required in view of the facts as they subsequently appear. These adjustments will be made retrospectively where required.

**21. Adjustment of benefits to comply with fA2004 where members die over 75 (Regulation 104)**

If a member dies after reaching age 75 and any part of a pension to which a person becomes entitled on the death would not qualify as a dependant's scheme pension for the purposes of section 167 of the Finance Act 2004 (the pension death benefit rules), the scheme manager has discretion to adjust the benefit payable to the person so that it would qualify under that section of the Act. [Regulation 104(1)(a) and (2)]

## Statement of Policy

If a member dies after reaching age 75 and any part of a pension to which a person becomes entitled on the death would not qualify as a dependant's scheme pension for the purposes of section 167 of the Finance Act 2004 (the pension death benefit rules), the scheme manager will adjust the benefit payable to the person so that it would qualify under that section of the Act.

## Contributions

### **22. Member contributions (Regulation 110)**

Where there is a change in scheme employment or a material change which affects the member's pensionable pay in the course of a financial year and the revised amount falls into a different contribution rate band, the scheme manager must determine that this rate should be applied and inform the member of the new contribution rate and the date from which it is to be applied. [Regulation 110(5)]

When identifying the appropriate contribution rate, a reduction in pay in certain circumstances as listed in Regulation 110 are to be disregarded. In addition, the Scheme Manager can specify the circumstances in a particular case where a reduction in pensionable pay will be disregarded. [Regulation 110(7) (h)]

## Statement of Policy

Where there is a change in scheme employment or a material change which affects the member's pensionable pay in the course of a financial year and the revised amount falls into a different contribution rate band, this rate will be applied from the first day of the pay period following the date on which the material change took effect. The member will be informed of the new contribution rate and the date from which it is to be applied within three months of the date when the new rate is first applied to their pay.

**23. Contributions during absence from work due to illness, injury, trade dispute or authorised absence (Regulation 111)**

Where an active member is absent from scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they may pay member contributions; if they do, the scheme employer may require that they should also pay employer contributions. [Regulation 111(2), (3) and (4)]

Statement of Policy

Where an active member is absent from scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they will be allowed to pay contributions. The contribution payable will be the total of both the member and employer contribution.

**24. Deduction and payment of contributions (Regulation 114)**

Member contributions due under Regulation 110 may be deducted by the scheme employer from each instalment of pensionable pay as it becomes due, unless another method of payment has been agreed between the scheme manager and the member. [Regulation 114(1)]

Contributions due in respect of absence from work on reserve forces service leave may be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951. [Regulations 114(2)]

Contributions which the member is required to pay, or has elected to pay under Regulations 111 and 113 may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and the scheme manager. [Regulation 114(3)]

Statement of Policy

Member contributions due under Regulation 110 will be deducted from each instalment of pensionable pay as it becomes due.

Contributions due in respect of absence from work on reserve forces service leave will be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.

Contributions which the member is required to pay, or has elected to pay under Regulations 111 and 113 may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and Payroll and Pensions Manager on behalf of the scheme manager.

## **Transfers**

### **25. Statement of entitlement (Regulation 135)**

The scheme manager must specify in a statement of entitlement the "guarantee date" date by reference to which the cash equivalent or club transfer value is calculated; this date must fall within the three months beginning with the date of the member's application for the statement of entitlement and within ten days ending with the date on which the member is provided with the statement. The scheme manager has discretion, if it believes reasonable, to extend this date to within six months of the date of the member's application if, for reasons beyond the scheme manager's control, the information needed to calculate the transfer value cannot be obtained before the end of the three-month period. [Regulation 135(4)]

#### **Statement of Policy**

The Scheme Manager will extend the "guarantee date" to within 6 months of the date of the member's application if, for reasons beyond the scheme manager's control, the information needed to calculate the transfer value cannot be obtained before the end of the three-month period.

### **26. Request for acceptance of a transfer payment (Regulation 141)**

There is a time limit of one year from becoming an active member in which a person can request a transfer payment from a non-occupational pension scheme. The scheme manager has the discretion to extend this period. [Regulation 141(3)]

#### **Statement of Policy**

The Scheme Manager will not extend the time limit in which a person can request a transfer payment from a non-occupational pension scheme.

**27. Transfer statement (Regulation 142)**

The Scheme Manager can require an active member to ask the scheme manager of a previous non-club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement.  
[Regulation 142(2)]

Statement of Policy

The Scheme Manager will require an active member to ask the scheme manager of a previous non-club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count where the transfer date falls within two months of the date of the statement

**28. Club transfer value statement (Regulation 144)**

The Scheme Manager can require an active member to ask the scheme manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement. [Regulation 144(2)]

Statement of Policy

The scheme manager will require an active member to ask the scheme manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count where the transfer date falls within two months of the date of the statement



## **Appeals and Determinations**

### **29. Appeal concerning entries on the certificate (Regulation 148)**

If a member is not satisfied with a certificate setting out the details in their pension account(s) as required under Regulation 146, they can require the Scheme Manager to deal with their disagreement under arrangements implemented by the Scheme Manager in accordance with the requirements of section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. The Scheme Manager must have these arrangements in place. [Regulation 148(1)]

#### **Statement of Policy**

If a member is not satisfied with a certificate setting out the details in their pension account(s) as required under Regulation 146, the scheme manager will deal with their disagreement under arrangements implemented by the scheme manager in accordance with the requirements of Section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.

The process for dealing with such disagreements will be published via the Intranet.

### **30. Determination by the Scheme Manager (Regulation 151)**

It is the Scheme Manager that must determine whether a person is entitled to an award or to retain an award.  
[Regulation 151]

#### **Statement of Policy**

On a case by case basis the scheme manager will determine whether a person is entitled to an award or to retain an award. This determination will be made by the Payroll and Pensions Manager in conjunction with the Strategic Enabler for People Support Services.

**31. Role of IQMP in determinations by the Scheme Manager (Regulation 152)**

The Scheme Manager must select an Independent Qualified Medical Practitioner to provide a written opinion in respect of medical matters which may only be decided by having regard to such an opinion. [Regulation 152(1)]

If a person wilfully or negligently fails to submit to medical examination by the selected IQMP and the IQMP is unable to give an opinion on the basis of the medical evidence available, the Scheme Manager can make the determination based on such medical evidence as the Scheme Manager thinks fit, or without medical evidence. [Regulation 152(7)]

Statement of Policy

The Scheme Manager will select an Independent Qualified Medical Practitioner to provide a written opinion in respect of medical matters which may only be decided by having regard to such an opinion.

Where a person wilfully or negligently fails to submit to medical examination by the selected IQMP and the IQMP is unable to give an opinion on the basis of the medical evidence available, the scheme manager will make the determination based on such medical evidence as the scheme manager thinks fit, or without medical evidence. This discretion will be exercised by the Strategic Enabler for People Support Services.

**32. Review of medical opinion (Regulation 153)**

Where a member requests a review of an IQMP's opinion in the light of new evidence received by the scheme manager within 28 days of the member having received the opinion, the Scheme Manager may agree to giving the IQMP the opportunity of reviewing the opinion. [Regulation 153(1)]

Upon receiving the IQMP's response the Scheme Manager must confirm or revise its original determination and advise the member accordingly. [Regulation 153(4) and (5)]

### Statement of Policy

On a case by case basis, where a member requests a review of an IQMP's opinion in the light of new evidence received by the scheme manager within 28 days of the member having received the opinion, the scheme manager may agree to giving the IQMP the opportunity of reviewing the opinion.

Upon receiving the IQMP's response the Scheme Manager will confirm or revise its original determination and advise the member accordingly. The discretion will be exercised by the Strategic Enabler for People Support Services.

#### **33. Notice of appeal (Regulation 155)**

If a member wishes to appeal against a determination made by the scheme manager and their grievance lies in the medical opinion upon which the determination was based, they can appeal to a board of medical referees. The appeal must be made within 28 days of the date on which the member receives the relevant documents under Regulation 154(4). If the appeal is not made within this time limit and the scheme manager is of the opinion that the person's failure to give notice within the required period was not due to the person's own default, the scheme manager has a discretion to extend the time limit for such period as the scheme manager considers appropriate, not exceeding six months from the date the Regulation 154(4) documents were supplied.  
[Regulation 155(2)]

### Statement of Policy

On a case by case basis the scheme manager will consider extending the time limit during which a member can appeal to a board of medical referees to a maximum of six months from the date the Regulation 154(4) documents were supplied.

#### **34. Reference of appeal to the board (Regulation 156 – See also Regulation 161)**

Where a member has given notice of appeal to a board of medical referees, before the board arranges a time and place for the interview and medical examination a member of the board will review the documents supplied to the board in accordance with Regulation 156.

If the board member is of the opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded the board member will notify the Secretary of State accordingly. This will be copied to the scheme manager who must, in turn, send a copy of it to the scheme member advising that if their appeal is unsuccessful, the member may be required to pay the scheme manager's costs and requesting notification from the member as to whether, in the circumstances, they wish to continue with, or withdraw, the appeal. [Regulation 156(8) to (12)]

#### Statement of Policy

If a member of a board of medical referees, who has reviewed appeal documents provided by the member, is of the opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded the board member will notify the Secretary of State accordingly. The Scheme Manager will send a copy of this notification to the scheme member advising that if their appeal is unsuccessful, they will be required to pay the Scheme Manager's costs and requesting notification from the member as to whether, in the circumstances, they wish to continue with, or withdraw, the appeal.

### **35. Procedure where appeal to be pursued (Regulation 157)**

The Scheme Manager must decide which persons will attend the interview as its representatives. The Scheme Manager must also decide whether or not to submit written evidence or a written statement (and must decide a response to any written evidence or written statement from the appellant). [Regulation 157(6) to (9)]

#### Statement of Policy

On a case by case basis where an appeal is pursued the scheme manager will decide;

1. Which persons will attend the interview as its representatives.
2. Whether or not to submit written evidence or a written statement.
3. How to respond to any written evidence or written statement from the appellant.

This decision will be made by the Strategic Enabler for People Support Services.

**36. Expenses of each party (Regulation 161)**

If the medical appeal board determines in favour of the scheme manager and states that in its opinion the appeal was frivolous, vexatious or manifestly ill-founded, the scheme manager can require the appellant to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate. [Regulation 161(2)]

If the appellant withdraws the appeal requesting cancellation, postponement or adjournment of the date appointed for interview and/or medical examination less than 22 working days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate. [Regulation 161(3)(a)]

If the appellant's acts or omissions cause the board to cancel, postpone or otherwise adjourn the date appointed or interview and/or medical examination less than 22 days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate. [Regulation 161(3)(b)]

Statement of Policy

If the medical appeal board determines in favour of the scheme manager and states that in its opinion the appeal was frivolous, vexatious or manifestly ill-founded, the scheme manager will require the appellant to pay it a sum equal to the total amount of the fees and allowances payable to the board under Regulation 160(1).

### **37. Appeals on other issues (Regulation 163)**

If a member disagrees with a scheme manager's determination of award under Regulation 151 and the disagreement does not involve an issue of a medical nature, the member can require the scheme manager to deal with the disagreement under requirements which the scheme manager must have in place in accordance with section 50 of the Pensions Act 1995 (requirement for dispute resolution arrangements) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. [Regulation 163]

#### **Statement of Policy**

If a member disagrees with a scheme manager's determination of award under Regulation 151 and the disagreement does not involve an issue of a medical nature, the scheme manager will deal with their disagreement under arrangements implemented by the scheme manager in accordance with the requirements of section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.

The process for dealing with such disagreements will be published via the Intranet.

### **Payment of Pensions**

### **38. Commutation of small pensions (Regulation 167)**

If the pension entitlement of a member of the scheme, or the pension entitlement of a member's beneficiary, does not exceed the small pensions commutation maximum the scheme manager may pay the entitlement as a lump sum. This would, however, be subject to the consent of the recipient and must comply with the commutation provisions that apply in the circumstances. [Regulation 167(3)]

### Statement of Policy

If the pension entitlement of a member of the scheme, or the pension entitlement of a member's beneficiary, does not exceed the small pensions commutation maximum the scheme manager will pay the entitlement as a lump sum, subject to the consent of the recipient and will comply with the commutation provisions that apply in the circumstances.

#### **39. Payments for persons incapable of managing their affairs (Regulation 168)**

If it appears to the scheme manager that a person other than an eligible child who is entitled to benefits under the scheme, is by reason of mental incapacity or otherwise, incapable of managing his or her affairs, the scheme manager may pay the benefits or any part of them to a person having the care of the person entitled, or such other person as the scheme manager may determine, to be applied for the benefit of the person entitled. If the scheme manager does not pay the benefits in this way, the scheme manager may apply them in such manner as it may determine for the benefit of the person entitled, or any beneficiaries of that person. [Regulation 168]

### Statement of Policy

Where it appears to the scheme manager that a person other than an eligible child who is entitled to benefits under the scheme, is by reason of mental incapacity or otherwise, incapable of managing his or her affairs, the scheme manager will pay the benefits or any part of them to a person having the care of the person entitled, or such other person as the scheme manager may determine, to be applied for the benefit of the person entitled.

**40. Payments due in respect of deceased persons  
(Regulation 169)**

If, when a person dies, the total amount due to that person's personal representatives under the scheme (including anything due at the person's death) does not exceed the limit specified in the Administration of Estates (Small Payments) Act 1965, the scheme manager can pay the whole or part of the amount due to the personal representatives or any person or persons appearing to the scheme manager to be beneficially entitled to the estate, without requiring the production of grant of probate or letters of administration. [Regulation 169]

Statement of Policy

If, when a person dies, the total amount due to that person's personal representatives under the scheme (including anything due at the person's death) does not exceed the limit specified in the Administration of Estates (Small Payments) Act 1965, the scheme manager will pay the whole or part of the amount due to the personal representatives or any person or persons appearing to the scheme manager to be beneficially entitled to the estate, without requiring the production of grant of probate or letters of administration.

**Forfeiture**

**41. Forfeiture: offences committed by members, surviving partners or eligible children (Regulation 171)**

If a member, surviving partner or eligible child is convicted of a relevant offence, the scheme manager can withhold pensions payable under the scheme to a member, any person in respect of the member, a surviving partner or an eligible child, to such extent and for such duration as it considers appropriate. "Relevant offence" is defined in this Regulation.

The definition includes offences injurious to the State (including treason) or likely to lead to a serious loss of confidence in the public service. There are certain conditions set out in the Regulation, e.g. it is only the part of the pension that exceeds any guaranteed minimum pension that can be withheld. [Regulation 171(1), (2), (3) and (5).]



Where a pension is withheld, the scheme manager can at any time, and to such extent and for such duration as the manager thinks fit, apply the pension for the benefit of any dependant of the member or restore it to the member. [Regulation 171(4)]

### Statement of Policy

If a member, surviving partner or eligible child is convicted of a relevant offence, the scheme manager will withhold pensions payable under the scheme to a member, any person in respect of the member, a surviving partner or an eligible child, to such extent and for such duration as it considers appropriate, subject to a maximum of the amount by which the pension exceeds any guaranteed minimum pension.

On a case by case basis where a pension is withheld, the scheme manager will consider at three monthly intervals, to any extent and for such duration as the manager thinks fit, applying the pension for the benefit of any dependant of the member or restoring it to the member.

#### **42. Forfeiture of pensions: offences committed by other persons (Regulation 172)**

If a surviving partner or eligible child is convicted of the murder of a scheme member from whose benefits their pension would be derived the scheme manager must withhold all of the survivor's or child's pension otherwise payable. However, if a surviving partner or eligible child is convicted of the manslaughter of the member or any other offence, apart from murder, of which the unlawful killing of the member is an element, the scheme manager has discretion as to whether or not to withhold the pension to which they would otherwise be entitled. The amount withheld must only be that part of the pension which exceeds any guaranteed minimum pension. If the conviction is subsequently quashed, the pension must be restored with effect from the day after the date on which the member died. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled. [Regulation 172(1) to (5)]

### Statement of Policy

The discretion to withhold part of a pension under Regulation 172 (1) to (5) will be exercised on a case by case basis by the Strategic Enabler for People Support Services.

**43. Forfeiture of lump sum death benefit: offences committed by other persons (Regulation 173)**

If a person is convicted of a relevant offence, i.e. the murder or manslaughter of the member, or any other offence of which the unlawful killing of the member is an element, the scheme manager must withhold all of any lump sum death benefit payable to that person.

If, however, the conviction is subsequently quashed on appeal, the scheme manager may, to such extent and for such duration as it thinks fit, restore to the person the amount of benefit withheld. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled. [Regulation 173]

### Statement of Policy

The discretion to restore part of a pension withheld under Regulation 173 will be exercised on a case by case basis by the Strategic Enabler for People Support Services.

**44. Forfeiture: relevant monetary obligations and relevant monetary losses (Regulation 174)**

If a member has a relevant monetary obligation or has caused a relevant monetary loss, the scheme manager may, to such extent and for such duration as it considers appropriate, withhold benefits payable to that person under the scheme. "Relevant monetary obligation" and "relevant monetary loss" are defined in the Regulation. There are certain limits, e.g. the amount withheld may only be that which exceeds the person's guaranteed minimum pension and the scheme manager may only withhold it if there is no dispute about the amount or, if there is, there is a court order or the award of an arbitrator.

The monetary obligation must have been incurred to the employer after the person became an active member and arising out of or connected with the scheme employment in respect of which the person became a member of the scheme, and arising out of the person's criminal, negligent or fraudulent act or omission. The procedure is set out in Regulation 176.  
[Regulation 174]

#### Statement of Policy

The discretion to withhold part of a pension under Regulation 174 will be exercised on a case by case basis by the Strategic Enabler for People Support Services.

#### **45. Set-off (Regulation 175)**

A scheme manager has a discretion to set off a "relevant monetary obligation" against a member's entitlement to benefits under the scheme, subject to certain conditions which are similar to those contained in Regulation 174 (Forfeiture). The procedure is set out in Regulation 176.] [Regulation 175]

#### Statement of Policy

The scheme manager will set off any "relevant monetary obligation" against a member's entitlement to benefits.

#### **Payment and Deduction of Tax**

#### **46. Payment on behalf of members of lifetime allowance charge (Regulation 178)**

At a scheme member's request, the scheme manager may pay on the member's behalf any amount that is payable by way of the lifetime allowance charge under section 214 of the Finance Act 2004. The scheme manager may only comply with the request if the member pays it the amount in question on or before the date on which the event occurs or the member authorises the deduction of the amount from a lump sum becoming payable to the member under the scheme at the same time as the event occurs.  
[Regulation 178]

#### Statement of Policy

At a scheme member's request, the scheme manager will pay on the member's behalf any amount that is payable by way of the lifetime allowance charge under section 214 of the Finance Act 2004. The scheme manager will only comply with the request if the member pays it the amount in question on or before the date on which the event occurs or the member authorises the deduction of the amount from a lump sum becoming payable to the member under the scheme at the same time as the event occurs.

#### **47. Evidence of Entitlement (Regulation 184)**

The scheme manager can require any person who is in receipt of a pension or may have entitlement to a pension or lump sum under the scheme to provide such supporting evidence as the scheme manager may reasonably require so as to establish the person's identity and their continuing or future entitlement to the payment of any amount under the scheme. [Regulation 184(1) and (2)]

If a person fails to comply with the scheme manager's requirements in this respect, the scheme manager can withhold the whole or part of any amount that it otherwise considers to be payable under the scheme. [Regulation 184(3)]

#### **Statement of Policy**

The scheme manager will require any person who is in receipt of a pension or may have entitlement to a pension or lump sum under the scheme to provide appropriate evidence to establish the person's identity and their continuing or future entitlement to the payment of any amount under the scheme.

If a person fails to comply with the scheme manager's requirements in this respect, the scheme manager will withhold the whole or part of any amount that it otherwise considers to be payable under the scheme.

**48. Amount of accrued added pension may not exceed overall limit of extra pension (Schedule 1, Part 1, Paragraph 4)**

The total amount of accrued added pension must not exceed a certain limit. If it appears to the scheme manager that a member who has elected to make periodical contributions will exceed the limit the scheme manager may cancel the election (by written notice to the member). [Schedule 1 Part 1, Paragraph 4]

Statement of Policy

If it appears to the scheme manager that a member who has elected to make periodical contributions will exceed the limit prescribed in the regulations the scheme manager will, having provided written notice to the member, cancel the election.

**49. Member's Election to make periodical contributions for added pension (Schedule 1, Part 1, Paragraph 7)**

If a scheme member wishes to make periodical payments for added pension, the scheme manager can set a minimum amount which must be paid. [Schedule 1, Part 1, Paragraph 7(3)]

Statement of Policy

The scheme manager will not allow a member to make periodic payments for added pension of less than £10 per month.

**50. Periodical payments (Schedule 1, Part 2, Paragraph 8)**

If a scheme member wants to make periodical payments for added pension, but does not want them to be deducted from pensionable pay, the scheme manager may agree another method of payment. [Schedule 1 Part 2, Paragraph 8 (3)]

Statement of Policy

The scheme manager will not allow a member to make periodical payments for added pension except by deduction from pensionable pay.

**51. Periodical payments during periods of assumed pensionable pay (Schedule 1, Part 2, Paragraph 10)**

After a period of assumed pensionable pay or a period of reduced pay, the member may give written notice to the scheme manager authorising the employer to deduct the aggregate of payments – which would have been made but for the leave – from the member's pay during the period of six months from the end of the period of reduced pay. The scheme manager can extend this period of six months. [Schedule 1 Part 2, Paragraph 10(4)]

Statement of Policy

Where a member gives written notice authorising the deduction of aggregate payments from their pay the scheme manager will extend the period of repayment to a maximum of two years. This discretion will be exercised by the Payroll and Pensions Manager.

**52. Meaning of "tapered protection closing date" (Schedule 2, Part 1, Paragraph 3)**

The tapered protection closing dates for tapered protection members are given in the 1992 scheme tables in Schedule 2 Part 4. In most cases the appropriate closing date can be ascertained by reference to the band of dates in which the firefighter's birthday falls. The tapered protection date for a tapered protection member of FPS 2006 to whom paragraph 9(5) or 21 applies (members returning to pensionable service) is determined by the scheme manager. [Schedule 2 Part 1,

Paragraph 3(3); Schedule 2 Part 2, Paragraph 9(5); and Schedule 2 Part 3, Paragraph 21]

Statement of Policy

The tapered protection date for a tapered protection member of FPS 2006 to whom paragraph 9(5) or 21 applies (members returning to pensionable service) is determined by the scheme manager. This determination will be exercised by the Payroll and Pensions Manager.

Job	Remuneration (including allowances)	Base Salary Range (excluding allowances)		Pay Relationship to CFO
		Min	Max	
BRIGADE MANAGERS				
Chief Fire Officer **	£177,782	N/A	N/A	Set by Appointments Committee
Deputy Chief Fire Officer **	£142,443	N/A	N/A	Set by Appointments Committee
Assistant Chief Fire Officer (Service Delivery) **	£133,069	N/A	N/A	Set by Appointments Committee
Lowest Paid Employees (Grey Book)				
Firefighter (Control)	£30,179	£23,585	£30,179	0.17
Lowest Paid Employees (Green Book)				
Cleaner	£18,329*	£18,329*	£18,329*	0.10
GREY BOOK EMPLOYEES (Operational)				
Firefighter	N/A	£24,826	£31,767	0.14-0.18
Crew Manager	N/A	£33,763	£35,219	0.19-0.20
Watch Manager	N/A	£35,981	£39,383	0.20-0.22
Station Manager ***	£54,220	£40,964	£45,183	0.23-0.25
Group Manager ***	£62,762	£47,179	£52,301	0.27-0.29
Area Manager ***	£72,908	£55,389	£60,756	0.31-0.34
GREY BOOK EMPLOYEES (Fire Control)				
Firefighter (Control)	N/A	£23,585	£30,179	0.13-0.17
Crew Manager (Control)	N/A	£32,075	£33,458	0.18-0.19
Watch Manager (Control)	N/A	£34,182	£37,414	0.19-0.21
Station Manager (Control)***	£51,509	£38,916	£42,924	0.23-0.24
Group Manager (Control)***	£59,624	£44,820	£49,686	0.25-0.26

## GREEN BOOK EMPLOYEES

Pay Point 102	N/A	£107,457	N/A	0.60
Pay Point 101	N/A	£68,973	N/A	0.39
Pay Point 100	N/A	£61,069	N/A	0.34
Pay Band Manager 1 – SCP 51-59	N/A	£48,909	£58,749	0.27-0.33
Pay Band Manager 2 and Professional 1 - SCP 36-50	N/A	£39,880	£47,742	0.22-0.27
Pay Band Manager 3, Professional 2 and Technical 1 - SCP 27-35	N/A	£31,346	£38,890	0.18-0.22
Pay Band Professional 3, Technical 2 and Administrative 1 - SCP 15-26	N/A	£23,541	£30,451	0.13-0.17
Pay Band Technical 3 and Administrative 2 - SCP 5-14	N/A	£19,312	£23,080	0.11-0.13
Pay Band Administrative 3 and Operative 1 - SCP 2-5	N/A	£18,198	£19,312	0.10-0.11
Pay Band Administrative 4 and Operative 2 - SCP 1	N/A	£17,842	£17,842	0.10-0.10

### NOTES:

\*WMFS is committed to ensuring all employees are paid no less than the National Living Wage which on 9 November 2020 increased to £9.50 per hour, equivalent to £18,329 per annum. Lowest paid employees salary was increased in November to the Living Wage and they will continue to benefit from this increase but will not be entitled to any increase applied to NJC rates unless this results in their existing spine point exceeding the National Living Wage. All these figures are subject to change if/when pay awards are determined.

*\*\*Salaries incorporates on-call/continuous cover*

*\*\*\* Salaries inclusive of 20% Flexi Duty Allowance*



## Appendix 1

Number	Performance Indicator	Notes Overall target expressed as a % +/- against 3-year performance average	Overall Target 2021/22
<b>PI 1</b>	The Risk Based Attendance Standard (Category 1 Incidents)	<b>5 mins</b>	5 Minutes
<b>PI 2</b>	Accidental Dwelling Fires	<b>0%</b>	1614 incidents
<b>PI 3</b>	Injuries at Accidental Dwelling Fires	<b>0%</b>	48 incidents
<b>PI 4</b>	The number of deaths from accidental fires in dwellings	<b>We seek to minimise deaths from fires</b>	No target set
<b>PI 5</b>	Safe and Well Referred by Partners	<b>0%</b>	45%
<b>PI 6</b>	Safe and Well Points	<b>0%</b>	259,680
<b>PI 7</b>	Killed & Seriously Injured (KSI) – Road Traffic Collisions	<b>-4%</b>	TBC
<b>PI 8</b>	The number of Deliberate Fires in Dwellings	<b>0%</b>	200
<b>PI 9</b>	The number of Deliberate Fires in Non-Domestic Premises	<b>0%</b>	120
<b>PI 10</b>	The number of Deliberate Vehicle Fires	<b>0%</b>	698
<b>PI 11</b>	The number of Deliberate Rubbish Fires	<b>0%</b>	1436
<b>PI 12</b>	The number of Deliberate Fires in Derelict Buildings	<b>0%</b>	107
<b>PI 13</b>	The number of Accidental Fires in Non-Domestic Premises	<b>2%</b>	411

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## Appendix 1

<b>PI 14</b>	The number of False Alarm Equipment in Dwellings and Non-Domestic Premises	0%	5653
<b>PI 15</b>	The percentage of employees that have disclosed their Disabled Status	+6.1%	100%
<b>PI 16</b>	The number of Female Uniformed Staff	+2.5%	14.1% (198) 50% of recruits
<b>PI 17A</b>	The percentage of Uniformed Staff from BAME Communities	+1.6%	14% (197) 35% of recruits
<b>PI 17</b>	The percentage of all staff from BAME Communities	+1.1%	14.6% (279) 35% of recruits
<b>PI 18</b>	The average number of working days/shifts lost to Sickness - all staff (Excluding Covid Sickness)	0%	6.7
<b>PI 19</b>	The average number of working days/shifts lost to Sickness – uniformed staff and Fire Control staff (Excluding Covid Sickness)	0%	7.0
<b>PI 20</b>	The average number of working days/shifts lost to Sickness - non-uniformed (Excluding Covid Sickness)	0%	5.8
<b>PI 21</b>	The total number of Injuries (employees & non-employees)		No target set
<b>PI 22</b>	The total number of RIDDOR injuries		No target set
<b>PI 24</b>	To reduce Gas use of Fire Authority premises	0%	9795 kWh
<b>PI 25</b>	To reduce Electricity use of Fire Authority premises	0%	5237 kWh

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**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

**1. AN ANALYSIS OF PROGRESS OF QUARTERLY PERFORMANCE AGAINST 'OUR PLAN' – QUARTER FOUR 2020/21**

Report of the Chief Fire Officer.

**RECOMMENDED**

- 1.1 THAT the Authority notes the status of the Service's key performance indicators in the fourth quarter of 2020/21 (Appendix 1).
- 1.2 THAT the Committee note the progress made in delivering the three strategic priorities contained in 'Our Plan' 2020-2023 (Appendix 1).

**2. PURPOSE OF REPORT**

This report is submitted to provide Members with an analysis of the organisation's performance against 'Our Plan' for 2020-2023.

**3. BACKGROUND**

- 3.1 The setting of targets against the operational and other performance indicators enables the Service to define in key areas the improvements which contribute to making the West Midlands safer, stronger and healthier and to manage the resources allocated to this work. The Service continues to improve and meet targets across a range of indicators.
- 3.2 The performance information contained within this report was submitted to and considered by the Strategic Enabling Team in May 2021. It is submitted to Members to support the joined-up method of managing performance and providing assurance around the on-going performance of 'Our Plan'.

**4. PERFORMANCE INDICATORS**

- 4.1 Appendix 1 details the performance against our:
  - Performance Indicators covering:
    - Response, Prevention and Protection
    - People
    - Safety, Health and Environment

- Strategic Objectives as outlined in 'Our Plan'.

## 4.2 Service Delivery Performance Indicators

### 4.2.1 Response:

- PI 1 – the risk-based attendance standard; performance continues to be positive, with the targets having been met for all four categories of incident type. The performance is rated as over performance against the tolerance levels (blue).
- Average attendance times for Category 1 incidents (the most critical and important of the four categories) were 4 minutes 35 seconds in quarter four, resulting in a median of 4 minutes 32 seconds year to date.
- Average attendance times for Category 2, 3 and 4 Incident Types remain well within their respective targets:
  - Category 2 Incident Type: 5 minutes 18 seconds (target of 7 minutes)
  - Category 3 Incident Type: 4 minutes 47 seconds (target of 10 minutes)
  - Category 4 Incident Type: 6 minutes 36 seconds (target of 20 minutes)

### 4.2.2 Prevention:

- The performance indicators for the following areas demonstrate over performance against the tolerance levels (blue):
  - PI 8 The number of deliberate fires in dwellings.
  - PI 9 The number of deliberate fires in non-domestic premises.
  - PI 10 The number of deliberate vehicle fires.
  - PI 11 The number of deliberate rubbish fires.
  - PI 12 The number of deliberate fires in derelict buildings.
- The performance indicators for the following areas demonstrate performance is within the tolerance levels (green):
  - PI 2 The number of accidental dwelling fires.

- PI 3 Injuries from accidental fires in dwellings, taken to hospital for treatment.
- PI 5 The percentage of Safe and Well visits referred by our partners.
- The performance indicators for the following areas demonstrate under performance against the tolerance levels (red):
  - PI 6 The number of Safe and Well points achieved by the Brigade.
- The following two performance indicators do not have a performance rating assigned:
  - PI 4 The number of deaths from accidental fires in dwellings.
  - PI 7 The number of people killed or seriously injured in Road Traffic Collisions.

#### 4.2.3 Protection:

- The performance indicator for the following area demonstrates performance is above the tolerance levels (blue):
  - PI 13 – The number of accidental fires in non-domestic premises.
- The performance indicator for the following area demonstrates performance is within the tolerance levels (green):
  - PI 14 – The number of false alarm calls due to fire alarm equipment in dwellings and non-domestic premises.

### 4.3 People Support Services Performance Indicators

#### 4.3.1 The performance indicator for the following area demonstrates over performance against the tolerance levels (blue):

- PI 18 – The average number of working days/shifts lost due to sickness (all staff).
- PI 19 – The average number of working days/shifts lost due to sickness (uniformed and Fire Control staff).
- PI 20 – The average number of working days/shifts lost due to sickness (non-uniformed employees).

4.3.2 The performance indicators for the following areas demonstrate performance is within the tolerance levels (green):

- PI 17 – The percentage of all staff from black and minority ethnic (BAME) communities.
- PI 17a – The percentage of uniformed staff from BAME communities

4.3.3 The performance indicators for the following areas demonstrate under performance against the tolerance levels (red):

- PI 15 – The percentage of employees that have disclosed their disabled status.
- PI 16 – The number of female uniformed staff.

#### 4.4 Safety, Health and Environment Performance Indicators

4.4.1 The performance indicators for the following areas demonstrate over performance against the tolerance levels (blue):

- PI 21 – The total number of injuries
- PI 24 – To reduce the gas use of Fire Authority premises.
- PI 25 – To reduce the electricity use of Fire Authority premises.

4.4.2 The performance indicator for the following area demonstrates under performance against the tolerance levels (red):

- PI 22 – The total number of RIDDOR injuries.

### 5. PERFORMANCE MANAGEMENT SYSTEM

5.1 The InPhase performance management reporting system which has been used in the Service for the last few years is now being replaced by the Power BI App 'Organisational Performance'. The App has been developed internally by Officers within the Data Analyst function of the Strategic Hub in liaison with stakeholders from across the Service. It utilises the Office 365 system thereby maximising the financial investment made by the Service in that software and the associated service wide access and efficiencies derived. The App brings together multiple reports into one place, some existing reports, others new, and the App went live at the start of quarter one 2021/22. Therefore, quarter four 2020/21 marked the final quarter that the InPhase performance management system will be used.

- 5.2 Guidance documentation and a video have been produced to support members of staff use the App, whilst several workshops have been held to provide questions and answer / demonstration sessions. As the use of the App is embedded within the Service, continual support and engagement with members of staff and stakeholders will be developed going forward.

## 6. **CORPORATE RISK**

- 6.1 Corporate Risks are those risks that, if realised, would seriously affect the Service's ability to carry out its core functions or deliver key objectives.
- 6.2 In accordance with the Corporate Risk Management Strategy, all risks maintained within the Corporate Risk Register have been reviewed by Senior Risk Owners in order to update the relevant triggers, impacts and control measures and determine a relevant risk score, if appropriate, based on assessment of likelihood and impact.
- 6.3 A report of progress against our Corporate Risks is submitted separately to the Audit and Risk Committee.

## 7. **EQUALITY IMPACT ASSESSMENT**

In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out. The matters contained within this report will not lead to a policy change.

## 8. **LEGAL IMPLICATIONS**

The course of action recommended in this report does not raise issues which should be drawn to the attention of the Authority's Monitoring Officer.

## 9. **FINANCIAL IMPLICATIONS**

- 9.1 The level of response, protection and prevention resources required to achieve the targets for the operational indicators shown in Appendix 1, were considered as part of the Authority's 2020/2021 budget setting process which established a total budget requirement of £100.147 million. The cost of delivering services which contribute to the performance achievements comprise goods such as smoke alarms and staff time. The staff time includes those who are solely engaged in prevention work and watch based staff that provide emergency response as well as prevention services.
- 9.2 Expenditure on smoke alarms and other supporting materials in 2020/21 is £196k.

## 10. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

## **BACKGROUND PAPERS**

'Our Plan 2020-23' Strategic Objectives.

Corporate Action Plan updates.

Corporate Risk Update Quarter 3 and 4 2020/21 (exception report).

The contact name for this report is Karen Gowreesunker, Clerk to the Authority and Strategic Enabler – Strategy, telephone number 0121 380 6678.

PHIL LOACH  
CHIEF FIRE OFFICER



**Key Performance Indicators Status – Quarter Four 2020/21**


Item 19

<b>Key:</b>	
<b>Blue</b>	<b>Over performance against the tolerance levels</b>
<b>Green</b>	<b>Performance is within the tolerance levels</b>
<b>Red</b>	<b>Under performance against the tolerance levels</b>

**Response**

Our response priorities focus on dealing excellently with emergency incidents:


- Through risk management, the most serious incidents in high-risk areas will be attended within five minutes, to save life, protect homes and businesses, and keep our transport networks moving.
- Risk to life and property will be reduced through our commitment to operational excellence, enabling an assertive, effective and safe emergency response to all incidents whilst supporting firefighter safety.
- At all incidents attended, rescue operations will be led and coordinated by WMFS whilst working collaboratively with other agencies to deliver an excellent response and meet public expectations.
- National resilience will be enhanced through delivery of a local, national and international response to major incidents, new risks and humanitarian situations through our specialist response teams.

<b>PI 1</b>		<b>The Risk Based Attendance Standard</b> Target: under 5 minutes Actual: 4 minutes 35 seconds <b>Over performance against the tolerance levels</b>
<p>The median attendance time to high-risk (Cat 1) incidents in Q4 was 4 minutes 35 seconds, the same performance as recorded in quarter three. Attendance times for all quarters have been low, reflected in the year-to-date median of 4 minutes 32 seconds.</p> <p>Attendance times for Category 2, 3 &amp; 4 incidents remain significantly below the respective targets:</p> <p>Category 2 – 5 minutes 18 seconds (target of 7 minutes)          Category 3 – 4 minutes 47 seconds (target of 10 minutes)          Category 4 – 6 minutes 36 seconds (target of 20 minutes)</p>		

## Prevention

Our prevention priorities focus on making safer, healthier communities:

- The number of people killed or seriously injured by fire-related incidents will reduce as we focus, with our partners, on reducing the risks faced by the most vulnerable people in our communities.
- The safety, health and well-being of the most vulnerable people in our communities will improve by targeting 'radical prevention' interventions that are directly linked to vulnerability from fire.
- Arson-related incidents will fall, supporting safer and stronger communities, as a result of our partnership working.
- Fewer people will be killed or seriously injured on West Midlands roads, and we will keep our transport networks moving, as we work with the West Midlands Combined Authority and other organisations to develop and deliver interventions that support the West Midlands Regional Road Safety Strategy.

PI 2		<b>The number of accidental dwelling fires</b> Target YTD: 1613 (1532 – 1645) Actual to date: 1607 <b>Performance is within the tolerance levels</b>
<p>At the 2020/21-year end, a total of 1,607 accidental dwelling fires were recorded across WMFS against a target of 1,613 and equates to being 0.4% under target for the year. Whilst the number of Accidental Dwelling Fires (ADF) recorded during the 2020/21 year was marginally higher than the 1,600 recorded during 2019/20, this figure still represents the third lowest number of ADF incidents since 1998/99. Overall, performance during Q1 and Q2 were slightly above the target levels but was offset by stronger performance during the second half of the year, particularly Q3 when ADF's were 9.5% below target.</p> <p>Breakdown of incidents via Command Area:</p> <ul style="list-style-type: none"><li>• Black Country North finished the year having recorded 281 ADF incidents which is 10.6% below the target of 314. This end of year figure was lower than both the 2019/20 year-end and the 3-year average. Apart from May, August and September 2020, the Command was otherwise below target for each month of the 2020/21 year. Drilling down to borough level, Both Walsall and Wolverhampton were below target for the year, recording totals of 127 and 154 ADF's respectively.</li><li>• Black Country South finished the year having recorded 308 ADF incidents which is 7.4% below the target of 333. This end of year figure was lower than both the 2019/20 year-end and the 3-year average. Drilling down to borough level, whilst Dudley was below target having recorded 129 ADF incidents, Sandwell was above target and tolerance having recorded 179 ADF incidents.</li></ul>		

- Birmingham Command finished the year above tolerance having recorded a total of 750 ADF's which was 5.6% above the target of 710. This end of year figure was also higher than both the 2019/20 year-end and the 3-year average totals. Whilst the Command remained within target for much of 2020, the higher than anticipated number of ADF's recorded during the latter part of the year (particularly December 2020) ultimately resulted in Birmingham exceeding the target level. Drilling down, both Birmingham North and South ended the year in exception recording 386 and 364 ADF's respectively.
- Coventry and Solihull Command also finished the year in exception having recorded a total of 268 ADF incidents against a target of 256 (4.7% over target). The 2020/21 end of year figure was the same as the number recorded in 2019/20 but was 4.1% over the 3-year average of 258 incidents. Both Coventry and Solihull boroughs ended the year over target, recording 179 and 90 ADF's respectively.

**PI 3**



**Injuries from accidental fires in dwellings (taken to hospital for treatment)**

Target YTD: 51 (42 – 56)

Actual to date: 51

**Performance is within the tolerance levels**

During 2020/21 a total of 51 injuries at accidental dwelling fires (ADF) were recorded across the West Midlands. This was against a target of 51 and therefore the Service finished exactly on target for the year. The number of injuries at ADF's recorded during 2020/21 was the same as 2019/20 and is therefore the joint lowest number since 1998/99.

The number of injuries was relatively low throughout Q1 to Q3 and for each quarter were below target, however during Q4 (particularly March 2021) the number of injuries increased significantly to 23 for the quarter against a target of 13 and was the highest recorded in any quarter over the last three years.

Breakdown of incidents via Command Area:

- Black Country North finished the year having recorded a total of 7 injuries at ADF incidents which was in line with the target of 7. This number was also consistent with the previous year and three-year average. Walsall borough finished the year over target and tolerance having recorded the majority of all such incidents for the Command with 6 Injuries at ADF's, whereas Wolverhampton finished the year under target and tolerance recording only one such injury.
- Black Country South finished the year having recorded a total of 13 Injuries at ADF's which was 31.3% over the target of 10 and therefore above tolerance. The year-end total was also higher than both the previous year and three-year

average. At borough level, Sandwell finished the year recording a total of 9 injuries at ADF's which was over target and tolerance. Dudley finished the year within target having recorded a total of 4 such injuries.

- Birmingham Command recorded a total of 21 injuries at ADF's which was 24.2% below the target of 28. The 2020/21 year-end total was also lower than both the previous year and three-year average. Birmingham North recorded a total of 9 injuries at ADF's which was 33.5% below the target of 14 and below tolerance for the year. Birmingham South recorded 12 injuries at ADF's which was 15.4% below the target of 14 but was within tolerance for the year.
- Coventry and Solihull Command finished the year having recorded a total of 10 injuries at ADF's which was 44.3% above the target of 7. This year-end figure was higher than both the 2019/20 total and the three-year average. Coventry borough recorded 3 injuries at ADF's which was below target and tolerance, whereas Solihull recorded 7 such injuries which was over target and tolerance for the year.

**PI 4**



**The number of deaths from accidental dwelling fires**

Target YTD: N/A

Actual to date: 9



A total of nine deaths at Accidental Dwelling Fires (ADF) were recorded during 2020/21. This is a reduction of 35.7% from the 14 fatalities at ADF's that were recorded during 2019/20. January 2021 was the peak month when 3 incidents were recorded.

- Black Country North Command recorded two incidents, both within Walsall borough.
- Black Country South Command recorded one incident within Dudley borough.
- Birmingham Command recorded 4 incidents, two each within Birmingham North and South.
- Coventry & Solihull Command recorded 2 incidents within Coventry borough.

Two incidents were recorded during the early mornings (between 05:00 and 06:00 hours), two were recorded during late morning and early afternoon (between 11:00 and 15:00), whereas the remaining five incidents recorded during the evening period (between 17:00 and 23:00 hours).


In terms of the most common sources of ignition, 'Heating Equipment' was cited in two incidents, 'smoking' was cited in two incidents and 'cooking' was also cited in two incidents.

Eight of the victims were male. Four victims were between the ages of 59 and 69 years, and five were over the age of 70 years. Seven victims were defined as 'White British' with the remaining two defined as 'African or Afro-Caribbean'.

PI 5		<div>The percentage of Safe and Well visits referred by our partners</div> <div>Target YTD: 45% (45% - 47%)</div> <div>Actual to date: 45.1%</div> <div>Performance is within the tolerance levels</div>																																			
<div>The percentage of Safe and Well visits referred by our partners for Q4 was 48.4%, marginally above the quarterly target of 45%.</div> <div>The percentage of Safe and Well visits referred by our partners has improved during the second half of the year, with the percentage year to date equating to 45.1%, marginally above the target of 45%.</div> <div>Breakdown of Safe and Well visits by Command Area:</div> <table><tr><td>Command</td><td>Q1</td><td>Q2</td><td>Q3</td><td>Q4</td></tr><tr><td>Birmingham N</td><td>28.5</td><td>38.1</td><td>48.5</td><td>43.3</td></tr><tr><td>Birmingham S</td><td>32.4</td><td>42.2</td><td>46.8</td><td>50.1</td></tr><tr><td>Cov &amp; Sol</td><td>20.2</td><td>43.6</td><td>45.4</td><td>50.9</td></tr><tr><td>BCS</td><td>65.0</td><td>57.5</td><td>59.9</td><td>56.1</td></tr><tr><td>BCN</td><td>40.6</td><td>39.7</td><td>39.6</td><td>38.8</td></tr><tr><td>WMFS</td><td>41.0</td><td>44.2</td><td>48.7</td><td>48.4</td></tr></table>			Command	Q1	Q2	Q3	Q4	Birmingham N	28.5	38.1	48.5	43.3	Birmingham S	32.4	42.2	46.8	50.1	Cov & Sol	20.2	43.6	45.4	50.9	BCS	65.0	57.5	59.9	56.1	BCN	40.6	39.7	39.6	38.8	WMFS	41.0	44.2	48.7	48.4
Command	Q1	Q2	Q3	Q4																																	
Birmingham N	28.5	38.1	48.5	43.3																																	
Birmingham S	32.4	42.2	46.8	50.1																																	
Cov & Sol	20.2	43.6	45.4	50.9																																	
BCS	65.0	57.5	59.9	56.1																																	
BCN	40.6	39.7	39.6	38.8																																	
WMFS	41.0	44.2	48.7	48.4																																	
PI 6		<div>The number of Safe &amp; Well points achieved by the Brigade</div> <div>Target YTD: 259,690</div> <div>Actual to date: 131,201</div> <div>Under performance against the tolerance levels</div>																																			
<div>During Q4 the region was in lockdown due to the Covid-19 pandemic and during this period the guidance remained constant whereby under Business Continuity arrangements face-to-face Safe &amp; Well visits were prioritised to high-risk households where the Covid status would allow access. Remote Safe &amp; Well visits were also delivered which are counted as part of this return. The lockdown and Business Continuity arrangements have had a significant impact on the performance during this quarter.</div> <div>The total number of Safe &amp; Well visits carried out during Q4 was 7,749 (up from 2,279 in Q1, 3,560 in Q2 and 4,658 in Q3) which equates to 1.44 per appliance per 24hrs (based on 54 Appliances being available 24/7). Please note that this is the combined figure for face-to-face and remote visits.</div> <div>The target for the total Safe &amp; Well points is 259,690 for the year. During quarter 4 the Service achieved 52,215 points (which is 12,708 below the quarterly target). The total Safe &amp; Well points achieved year to date is 131,201. This is 51% of the target Safe &amp; Well points for the year.</div>																																					

Please note that both face-to-face and remote visits are recorded on the same system. It would not be expected that a remote visit would generate the same number of Safe & Well points as a face-to-face visit. Consequently, comparisons should not be made between the figures for this quarter and other periods where only face-to-face visits occurred.

The number of Safe & Well visits and the total number of Safe & Well points are linked and the average points per visit fell to 6.7 during Q4, down from 7.14 during Q3, 7.65 in Q2, and 7.55 in Q1.

<b>PI 7</b>		<b>The number of people killed or seriously injured (KSI) in road traffic collisions</b> Target YTD: Not applicable Actual to date: 593
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Please note that the following is West Midlands Police data provided by Transport for West Midlands. The data covers Q1 to Q3. Due to the nature of road traffic collision (RTC) incidents and the time they take to be finalised, the figures provided in this report may be subject to revision in future time periods.

During Q1 to Q3 2020/21, a total of 552 RTCs were recorded on West Midlands roads where the casualties were either killed or seriously injured (KSI). These incidents resulted in a total of 593 casualties of which 37 were fatal and 556 were seriously injured. When compared to the same period in 2019/20, this is a 19.8% decrease in total KSI collisions, a 21.7% reduction in serious injuries, but is a 5.7% increase in fatalities. The reduction in KSI collisions may be, in part, due to national Covid-19 lockdown measures, particularly those relating to working from home, furloughing of employees and leisure travel restrictions.

Of the 37 casualties that were fatally injured, 16 (43.2%) were drivers or riders, 7 (18.9%) were passengers, and 14 (37.8%) were pedestrians. Males accounted for 27 (72.9%) fatal casualties. Just over a fifth (21.6%, n=7) of all fatalities were between 20 and 29 years, with those between 50-59 years accounting for a further 16.2% (n=5) of all those killed.

Of those that were seriously injured, 321 (57.7%) were drivers or riders, 69 (12.4%) were passengers, and 166 (29.8%) were pedestrians. Males accounted for 402 (72.3%) seriously injured casualties. Just under a fifth (19.1%, n=106) of those seriously injured were between 20 and 29 years, with those between 30 and 39 years accounting for a further 11.0% (n=61).



#### Breakdown of incidents by Command Area:

- Black Country North has for the year to date recorded a total of 99 RTC's that resulted in 103 people being killed or seriously injured (5 fatalities, 69 serious injuries). This is a reduction from the same period in 2019/20 when a YTD total of 131 RTC's resulted in 138 KSI's (9 fatalities, 129 serious injuries).
- Black Country South has for the year to date recorded a total of 119 RTC's that resulted in 127 people being killed or seriously injured (12 fatalities, 115 serious injuries). Compared to 2019/20 YTD, this is the same number of fatalities (12) but a slight reduction from the 128 casualties seriously injured.
- Birmingham has for the year to date recorded a total of 240 RTC's that resulted in 260 people being killed or seriously injured (9 fatalities, 251 serious injuries). Compared to 2019/20 YTD, this is slightly more fatalities (2) but a significant reduction (-21.8%) from the 321 casualties that were seriously injured.
- Coventry & Solihull has for the year to date recorded a total of 89 RTC's that resulted in 98 people being killed or seriously injured (11 fatalities, 87 serious injuries). Compared to 2019/20 YTD, this is 4 more fatalities but a reduction of 15.3% from the 103 casualties that were seriously injured.

**PI 8**



#### **The number of deliberate fires in dwellings**

Target YTD: 208 (187 – 218)

Actual to date: 184

**Over performance against the tolerance levels**

During 2020/21 a total of 184 deliberate dwelling fires were recorded across the West Midlands which was 11.4% below the target of 208. Indeed, the 2020/21 year-end figure for deliberate dwelling fires is the lowest since 1998/99. Incidents across Q1 to Q3 were all below target levels, with incidents only marginally exceeding the target for Q4 (by 2).

#### Breakdown of incidents by Command Area:

- Black Country North finished the year having recorded a total of 35 Deliberate Dwelling Fires which was 18.6% below the target of 43. The year-end total was also lower than both the previous year and three-year average. Incidents were below target levels for much of the year with the exception of September 2020 and Q4 when incidents were seen to increase significantly. Both Walsall and Wolverhampton boroughs finished below target levels recording 20 and 35 deliberate dwelling fires, respectively.
- Black Country South finished the year having recorded a total of 25 deliberate dwelling fires which was 26.4% below the target of 34. This was also lower than both the previous year and three-year average. Apart from October 2020, incidents were either below or at target levels for the remainder of the year. At borough level, Sandwell finished the year recording a total of 17 deliberate

dwelling fires which was over target and tolerance. Dudley finished the year below target and tolerance having recorded a total of 8 such incidents.

- Birmingham Command finished the year having recorded a total of 92 deliberate dwelling fires which was 8.2% below the target of 100. The year-end figure was 4 more than the number recorded in 2019/20 but 11 less than the three-year average. Birmingham North recorded 44 deliberate dwelling fires which was 18.5% below the target of 54. Birmingham South recorded 48 incidents against the anticipated 46, but this was still within target levels.
- Coventry and Solihull Command finished the year having recorded a total of 32 deliberate dwelling fires which was 5.3% over the target of 30 and above tolerance. Incidents were notably above target levels during Q3 (Oct 20 to Dec 20) when 14 incidents were recorded. The 2020/21 year-end figure is lower than 2019/20 when 39 deliberate dwelling fires were recorded but is 2.1% above the three-year average of 31 incidents. At borough level, Coventry finished the year within target having recorded 25 incidents, whereas Solihull finished above target and tolerance having recorded 7 incidents.

**PI 9**



**The number of deliberate fires in non-domestic premises**

Target YTD: 131 (119 – 137)

Actual to date: 104

**Over performance against the tolerance levels**

During 2020/21 a total of 104 Deliberate Non-domestic Fires were recorded across the West Midlands which was 20.7% below the target of 131. The 2020/21 year-end figure for deliberate non-domestic fires is the lowest since 1998/99. Performance across all quarters was below target levels, with the most recorded during Q2 (36) and fewest during Q4 (16).

Breakdown of incidents by Command Area:

- Black Country North finished the year having recorded a total of 12 deliberate non-domestic fires which was 40.3% below the target of 20. This was also significantly lower than the total for 2019/20 of 35 and the YTD three-year average of 24. Both Walsall and Wolverhampton boroughs each recorded 6 incidents and finished the year under target.
- Black Country South finished the year having recorded a total of 20 deliberate non-domestic fires which was 29.4% below the target of 28. This was also lower than the total for 2019/20 of 25 and the three-year average of 29. Incidents were highest during July and August 2020, with all other months recording fewer incidents than target levels. At borough level, Sandwell recorded 15 deliberate non-domestic fires which was under target and tolerance, whereas Dudley recorded 15 incidents and was above target and tolerance for the year.



- Birmingham Command recorded a year-end total of 66 deliberate non-domestic fires which was 2.5% below the target of 68. The year-end figure was 11 more than the number recorded in 2019/20 (55) but 14 less than the YTD three-year average (80). Birmingham North recorded a total of 39 deliberate non-domestic fires which was 17.6% below the target of 47. Birmingham South, however, recorded a total of 27 deliberate non-domestic fires which was 32.4% above the target of 20, which was due to high incident levels during Q1 and Q2, particularly between May and August 2020.
- Coventry and Solihull Command finished the year having recorded a total of just 6 deliberate non-domestic fires which was 60.0% below the target of 15. All 6 incidents were recorded within the Coventry borough.

**PI 10**



**The number of deliberate vehicle fires**

Target YTD: 735 (662 – 771)

Actual to date: 593

**Over performance against the tolerance levels**

During 2020/21 a total of 593 deliberate vehicle fires were recorded across the West Midlands which was 19.3% below the target of 735. The 2020/21 year-end figure for deliberate non-domestic fires is the second lowest since 1998/99. Performance across all quarters was below target levels, with the most recorded during Q2 (185) and fewest during Q4 (116).

Breakdown of incidents by Command Area:

- Black Country North finished the year having recorded a total of 130 deliberate vehicle fires which was 8.9% over the target of 119 and therefore above tolerance. The year-end total was, however, lower than that recorded in 2019/20 (131) and the YTD three-year average (133). At borough level, Walsall recorded a total of 81 deliberate vehicle fires which was over target and tolerance, whereas Wolverhampton recorded a total of 49 which was within target.
- Black Country South finished the year recording a total of 156 deliberate vehicle fires which was 5.1% fewer than the target of 164. Incidents of this nature peaked during November 2020 when 20 deliberate vehicle fires were recorded across the Command, whilst fewest were recorded during February 2021. Sandwell borough recorded a total of 92 deliberate vehicle fires which was within target and Dudley recorded a total of 64 which was also within target.
- Birmingham Command finished the year recording a total of 224 deliberate vehicle fires which was 26.9% below the target of 306. Whilst incidents were highest throughout the late summer/early autumn months (July-November), at no point during the year did incidents exceed the Command's target level. Birmingham North recorded a total of 98 deliberate vehicle fires which was 38.9% below the target of 161 for the year. This was also significantly lower

than the 2019/20 total (129) and the YTD three-year average (148). Birmingham South recorded a total of 126 deliberate vehicle fires which was 13.6% below target for the year. This was marginally fewer than the 2019/20 total of 128 but significantly less (-23.2%) than the YTD three-year average of 164.

- Coventry and Solihull Command finished the year recording a total of 83 deliberate vehicle fires which was 42.7% below the target of 145. This was also significantly lower than the 2019/20 total of 124, and 48.34% lower than the YTD three-year average of 161. Both Coventry and Solihull boroughs finished the year below target and tolerance levels recording 62 and 21 deliberate vehicle fires, respectively.

**PI 11**



### **The number of deliberate rubbish fires**

Target YTD: 1596 (1517 – 1627)

Actual to date: 1228

**Over performance against the tolerance levels**

During 2020/21 a total of 1,228 deliberate rubbish fires were recorded across the West Midlands which was 23.1% below the target of 1,596. The 2020/21 year-end figure for deliberate non-domestic fires is the lowest since 1999/00. Performance across all quarters was below target levels, with the most recorded during Q2 (386) and fewest during Q4 (210).

Breakdown of incidents by Command Area:

- Black Country North finished the year having recorded a total of 327 deliberate rubbish fires which was 7.0% below the target of 352 and therefore below target and tolerance. The year-end total was higher than the 306 recorded in 2019/20 but lower than the YTD three-year average of 370. At borough level, Walsall recorded a total of 202 deliberate rubbish fires which was under target and tolerance, whereas Wolverhampton recorded a total of 125 which was over target and tolerance.
- Black Country South finished the year having recorded a total of 315 deliberate rubbish fires which was 16.5% below the target of 377 and therefore below target and tolerance. The year-end total was lower than the 351 recorded in 2019/20 and significantly lower (-20.7%) than the YTD three-year average of 397. Drilling down, Sandwell recorded a total of 140 deliberate rubbish fires and Dudley recorded a total of 175, both boroughs were therefore under target and tolerance for the year.
- Birmingham Command finished the year recording a total of 360 deliberate rubbish fires which was 32.2% below the target of 531. Whilst incidents were highest throughout the spring and summer months (May-September), at no point during the year did incidents exceed the Command's target level. Birmingham North recorded a total of 201 deliberate rubbish fires which was

25.0% below the target of 268 for the year. This was also significantly lower than the 2019/20 total (252) and the YTD three-year average (281). Birmingham South recorded a total of 159 deliberate rubbish fires which was 39.5% below target for the year. This was significantly fewer than the 2019/20 total of 259 and the YTD three-year average of 276.

- Coventry and Solihull Command finished the year recording a total of 226 deliberate rubbish fires which was 32.8% below the target of 336. This was also significantly lower than the 2019/20 total of 347, and 36.2%% lower than the YTD three-year average of 354. Both Coventry and Solihull boroughs finished the year below target and tolerance levels recording 188 and 38 deliberate rubbish fires, respectively.

**PI 12**



**The number of deliberate fires in derelict buildings**

Target YTD: 121 (109 – 126)

Actual to date: 89

**Over performance against the tolerance levels**

During 2020/21 a total of 89 deliberate derelict building fires were recorded across the West Midlands which was 26.3% below the target of 121. The 2020/21 year-end figure for deliberate derelict building fires is the lowest since 1999/00. Performance across all quarters was within target levels, with the most recorded during Q2 (32) and fewest during Q4 (17).

Breakdown of incidents by Command Area:

- Black Country North finished the year having recorded a total of 37 deliberate derelict building fires which was 18.0% higher the target of 31 and therefore above target and tolerance. The year-end total was both higher than the 35 recorded in 2019/20 and 16.8% higher the YTD three-year average of 32. At borough level, Walsall recorded a total of 29 deliberate derelict building fires which was over target and tolerance, whereas Wolverhampton recorded a total of 8 which was under target and tolerance.
- Black Country South finished the year having recorded a total of 29 deliberate derelict building fires which was 32.9% below the target of 43 and therefore below target and tolerance. The year-end total was significantly lower than both the 62 recorded in 2019/20 and the YTD three-year average of 44. Drilling down, Sandwell recorded a total of 10 deliberate derelict building fires and Dudley recorded a total of 19, both boroughs were therefore under target and tolerance for the year.
- Birmingham Command finished the year recording a total of 18 deliberate derelict building fires which was 50% below the target of 36. Incidents were highest during Q4 (March 2021) but at no other point during the year did incidents exceed the Command's target level. Birmingham North recorded a total of 7 deliberate derelict building fires which was 57.6% below the target of


17 for the year. This was also lower than the 2019/20 total (10) and significantly lower (-58.0%) than the YTD three-year average (17). Birmingham South recorded a total of 11 deliberate derelict building fires which was 42.5% below target of 19 for the year. This was also significantly fewer than the 2019/20 total of 17 and the YTD three-year average of 19.

- Coventry and Solihull Command finished the year recording a total of 5 deliberate derelict building fires which was 52.7% below the target of 11. This was also slightly lower than the 2019/20 total of 7, and 53.1% lower than the YTD three-year average of 11. Drilling down, all five derelict building fires within the Command were recorded by Coventry borough.

## Protection


Our protection priorities focus on protecting life and property to make businesses stronger and communities safer:

- Life and property will be protected by targeting high-risk buildings and vulnerable businesses, including residential high-rises, to ensure compliance and enforcement of fire safety legislation.
- Improved community safety through implementing outcomes of the Independent Review of Building Regulations and Fire Safety.
- Improved community safety through innovative and contemporary approaches to the delivery of protection activities and working cohesively with partners at local, regional and national levels to influence the development of new and enabling legislation.
- Prosperity and economic growth are enhanced by educating and supporting businesses, including collaboration with other regulators and partner agencies.
- Disruption to businesses, communities and West Midlands Fire Service caused by unwanted fire signals from fire alarms will be reduced.

<b>PI 13</b>		<p><b>The number of accidental fires in non-domestic premises</b>  Target YTD: 431 (388 – 452)  Actual to date: 326  <b>Over performance against the tolerance levels</b></p>
<p>During 2020/21 a total of 326 accidental fires at non-domestic properties were recorded across the West Midlands which was 24.4% below the target of 431. The 2020/21 year-end figure for deliberate non-domestic fires is the lowest since 1999/00. Performance across all quarters was consistently below target levels, with slightly greatest number (86) recorded during Q4 and fewest number (77) recorded during Q3.</p>		

#### Breakdown in incidents by Command Area:



- Black Country North finished the year having recorded a total of 59 accidental fires at non-domestic properties which was 16.1% lower the target of 70 and therefore below target and tolerance. The year-end total was lower than the 82 recorded in 2019/20 and 16.5% lower than the YTD three-year average of 71. At borough level, Walsall recorded a total of 22 accidental fires at non-domestic properties which was below target and tolerance, whereas Wolverhampton recorded a total of 37 which was within target.
- Black Country South finished the year having recorded a total of 85 accidental fires at non-domestic properties which was 4.2% below the target of 89 but was within target and tolerance. The year-end total was slightly lower than both the 92 recorded in 2019/20 and the YTD three-year average of 90. Drilling down, Sandwell recorded a total of 44 accidental fires at non-domestic properties and Dudley recorded a total of 41, both boroughs were therefore with target for the year.
- Birmingham Command finished the year recording a total of 138 accidental fires at non-domestic properties which was 28.5% below the target of 193. Incidents peaked during Q4 (February 2021) but at no point during the year did incidents exceed the Command's target level. Birmingham North recorded a total of 87 accidental fires at non-domestic properties which was 36.8% below the target of 138 for the year. This was also significantly lower than both the 2019/20 total of 135, and the YTD three-year average of 139. Birmingham South recorded a total of 51 accidental fires at non-domestic properties which was 8.0% below target of 55 for the year. This was slightly more than the 2019/20 total of 44, but less than the YTD three-year average of 56.
- Coventry and Solihull Command finished the year recording a total of 44 accidental fires at non-domestic properties which was 44.2% below the target of 79. This was also significantly lower than the 2019/20 total of 82, and 45.0% lower than the YTD three-year average of 80. Both Coventry and Solihull boroughs finished the year below target and tolerance levels recording 34 and 10 accidental fires at non-domestic properties, respectively.

<b>PI 14</b>		<p><b>The number of false alarm calls due to fire alarm equipment in dwellings and non-domestic premises</b></p> <p>Target YTD: 5733 (5447 – 5848)</p> <p>Actual to date: 5629</p> <p><b>Performance is within the tolerance levels</b></p>
<p>During 2020/21 a total of 5,629 false alarms due to equipment were recorded across the West Midlands which was 1.8% below the target of 5,733. The 2020/21 year-end figure for false alarms due to equipment is the second lowest since 1999/97. Performance across all quarters was marginally below target levels, with incidents peaking during Q2 and were lowest during Q4.</p> <p>Breakdown of incidents by Command Area:</p>		

- Black Country North finished the year having recorded a total of 1,133 false alarms due to equipment which was 2.8% lower the target of 1,166 and therefore was within target and tolerance. The year-end total was lower than the 1,212 recorded in 2019/20 and 2.8% lower than the YTD three-year average of 1,166. At borough level, Walsall recorded a total of 428 false alarms due to equipment which was below target and tolerance, whereas Wolverhampton recorded a total of 705 which was above target and tolerance.
- Black Country South finished the year having recorded a total of 1,056 false alarms due to equipment which was 8.2% above the target of 976 and therefore over tolerance. The year-end total was slightly higher than both the 1,004 recorded in 2019/20 and the YTD three-year average of 976. Drilling down, Sandwell recorded a total of 461 false alarms due to equipment which was within target, however Dudley recorded a total of 595 which was above target and tolerance.
- Birmingham Command finished the year recording a total of 2,518 false alarms due to equipment which was 5.2% below the target of 2,656. Birmingham North recorded a total of 1,551 false alarms due to equipment which was 4.7% below the target of 1,627 for the year. This was also lower than both the 2019/20 total of 1,638, and 5.5% lower the YTD three-year average of 1,641. Birmingham South recorded a total of 967 false alarms due to equipment which was 6.0% below target of 1,029 for the year. This was slightly more than the 2019/20 total of 1,101, but 3.7% less than the YTD three-year average of 1,004.
- Coventry and Solihull Command finished the year recording a total of 922 false alarms due to equipment which was 1.5% below the target of 936. This was also slightly lower than the 2019/20 total of 970, and 1.5% lower than the YTD three-year average of 936. Coventry borough recorded a total of 583 false alarms due to equipment which was below target and tolerance for the year, whereas Solihull recorded 339 and was over target and tolerance.



## People Support Services

<b>PI 15</b>		<p><b>The percentage of employees that have disclosed their disabled status</b></p> <p>Target: 100% (95% - 100%)</p> <p>Actual to date: 94%</p> <p><b>Under performance against the tolerance levels</b></p>
<p>The percentage of employees disclosing their disability status remains high at 94%. 4% of employees have stated that they do have a disability.</p> <p>98% of all employees have declared their ethnicity, and 86% have made a declaration regarding their sexual orientation. It should be noted that 227 members of staff have declared that they 'prefer not to say'.</p>		
<b>PI 16</b>		<p><b>The number of female uniformed staff</b></p> <p>Target: 186 (177 – 195)</p> <p>Actual to date: 162</p> <p><b>Under performance against the tolerance levels</b></p>
<p>There are 162 female uniformed staff, which is below target although does represent an increase of 16 compared to year end 2019/20.</p> <p>Positive action work continues albeit delivered in a virtual manner due to the Covid restrictions. Workshops are delivered to potential female candidates regarding awareness of behavioural assessments as well as fitness work up programmes being made available. The impact of not running face to face positive action sessions has been evident, particularly with the fitness preparation for females. Members of the DICE team continue to work alongside our fitness advisers in Occupational Health to provide input to female candidates where possible.</p> <p>As restrictions start to ease with the Government's road map to recovery, our input for positive action is assessed and Covid secure risk assessments have been introduced to enable recommencement of face to face positive action work.</p> <p>Members of the DICE team are working alongside colleagues in the Communications team and Occupational Health in the production of videos for firefighter to replenish and refresh our imagery and information available on the Careers pages of the internet.</p> <p>41% of uniformed posts are Crew Commander or above. 24% of female uniformed staff hold a position of Crew Commander or above, compared to 44% of male uniformed staff.</p> <p>65% of non-uniformed posts are grade 9 or above. 53% of female non-uniformed staff hold a position that is grade 9 or above, compared to 80% of male non-uniformed staff.</p>		

The gender pay gap for the Service, as at the last snapshot date of 31st March 2020, was 9.8% which is a reduction from the gap reported the previous year of 11.3%.

**PI 17**



**The percentage of all staff from BAME communities**

Target: 13.7% (13.0% – 14.3%)

Actual to date: 13.5%

**Performance is within the tolerance levels**

The percentage of all staff from black, Asian and minority ethnic (BAME) communities is 13.5%, marginally below target although representing an increase compared to the percentage of 12.4% recorded year end 2019/20.

Recruitment of BAME firefighters continues to improve with the Service consistently seeing around a third of our new firefighters coming from BAME backgrounds.

Virtual sessions are conducted regularly for BAME candidates, providing information and awareness of the role of the firefighter and the Fire Service. It is envisaged that face to face positive action sessions, including taster sessions at local Fire Stations will recommence once social distancing restrictions are removed in line with the Government road map.

Members of the DICE team are working alongside colleagues in the Communications team and Occupational Health in the production of videos for firefighter to replenish and refresh our imagery and information available on the Careers pages of the internet.

41% of uniformed posts are Crew Manager or above. 24% of BAME staff hold a position of Crew Commander or above, compared to 44% of white staff.

65% of non-uniformed posts are grade 9 or above. 62% of BAME non-uniformed staff hold a position that is grade 9 or above, compared to 66% of white non-uniformed staff.

**PI 17a**



**The percentage of uniformed staff from BAME communities**

Target: 12.7% (12.1% – 13.3%)

Actual to date: 12.4%




**Performance is within the tolerance levels**

12.4% of Uniformed staff are from black, Asian and minority ethnic (BAME) communities, which is marginally below the target and represents an increase compared to the percentage of 11.4% recorded year end 2019/20.



41% of uniformed posts are Crew Manager or above. 24% of BAME staff hold a position of Crew Commander or above, compared to 44% of white staff.

See PI17 for further information on recruitment year to date.




<b>PI 18</b>		<b>The average number of working days/shifts lost due to sickness – all staff</b> Target: 7.4 (7.1 – 7.7) Actual to date: 6.34 <b>Over performance against the tolerance levels</b>
<p>An average of 1.33 working days/shifts per person were lost due to sickness during quarter four, below the quarterly target of 1.86 and below the lower tolerance levels.</p> <p>An average of 6.34 working days/shifts per person were lost due to sickness year to date, below the target of 7.4 days. A 21% reduction in sickness has been observed compared to the same period in 2019/20. When Covid sickness is included, the same amount of sickness was recorded for 2020/21 as per 2019/20.</p>		
<b>PI 19</b>		<b>The average number of working days/shifts lost due to sickness – uniformed and Fire Control staff</b> Target: 7.17 (6.82 – 7.52) Actual to date: 6.57 <b>Over performance against the tolerance levels</b>
<p>An average of 1.45 working days/shifts per person were lost due to sickness during quarter four, below the quarterly target of 1.74 and below the lower tolerance level.</p> <p>For the year 2020/21, Uniformed and Fire Control sickness reduced by 15%. However, when Covid sickness is included there was a 7% increase.</p>		
<b>PI 20</b>		<b>The average number of working days/shifts lost due to sickness – non-uniformed staff</b> Target: 8.2 (7.79 – 8.61) Actual: 5.54 <b>Over performance against the tolerance levels</b>
<p>An average of 0.90 working days/shifts per person were lost due to sickness during quarter four, below the quarterly target of 2.30 and below the lower tolerance level.</p> <p>For the year 2020/21 there was a 38% reduction in non-uniformed sickness. However, when Covid sickness is included there was a 21% reduction.</p>		


## Health, Safety and Wellbeing, and Finance and Resources

<b>PI 21</b>		<b>The total number of injuries</b> Target YTD: 128 (122 – 140) Actual to date: 119 <b>Over performance against the tolerance levels</b>
		<p>There were 31 injury reports received for quarter four against a quarterly target of 32. 119 injury reports have been recorded year to date compared to a combined target of 128.</p> <p>There has been a slight increase in injuries across the Service in Q4 compared to Q3, although the number recorded remains comparable to the number of injuries recorded in Q1 and Q2. When compared to the number recorded in 2019/20, it is worth noting that the number of injuries represents a significant decrease on the previous year (119 compared to 148). This may be, in part, due to changes in activity level (COVID).</p> <p>The Health, Safety and Wellbeing Team continually monitor all injury reports and there now appears to be a trend occurring in relation to manual handling injuries. This has been identified and the Health, Safety and Wellbeing Team are working with an external consultant to scope out a project to combat this.</p> <p>There were 6 noise reports, all of which were for the same incident (alarms sounding).</p>
<b>PI 22</b>		<b>The total number of RIDDOR injuries</b> Target YTD: 14 (13 – 15) Actual to date: 21 <b>Under performance against the tolerance levels</b>
		<p>There were four RIDDOR reports during Q4 and this is a reduction on Q3 (seven reports) and the 2019/20 Q4 (six reports).</p> <p>There were 21 RIDDOR reports during 2020/21, above the target of 14 and above the upper tolerance level.</p> <p>No significant trends have been identified with the command reporting the event or the activity being undertaken but it is worth highlighting that three involved handling equipment, premises, or people in some way.</p> <p>There were reports for Black Country North (bicep tear, two injuries in two days with one aggravating the other, opening door and stone had stuck in the track, FREC training and carrying out Heimlich manoeuvre), Birmingham North (back strain, ladder training), Coventry and Solihull (removing Holmatro and assisting ambulance crews</p>


with lifting a person) and OLPD (pallets fell from a forklift truck). One was during a special service call, one during routine activity, one was involving support staff and one occurred during operational training. Accident investigations have taken place with suitable learning being identified.

<b>PI 23</b>		<b>To reduce the Fire Authority's carbon emissions</b> Forecast YTD: Not Available Actual to date: Not Available
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Information is not available for this PI.

<b>PI 24</b>		<b>To reduce gas use of Fire Authority premises</b> Forecast YTD: 9414188MWh (8472770 – 9884897) Actual to date: 8052707MWh <b>Over performance against the tolerance levels</b>
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Actual usage continued to fall below target. Covid will have had an impact as occupancy levels and heating/gas usage requirements would have been less as a result. New boilers installed on some stations meaning improved emissions and usage which will have an effect. Performance is below the lower tolerance level with no areas of concern to date.

<b>PI 25</b>		<b>To reduce electricity use of Fire Authority premises</b> Forecast YTD: 4850270MWh (4365243 – 5092783) Actual to date: 3771796MWh <b>Over performance against the tolerance levels</b>
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Actual usage continued to fall below target. Covid will have had an impact as occupancy levels and electricity usage requirements would have been less as a result. Continual planned works of station re-wires, upgrading lighting to LED will also have a lasting effect as services become more efficient. Performance is below the lower tolerance level with no areas of concern to date.



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

1. **CONTRACT AWARDS SUMMARY FOR PERIOD TO 30 APRIL 2021**

Report of the Chief Fire Officer

RECOMMENDED

THAT the Authority note the attached Appendix which summarises the contracts in excess of £250,000 that have been awarded since September 2020.

2. **PURPOSE OF REPORT**

This report provides a six-month summary of all contracts that have been awarded since September 2020.

3. **BACKGROUND**

3.1 At the Authority meeting on the 29 June 2015, Members approved a number of revisions to the Constitution. One of the revisions was that a retrospective twice yearly summary report of tender contract awards in excess of £250,000 be submitted to the Fire Authority for information purposes.

3.2 In accordance with the above requirement, a summary of those contracts awarded is attached as Appendix 1.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The matters contained in this report will not lead to a policy change.

5. **LEGAL IMPLICATIONS**

The procurement processes that were followed for the procurement exercises detailed in the Appendices to this report were conducted in accordance with the Authority's Procurement policies and the Public Contract Regulations 2015.

6. **FINANCIAL IMPLICATIONS**

These are contained in the attached Appendices.

7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

**BACKGROUND PAPERS**

Authority Meeting 21 September 2015

Policy 1/8 – Procurement Procedures

The contact name for this report is DCFO Wayne Brown - Telephone Number - 0121 380 6907.

PHIL LOACH  
CHIEF FIRE OFFICER

## APPENDIX 1

Contract Title	Winning Supplier	Approval Date	Contract Period (Including Extension Options)	Annual Contract value or Total Value for one off Purchase	Total Contract Value (including extension periods)	Budget PA	Basis of award e.g. Lowest Price or MEAT*	Date and Minute Number of Planned Tender Report	Any Other Relevant Information
Refurbishment of Coventry Fire House	Interclass PLC	23 October 2020	6 months	£551,000	£550,000	£550,000	MEAT	17 February 2020	
Oracle licences (part of the Enterprise Resource Planning System)	Oracle Corporation	13 November 2020	5 years	£250,000	£1,250,000	Part of the £600k pa annual support fees for the Business Transformation Project	Award of a contract without prior publication of a call for competition	18 February 2019	
	Namos Solutions Ltd	16 December 2020	2 years plus 2 options of 12 months	Implementation: £995,000 Annual costs: £40,000 to £80,000	£1,235,000	Implementation: £1,000,000 Annual costs: part of the £600k pa annual support fees	MEAT		Annual costs dependant on requirements upon implementation
Electrical Rewires at; Bickenhill, Billesley, Sheldon, Tettenhall and Wednesbury	Arrow Services (Midlands) Ltd	22 September 2020	One off purchase	£290,000	£290,000	£373,000	MEAT	18 February 2019	
Thermal Imaging Cameras	Angloco Ltd	8 October 2020	One off purchase	£226,000	£226,000	£260,000	MEAT	17 February 2020	

Replacement Boilers for Tettenhall, Oldbury and Smethwick Fire Stations	Acorn Mechanical Pipework Services t/a Acorn MPS for Tettenhall Mobius Works Ltd for Oldbury and Smethwick	13 December 2020	One off Boiler replacements	£306,000	£306,000	£305,000	MEAT	5 October 2020	
National Smoke Alarm Framework Agreement	Aico Ltd, Bellman and Symfon UK Ltd, FireAngel Safety Technology Ltd, and Fireblitz Extinguisher Ltd	26 February 2021	4 years	£7,500,000 (National value)	£30,000,000 (National value)	£270,000 (WMFS only)	MEAT	22 February 2021	
National Safe and Well Equipment Framework Agreement	Able 2 Wear Ltd, Blockabox Ltd, Gailarde Ltd, Solon Security Limited, Surefire Services Limited and Thomas Kneale & Co	9 March 2021	4 years	£1,000,000 (National value)	£4,000,000 (National value)	Circa £10k	MEAT	17 February 2020	
Reactive Repairs Framework Agreement	Arrow Services (Midlands) Ltd Integral Roofing and Maintenance Services Ltd Drewmark Building Services Limited Phoenix Building Management Solutions Ltd.	10 <sup>th</sup> May 2021	4 Years	£187,500	£750,000	£193,000	MEAT	22 February 2021	



Air - Conditioning works at HQ, Safeside and Hay Mills Fire Station	Mobius Works Ltd	23 <sup>rd</sup> February 2021	One off purchase	£285,000	£285,000	£314,000	MEAT	22 February 2021	
Microsoft Enterprise Agreement	Boxxe	23 <sup>rd</sup> March 2021	3 years	£346,000	£1,038,000	£346,000	Lowest Price	17 February 2020	

\* Most Economically Advantageous Tender (MEAT)



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**21 JUNE 2021**

1. **ANNUAL REPORT OF THE AUDIT AND RISK COMMITTEE  
2020/21**

Report of the Chair of the Audit and Risk Committee.

**RECOMMENDED**

That the Authority receives the Annual Report 2020/21 of the Audit and Risk Committee.

2. **PURPOSE OF REPORT**

This report is submitted to bring to the attention of the Authority the Annual Report of the Audit and Risk Committee 2020/21.

3. **BACKGROUND**

- 3.1 Enabling the Authority to be fully effective in comprehending and assessing the control environment within which West Midlands Fire Service operates, the Audit and Risk Committee present an annual report of its activities to the Authority.
- 3.2 The Annual Report for 2020/21 is attached as an Appendix for consideration by the Authority. The report was approved by the Audit and Risk Committee on the 7 June 2021.
- 3.3 The Committee maintained its functioning throughout the COVID-19 pandemic. It 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.

#### 4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out because the matters contained in this report do not relate to a policy change.

#### 5. **LEGAL IMPLICATIONS**

The Authority has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

#### 6. **FINANCIAL IMPLICATIONS**

The Accounts and Audit Regulations Act states that a relevant body must “maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with the proper internal audit practices”.

### **BACKGROUND PAPERS**

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

Chair of the Audit Committee

Annual Report of the  
Audit and Risk Committee  
2020/21

## 1. Background

The Audit and Risk Committee was established by the Fire Authority in January 2008. Its purpose is to provide:

- independent assurance on the adequacy of the risk management framework and the associated control environment,
- independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to
- oversee the financial reporting process.

The key benefits of the Committee are derived by:

- increasing public confidence in the objectivity and fairness of financial and other reporting.
- reinforcing the importance and independence of internal and external audit and similar review processes.
- providing additional assurance through a process of independent review.
- raising awareness of the need for internal control and the implementation of audit recommendations.

The Terms of Reference for the Committee can be found at Appendix A of this report.

## 2. Meetings

During financial year 2019/20 the Audit and Risk Committee met on the following dates:

- 27 July 2020
- 26 October 2020
- 07 December 2020
- 25 March 2021
- 07 June 2021

	27/07/20	26/10/20	07/12/20	22/03/21	07/06/21
Councillor Miks					
Councillor Gill			A	A	A
Councillor Spence					
Councillor Barrie					
Councillor Miller					
Mr M Ager					

– in attendance  
A – sent apologies

## 4. The Committee's business

During the year the Committee conducted the following business:

Governance Statement – 2019/20  
Corporate Risk – Regular Updates  
Audit Committee Annual Report – 2019/20  
Audit Committee – Terms of Reference Review  
Audit Committee Work Programme  
Statement of Accounts 2019/20

CIPFA Audit Committee Updates  
Updates on Topical, Legal and Regulatory Issues  
Treasury Management Annual Report – 2019/20 (and Mid-Year Review)  
Annual Senior Information Risk Officer Report

External Audit Plan 2019/20  
External Audit Findings Report  
External Audit – Annual Audit Letter 2019/20  
External Audit – Audit Committee Update  
External Audit – Communication with the Audit Committee

Internal Audit Annual Report – 2019/20  
Internal Audit Progress Reports  
Internal Audit Charter – Annual Review  
Internal Audit Plan – 2020/21

The Pension Regulator – Scheme Return  
Minutes of the Pension Board  
Oversight of progress of McCloud/Sargeant Age Discrimination consultation and actions arising (Remedy)  
Pension payments and re-instatement decisions

## 5. Conclusion

The Committee was able to confirm:

- That the system of internal control, governance and risk management in the Fire Authority was adequate in identifying risks and allowing the Fire Authority to understand the appropriate management of these risks.
- That there were no areas of significant duplication or omission in the systems of internal control, governance and risk management that had come to the Committee's attention and had not been adequately resolved.

## 6. Sources of assurance

The Committee gained assurance to produce the above conclusion, from the following sources:

### **The work of Internal Audit**

The Internal Auditors gave the following opinion in their Annual Report for 2019/20:

*'Based on the work undertaken during the year and the implementation by management of the recommendations made, Internal Audit can provide reasonable assurance that the Fire Authority has an adequate and effective framework of governance, risk management and control. \*We are pleased to report that this is an unqualified opinion and the highest level of assurance available to Audit Services. In giving our opinion it should be noted that assurance can never be absolute. The most that internal audit can provide is reasonable assurance that there are no major weaknesses in the Authority's governance, risk management and control processes.'*

### **The work of the External Auditors**

During the year the external auditors (Grant Thornton) reported back to the Audit Committee on several occasions as detailed in section 4 above. No issues of any significant concern had been raised prior to the preparation of this report.

### **The Governance Statement**

The Governance Statement operated throughout the year ended 31 March 2020 and up to the date of the approval of the annual report and accounts. The systems to ensure the management of the risks have been shown to be sound.

### **Risk Management**

The Committee regularly receives and reviews the Fire Authority's Corporate Risk Register, and assesses the assurance provided to demonstrate how risks are being mitigated.



## 7. The Committee's main achievements

The Committee believes its key achievements during the year were:

- Maintaining functioning of Audit and Risk as a Standing Committee during the Covid-19 pandemic via digital meetings utilising revised legislation to enable continuity of business
- Continuing to build a good working relationship with the Authority's external auditors Grant Thornton.
- Receiving and reviewing several sector updates from the external auditors.
- Receiving the inaugural Senior Information Risk Officer report
- Overseeing progress to respond to consultation on the McCloud/Sargeant Age Discrimination consultation and actions to implement outcomes
- Reviewing the Committee's Terms of Reference and the Internal Audit Charter to ensure they remain fit for purpose.
- Providing additional assurance through a process of on-going independent review.
- Raising the profile of internal control issues across the Authority and of the need to ensure that audit recommendations are implemented.
- Regular consideration and review of the Authority's Risk Register and accompanying assurances.
- Building the skills and knowledge of Committee members through regular technical updates and the consideration of related guidance issued by CIPFA.
- The continued presence of an Independent Member to broaden the Committee's experience and independent viewpoint.
- Oversight of the work of the Pension Board

## Terms of Reference for the Committee

Terms of Reference were reviewed to ensure they remained fit for purpose, and that they reflected guidance provided in the Chartered Institute of Public Finance and Accountancy (CIPFA) Audit Committees – Practical Guidance for Local Authorities 2013 Edition:

### Statement of purpose

Our Audit Committee is a key component of the Authority's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.

The purpose of our Audit Committee is to provide independent assurance to the Members of the adequacy of the risk management framework and the internal control environment. It provides independent review of the governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

### Governance, Risk and Control

To review the Authority's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.

To review the annual governance statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Authority's framework of governance, risk management and control.

To consider the Authority's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.

To consider the Authority's framework of assurance and ensure that it adequately addresses the risks and priorities of the Authority.

To monitor the effective development and operation of risk management in the Authority.

To monitor progress in addressing risk-related issues reported to the Committee.

To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.

To review the assessment of fraud risks and potential harm to the Authority from fraud and corruption.

To monitor the counter-fraud strategy, actions, and resources.

To review the governance and assurance arrangements for significant partnerships or collaborations.

## **Internal Audit**

To approve the Internal Audit Charter.

To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.

To approve risk based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.

To approve significant interim changes to the risk-based internal audit plan and resource requirements.

To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.

To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:

- Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work;
- Regular reports on the results of the quality assurance and improvement programme;
- Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards and Local Government Application Note, considering whether the non-conformance is significant enough that it must be included in the annual governance statement.

To consider the Head of Internal Audit annual report:

- The statement of the level of conformance with the Public Sector Internal Audit Standards and Local Government Application Note and the results of the quality assurance and improvement programme that supports the statement - these will indicate the reliability of the conclusions of internal audit.
- The opinion on the overall adequacy and effectiveness of the Authority's framework of governance, risk management and control together with the summary of the work supporting the opinion - these will assist the committee in reviewing the annual governance statement.

To consider summaries of specific internal audit reports as requested.

To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

To contribute to the quality assurance and improvement programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.

To consider a report on the effectiveness of internal audit to support the annual governance statement, where required to do so by the Accounts and Audit Regulations.

To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.

To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

### **External Audit (Grant Thornton)**

To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.

To consider specific reports as agreed with the external auditor.

To comment on the scope and depth of external audit work and to ensure it gives value for money.

To commission work from internal and external audit.

To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.

### **Financial Reporting**

To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Authority.

To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

### **Accountability arrangements**

To report to those charged with governance on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.

To report to full Authority on a regular basis on the Committee's performance in relation to the terms of reference, and the effectiveness of the Committee in meeting its purpose.

To publish an annual report on the work of the Committee.

### **Pension Board**

To have delegated responsibility as Scheme Manager for making decisions in the management and administration of the firefighters' pension schemes. The Pension Board assists the Audit and Risk Committee in the role as Scheme Manager to secure compliance with regulations relating to Governance and Administration.

To submit its minutes and Annual Report to the Authority.



## **Minutes of the Audit and Risk Committee**

22 March 2021 at 10.30hrs

Conducted as a digital meeting

**Present:** Councillor Catherine Miks (Chair), Councillors Barrie, Miller, Spence, Mr Ager, Richard Percival and Siobhan Barnard (Grant Thornton) Peter Farrow and John Matthews (Sandwell MBC)

**Apologies:** Councillor Gill (Vice Chair), Neil Chamberlain (West Midlands Police and Chair of WMFS Pension Board)

Officers in attendance: Karen Gowreesunker, Mike Griffiths, Kal Shoker

### **01/21 Declarations of Interest**

There were no declarations of interest registered.

### **02/21 Minutes of the Audit and Risk Committee held on 07 December 2020**

**Resolved** that the minutes of the Audit and Risk Committee held on 07 December 2020 be approved as a correct record of proceedings.

### **03/21 Annual Audit Letter 2019-20**

Richard Percival presented the report. The Annual Audit Letter (AAL) summarised the key findings from external audit work undertaken for the 2019/20 audit year. The delay in production of the AAL was contextualised, re-capping progress reports covered previously in both Audit and Risk Committee and Fire and Rescue Authority. It was confirmed the AAL was unqualified in release, the Certificate of Audit having been issued on 03 March 2021 and the audit formally closed.

Richard Percival cited three items for Members reference. The re-visiting of property valuations had been resolved in

conjunction with the Financial Management Section and the Property Team at Sandwell MBC; the uncertainty created by Pension Remedy, Government Grant funding and effects of the Covid-19 pandemic would have implications for medium/long term financial planning and; the variation in Audit Fee was explained.

A Member noted that all Councils and Fire Services would be affected by financial uncertainty but would inevitably make the tough decisions required to achieve a balanced budget. A Member sought clarification that all Councils would have featured property valuations as an item of auditor focus due to the regulation now placed upon them; Richard Percival confirmed this to be an accurate statement.

The Chair enquired of Mike Griffiths (West Midlands Fire Service (WMFS) Section 151 Officer) the context of the valuation review. It was explained that property valuation was re-visited at the end of the audit process, the elongated period to progress caused by the reliance on two external intermediary companies to complete, who like WMFS and Grant Thornton were also having to manage resource capacity and revised systems of work due to the Covid-19 pandemic. The requirement to have a shared view of the valuation outcome generates a long chain of activity, which became uniquely challenging during this past year. Richard Percival stated this was an accurate assessment of circumstances and excellent support had been received from the WMFS Finance Team to progress this item, as had been the experience across the whole audit process.

Mike Griffiths responded to the observation regarding financial planning, reminding Members the future uncertainty on funding being substantially referenced in the Budget Setting report approved by the Fire and Rescue Authority on 15 February 2021. He also referenced the regular discussion that ensues at Policy Planning Forum on options for the sustainability of the Service Delivery Model.

The Chair thanked Richard Percival for his commitment to WMFS during recent years and audits, noting his impending retirement from Grant Thornton. It was confirmed by Richard Percival that Avtar Sohal would be the new engagement lead



representative of Grant Thornton attending this Committee.

The Committee **noted** the Annual Audit Letter (AAL) attached as an Appendix to the report.

04/21 **Internal Audit Progress Report (26 February 2021)**

Peter Farrow introduced the report and passed to John Matthews for presentation of its content. The focus was placed upon progress since the last meeting of the Committee, confirming that five audits had been completed since December 2020. There were no fundamental recommendations required on any audit, four of which had achieved Substantial Level of Assurance and one had achieved Limited Level of Assurance. Members were re-appraised of the different levels of assurance and the definitions therein.

John Matthews confirmed the Absence Management Audit (Limited Assurance) had established inconsistent recording of return fit to work notes. The action to be implemented is sample checks at each trigger stage of the absence management process, to assess managerial application of responsibility, policy and process.

A Member enquired if the prevailing circumstances were due to managerial inattentiveness or seeking to do right at the time. Peter Farrow stated that deviations found were caused solely by the application of best intentions, however the application of policy and process needed to be consistent.

A Member enquired if the application of the Absence Management Policy as described breached the Audit Charter. Peter Farrow confirmed it did not, the Policy and its process controls were robust in structure, it was the effectiveness of application that required review. The unprecedented level of remote working had created an unforeseen impact.

The Chair requested the Scrutiny Committee check the proposed sampling checks are being conducted.

Peter Farrow confirmed the annual end of year opinion would be presented upon completion of all the 2020/21 audits. He stated the issues identified in the Absence Management audit did not necessitate that overall a poor opinion would be registered.

The Committee **noted** the Internal Audit Progress Report.

05/21 **Internal Audit Charter - Annual Review - 2021**

Peter Farrow presented the report, summarising context of the statutory requirement for Internal Audit to work in accordance with the 'proper audit practices' defined in the Public Sector Internal Audit Standards. The Internal Audit Charter, first approved by the Committee in January 2014, reflects the practices required. It was last reviewed in July 2020 since which there have been no changes and is now due for its next review.

The Chair requested that an electronic copy of the Public Sector Internal Audit Standards be made available to Members. There were not questions arising.

The Committee **approved** the existing Internal Audit Charter be subject to its next annual review.

06/21 **Internal Audit Plan 2021 - 22**

Peter Farrow presented the report, summarising details of the proposed Internal Audit Plan for 2021/22, together with an indicative plan covering the period 2022/23 to 2023/24. It was emphasised as a fluid plan which may be updated periodically to reflect changes in the risks faced by the Fire and Rescue Authority.

The assessment of assurance need/risk analysis were explained, providing context that during the period covered by the plan, the priority and frequency of audit work may be subject to amendment to recognise alterations in the same. These alterations may be caused by changes within the Fire and Rescue Authority and the requirements of the Audit and Risk Committee and Senior Managers.

A Member welcomed the report and commented that the fluid nature of the plan to enable changes by risk was a valuable approach; the experience of managing through the Covid-19 pandemic illustrated the necessity to have robust yet flexible arrangements.

The Committee **approved** the Internal Audit Plan for 2021/22.

07/21 **Minutes of the Pensions Board on the 09 December 2020**

The minutes were presented for information to the Audit and Risk Committee in their role as Scheme Manager. There were no matters arising. The Chair expressed thanks for the diligence of Members of the Pension Board in fulfilling their roles.

The Committee **noted** the content of the minutes.

08/21 **Audit and Risk Committee Work Plan 2020-2021 March 21**

The Committee **noted and approved** progress of its work programme for 2020-21.

09/21 **Update on Topical, Legal and Regulatory Issues**

Mike Griffiths (WMFS Section 151 Officer) informed the Committee of additional Covid-19 funding. The Ministry of Housing, Communities and Local Government advised on 16 March 2021 the Authority would be allocated £1.351M, following an application for additional funding to cover 2020/21 (the annual provision totalling £4.137M). In addition, a third tranche of funding was announced for the Fire Sector specific to 2021/22; the Authority's allocation was indicated as £494k.

The Committee **noted** the content of the verbal report.

**Exclusion of the public and press**

**Resolved** that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Scheduled 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 relating to the document containing some information which cannot be made readily available.

10/21 **Audit & Risk Committee Update Issue 33**

Peter Farrow presented for information the latest issue of the audit committee update from the Chartered Institute of Public Finance and Accountancy (CIPFA) Better Governance Forum.

Members were advised this was presented in private session due to the document being copyrighted and not for the confidentiality of content. Two items were cited for Members attention: details of new guidance from CIPFA to local government on the head of internal audit's annual opinion and key recommendations of interest from the Redmond Review.

There were no matters arising from Members.

The meeting closed at 11.40 hours.

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