



**WEST MIDLANDS  
FIRE AND RESCUE  
AUTHORITY**

**Monday, 10 April 2017 at 11:00**

**FIRE SERVICE HEADQUARTERS,  
99 VAUXHALL ROAD,  
BIRMINGHAM, B7 4HW**

<b>Distribution of Councillors</b>	
<b><u>Birmingham</u></b>	D Barrie K Booth A Cartwright L Clinton B Dad N Eustace M Idrees R Sealey G Singh Atwal S Spence
<b><u>Coventry</u></b>	B Singh D Skinner S Walsh
<b><u>Dudley</u></b>	A Aston N Barlow M Mottram
<b><u>Sandwell</u></b>	K Allcock J Edwards C Tranter
<b><u>Solihull</u></b>	S Davis P Hogarth
<b><u>Walsall</u></b>	O Bennett S Craddock A Young
<b><u>Wolverhampton</u></b>	G Brackenridge P Singh T Singh

**Car Parking will be available for Members at Fire Service Headquarters.**

**Accommodation has been arranged from 10.00 am for meetings of the various Political Groups.**

# Fire Authority

You are summoned to attend the meeting of Fire Authority to be held on  
Monday, 10 April 2017 at 11:00

at Fire Service HQ, 99 Vauxhall Road, Nechells, Birmingham B7 4HW

for the purpose of transacting the following business:

## Agenda – Public Session

- 1 To receive apologies for absence (if any)
- 2 Declarations of interests in contracts or other matters
- 3 Chair's announcements
- 4 Minutes of Fire Authority 20 February 2017 5 - 34
- 5 Route Map to a Mayoral WMCA Governance - a reformed Fire Authority 35 - 62
- 6 External Audit Work Programme and Scale of Fees for 2017-18 63 - 68
- 7 Contract Awards Summary for Period to 31 March 2017 69 - 72
- 8 Dying to Work Campaign 73 - 76
- 9 Notes of the Policy Planning Forum 16 January 2017 77 - 82
- 10 Notes of Joint Consultative Panel held on 6 February 2017 83 - 86
- 11 Notes of the Policy Planning Forum 6 February 2017 87 - 94

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

## **12 Planned Procurement Exercise for 2017-18**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

**Agenda prepared by Julie Connor**

**Strategic Hub, West Midlands Fire Service**

**Tel: 0121 380 6906**

**Email: [julie.connor@wmfs.net](mailto:julie.connor@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)**

Clerk Name: Karen Gowreesunker

Clerk Telephone: 0121 380 6678

Clerk Email: [Karen.Gowreesunker@wmfs.net](mailto:Karen.Gowreesunker@wmfs.net)

## **Minutes of the Meeting of the West Midlands Fire and Rescue Authority**

**20 February 2017 at 11.00 am  
at Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present:** Councillor Edwards (Chair)  
Councillor Idrees (Vice-Chair);  
**Councillors:** Allcock, Aston, Singh Atwal, Barrie, Barlow, Booth,  
Brackenridge, Craddock, Dad, Cartwright, Clinton,  
Davis, Eustace, Hogarth, Idrees,  
Mottram, Sealey, B Singh, P Singh, T Singh, Skinner,  
Spence, Tranter, Walsh and Young.  
Mr Ager

**Apologies:** Councillor Bennett, Spence

### 1/17 **Declarations of Interest**

The Chair and Cllr Brackenridge declared a personal and non-pecuniary interest in Minute No. 6 below (Monitoring of Finances).

### 2/17 **Chair's Announcements**

The Chair informed the Authority that the Chief Fire Officer's Association had developed a National Fire Chiefs Council (NFC). CFO Phil Loach had been successful in securing one of the positions of Vice Chair and DCFO Philip Hales had been appointed Chair of the Finance Committee. The Chair stated that the officers would be able to provide more influence nationally for the West Midlands and a concerted effort was being made by the Local Government Association and NFC in respect of the capital spending and DCFO Phil Hales would be leading this process.

The CFO thanked the Authority for the recognition and stated that he and the DCFO would be working tirelessly for the West Midlands Fire and Rescue Authority and the Fire Sector.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The CFO confirmed that a contract had been signed and West Midlands Fire Service would be participating in a mainstream TV documentary. The programme will be looking at emergency response and the wider integrated approach and it may lead to another series.

A Long Service and Good Conduct Medal Presentation would be held on the 22 February 2017 at 1900 hours. Members of the Authority would be welcome to attend along with the families of the recipients.

March 2017 sees the return of the Firefighters' Charity car wash campaign. Information would be communicated about the various car washes and members of the Authority were encouraged to have their cars washed at a local station.

Following the success of the Charity Boxing Night at Dudley Town Hall in 2016, an invitation had been received from the New York Fire Department to a return match. It had been agreed that members of the Fire Service would travel to Rockaway Beach in New York on Saturday 8 July 2017. It was anticipated that the fund raising event would be streamed live and further information would be provided.

In answer to a Member's enquiry it was confirmed that the TV programme would not be on a main tv channel and would be available on a satellite channel UKTV or the Really Channel.

The CFO confirmed that the Service would not be charging a fee, but would be using the opportunity to accentuate the approach that WMFS takes to Integrated Risk Management and Prevention, Protection and Response.

3/17

**Minutes**

**Resolved** that the minutes of the meeting held on 21 November 2016, be confirmed as a correct record. It was noted that Councillor Brackenridge had attended albeit that he did not arrive at the start of the meeting.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

4/16 **Budget and Precept 2017/2018 and Budget Forecast 2018/19 to 2019/20**

The Authority considered a report on the Authority's Net Revenue Budget for 2017/18, the consequent additional 1.99% Band D Precept Level increase and the resultant amount payable by each constituent District Council, the Capital Programme for 2017/18 to 2019/20, the Treasury Management Strategy including the Minimum Revenue Provision Statement and Prudential Indicators.

As part of the settlement for 2016/17 an offer was made for a multi-year funding settlement. In order to take up the four year funding settlement to 2019/20, the Authority had approved a £10m Efficiency Plan on 19 September 2016 which was submitted to the Home Office.

On 15 December 2016, the Secretary of State for the Department of Communities and Local Government (DCLG) had announced the provisional settlement for 2017/18 at £54.703m resulting in a core funding reduction of £3.962m. The Government also proposed a referendum threshold of 2% for any Fire and Rescue Authority increasing its Council Tax.

The four year settlement offer announced in December 2016 (provisional for 2017/18 – 2019/20) would result in the following core funding reductions:

- 2016/17     £3.278m
- 2017/18     £3.962m
- 2018/19     £1.606m
- 2019/20     £0.569m

A total reduction over the four year period (2016/17 – 2019/20) of £9.415m (15% of the 2015/16 core funding), £0.229m less than was announced in February 2016.

Confirmation of the Authority's 2017/18 core funding figure of £54,703m was not expected to be confirmed until after Parliament returns from recess on 20 February 2017.

The Chancellor announced in the Spending Review in November 2015 the intention to localise 100% of business rates to local authorities by 2019/20.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

On 5 July 2016 the CLG issued the first consultation exercise in relation to the significant proposed changes to Local Government funding arrangements. One specific question sought views as to whether Fire funding should be removed from the business rates retention schemes and replaced with central grant funding through the Home Office. The outcome had not yet been determined.

A public consultation undertaken by West Midlands Fire Service took place between December 2016 and January 2017 providing the public with an opportunity to influence how the Service works. A review of the Community Safety Strategy (the Integrated Risk Management Plan) confirmed that there had been no significant change to the Authority's priorities and outcomes set out in The Plan 2017-2020.

All City/Metropolitan Councils had formally set their Council Tax base and had notified the Authority accordingly. The Council Tax at Band D for 2017/18 would be £57.14m an increase of 1.99% (£1.11) per annum.

The Council Tax amounts to £39,377,378 split between the constituent Local Authorities.

The final figures from external funding sources had now been notified and totalled £94.848 million. Included is an estimate that the Authority would generate income of £3.334 million.

The Authority noted that the available General Balances at 1 April 2017 would be estimated at £9.2m out of which it was proposed to utilise £600k to support the extended disturbance cost payments associated with the changes to the operational staffing model. The level of General balances is considered appropriate at this stage.

The Capital Programme has been monitored during the years and the projects set out in the capital programme were fully funded between 2017/18 and 2019/20 with no long term borrowing requirements.

The Chair stated that no specific announcements had been made by the CLG in relation to capital funding and as things currently stand there would be a funding shortfall to meet the capital programme in 2020/2021.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

West Midlands Fire Service's Treasury Management functions are provided by Sandwell MBC who have, in turn, appointed external advisors to support them. The Treasury Management Strategy for 2017/18 was set out in the report.

The budgetary planning is closely linked with delivery of the Plan and in order to take up the four-year funding settlement and the Authority at its meeting on 19 September 2016 considered and approved the Efficiency Plan for submission to the Home Office. It is anticipated that work will continue to focus on alternative staffing models, commissioning, internal restructures and general budget reductions.

The robustness of the budget preparation and adequacy of reserves had been assessed and determined using a variety of mechanisms. The current level of reserves is considered to be sufficient in all but the most unusual and serious combination of possible events and best endeavours have been made to ensure that the budget and reserves are adequate using the information available at this date.

The Chair confirmed that the very modest increase of 1.99%, meant that West Midlands Fire and Rescue Authority had the lowest precept figure in the country.

One of the questions included in the IRMP Consultation had asked Members of the Public whether they would be prepared to pay more for the Fire and Rescue Service and the majority had confirmed they would be prepared to pay £5 a year more. The increase of 1.99% represented a 2p per week increase in council tax. The West Midlands Fire Service were currently providing the best response times in the country at 4.42 minutes to life threatening incidents. This was being achieved in spite of Government cuts of approximately £28m between 2011/12 and 2015/16 and now a further additional cut of approximately £10m between 2016/17 and 2019/20 resulting in a total cut of circa £38 million or 50% of core funding.

The Service has dealt with these unprecedented financial reductions through effective and efficient working, leadership of the CFO and senior managers and the flexibility and cooperation of all staff together with their representative bodies. Fire Brigades Union (FBU), Unison and Fire Officers Association (FOA).

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

In particular, the FBU had cooperated with managers in delivering an agreement around the use of voluntary additional shifts and the falls response services ensuring the continuation and enhancement of the service delivery model.

The Chair placed on record his thanks and the thanks of the Authority to the Chief Fire Officer and his team, managers, firefighters, support staff and Fire Control staff for the remarkable service they are delivering to keep the West Midland safer, stronger and healthier.

In response to a Member's enquiry, it was confirmed that there are three separate Firefighter pensions schemes and the Government could possibly review the schemes again in the future. The Schemes are not funded and each year the Authority receives a top up grant from the government. The pension schemes are on a relatively even keel and as far as this budget is concerned, estimates are reasonable and robust.

**Resolved:**

- (1) that the Authority's Net Revenue Budget for 2017/18 of £94.848m which includes a Council Tax requirement of £39.377m together with the associated precept levels and resulting Band D Precept Increase of 1.99%, as now submitted be approved;
- (2) that the Authority's capital programme for 2017/18 to 2019/2020, as submitted, be approved;
- (3) that the Authority's Treasury Management Strategy which includes the Minimum Revenue Provision Statement, and the Prudential Indicators, as now submitted, be approved;
- (4) that it be noted noted that the constituent District Councils have formally set their Council Tax bases for the year 2017/18 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992 as follows:-

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

	Tax Base
Birmingham	243,955.00
Coventry	78,971.90
Dudley	89,561.62
Sandwell	71,217.34
Solihull	74,971.00
Walsall	69,074.69
Wolverhampton	61,397.45
	<hr/> <hr/> 689,149.00

- (5) that the following amounts be now calculated by the Authority for the year 2017/18 in accordance with Sections 40 to 48 of the Local Government Finance Act 1992
- (i) £112,761,000 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(2)(a) to (d) of the Act;
  - (ii) £73,383,622 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(3)(a) to (b) of the Act;
  - (iii) £39,377,378 being the amount by which the aggregate at (5)(i) above exceeds the aggregate at (5)(ii) above calculated by the Authority in accordance with Section 42A(4) of the Act as its council tax requirement for the year.
  - (iv) £57.14 being the amount at (5)(iii) above divided by the total amount at (4) above, calculated by the Authority in accordance with Section 42B(1) of the Act as the basic amount of its Council Tax for the year.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

(6) Valuation Bands

	£ (to 6 decimals)	£ (rounded to 2 decimals)
A	38.092757	38.09
B	44.441549	44.44
C	50.790342	50.79
D	57.139135	57.14
E	69.836721	69.84
F	82.534306	82.53
G	95.231892	95.23
H	114.278270	114.28

being the amounts given by multiplying the amount at (5)(iv) above by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

	£
(7) Resultant precepts:	
Birmingham City Council	13,939,378
Coventry City Council	4,512,386
Dudley MBC	5,117,474
Sandwell MBC	4,069,297
Solihull MBC	4,283,778
Walsall MBC	3,946,868
Wolverhampton City Council	<u>3,508,197</u>
<b>Total</b>	<u><b>39,377,378</b></u>

being the amounts given by multiplying the amount at (5)(iv) above by the appropriate tax base at 1.1 above in accordance with section 48(2) of the Act, as the amount of precept payable by each constituent District Council.

- (8) that the precept for each District Council as calculated at (5)(iv) above be issued in accordance with Section 40 of the Local Government Finance Act 1992.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

There was unanimous support for the Budget and Precept 2017/18 and the Chair thanked the opposition for their support.

5/16 **Monitoring of Finances**

The Authority noted the Monitoring of Finances report up to and including January 2017, which included revenue expenditure and the capital programme. The assumptions had been updated as part of the preparation process for the 2017/18 Budget.

The Authority's 2016/17 Council Tax requirement is £37.874m and the revenue budget is £97.413m. As part of the Authority's 2017/18 budget setting process the current year's budget has been revised and reflects an estimated transfer to earmarked balances of £1.462m. The actual spend to January 2017, including commitments, was £79.824m compared to a projected budget of £80.021m, an overall favourable variance of £0.197m.

Statistical data relating to the Firefighters' Pension Scheme was provided. At the end of January 59 people had retired and the figure was in line with the expected number of 67 people to retire by the end of the financial year and did not raise any concerns.

The main forecast variances within the capital programme related to:

- Coventry Fire Station, due to an extension to demolition timescales arising from asbestos issues and a delay in construction whilst planned works are reassessed.
- Vehicle Replacement Programme, as a result of a delay in the completion and delivery of Pump Rescue Ladders in the current financial year.

In the next financial year, spending and funding had been moved to accommodate these schemes and the Treasurer would continue to monitor the capital programmes

A Member felt that it was prudent to earmark reserves to meet the current unfunded capital position in 2020/21. The Treasurer confirmed that this was a legitimate consideration alongside other issues such as; further support to meet staffing arrangements, planned building maintenance, Emergency Services Mobile Communications

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

Programme National Project, Digital strategy etc.

The issue of earmarked reserves will be considered by the Audit Committee during the 2016/17 Closedown of accounts process.

The Treasurer confirmed that the scheme to replace Coventry Fire Station had been delayed and was £2m under budget in the current year and this would affect the level of spend/funding in the next financial year. Asbestos had been found in part of the building and it was anticipated that the station would become fully operational by mid 2018 and not early 2018 as originally planned.

6/16 **Public Consultation (IRMP) Outcomes**

The Authority noted the outcomes of the Public Consultation (IRMP), as submitted, the results of which were taken into consideration in preparation of The Plan 2017- 2020.

The Consultation questions focused on:

- IRMP questions and responses
- Governance
- Finance

The Chair stated that WMFS survey had received a higher number of participants than any other public sector survey undertaken in recent times.

5,768 members of the public had responded and it had provided some very enlightening outcomes for the service and the Authority

7/17 **The Plan**

The Authority considered the revised Outcomes, which support the Vision statement and Priorities of the Plan for 2017-2020, which are derived from the Integrated Risk Management Plan (IRMP). The changes were designed to enable the Service to sufficiently respond and react to the increasingly changing environment of the public sector.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

As part of the review of the three-year rolling strategy \_The Plan, the Service has reviewed its Vision Statement, Annual Priorities and Outcome which are enablers to achieving the vision of “Making West Midlands Safer Stronger and Healthier”. A review of the risk analysis indicated that there has not been any significant change to risk in the West Midlands and as such the priorities and outcomes remain appropriate to achieve the vision as well as the current Service Delivery Model. The Vision Statement remains the same.

As part of the review of the Plan, the Outcomes were refreshed and elaborated upon, as submitted, to ensure they are reflective of the direction of the Service over the rolling three years.

The following factors had been considered in the recommendation:

- risk analysis,
- the Budget 2017-18 position,
- the outcome of the IRMP consultation
- the external environment (political and financial)

Officers will consider the corporate performance indicators to enable the effective management and performance monitoring of the Plan and the proposed indicators will be presented to the Executive Committee on 27 March 2017.

The Plan 2017-2020 will go live on 1 April 2017 and would be available at [www.wmfs.net](http://www.wmfs.net).

The Plan continues to focus on Prevention priorities, Prevention priorities and Protection responses and Effective Delivery through Collaboration and Value for Money, People and ICT Outcomes.

The Service Delivery Infographic was revised and the figure of 1168 firefighters was changed to 1220. The change reflected the inclusion of the 52 Technical Rescue staff in the figure. This did not represent an increase in the establishment or a change to the Service Delivery Model.

The CFO stated the 1322 establishment had reduced to 1168 due to the current financial backdrop and voluntary additional shifts are used to make the shortfall up. The Technical Rescue staff were previously shown separately but were now incorporated.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

In answer to a Member's enquiry, the CFO confirmed that Technical Rescue Staff did not differ from firefighters, but they have enhanced supplementary skills. Part of their roles includes technical rescue, special service calls, rope rescue, water rescue and marauding terrorism. They have also delivered water awareness training to children as part of their bespoke community safety initiatives.

The costs of the technical rescue staff is partly funded nationally through New Dimensions Grant and partly locally. Their work is not confined to Technical Rescue as they also provide Urban Rescue, International Search and Rescue and provide the Command and Control capability at international incidents.

**Resolved** that the amendments to the Outcomes in The Plan 2017-2020 as now submitted be approved.

8/17 **Statement of Assurance 2015/16**

The Authority received the Statement of Assurance 2015/16 document, which it was now required to publish annually under the Fire and Rescue National Framework for England, to provide assurance on the previous year's financial, governance and operational matters and to show how future improvements reflect on the work to continuously improve the Service Delivery Model.

The Home Office had published a report confirming that all Fire and Rescue Services had complied with the Fire and Rescue National Framework in July 2016 and had published Statements of Assurance, however, they had undertaken rigorous examination of a random sample of Statements of Assurance.

The Home Secretary was satisfied that all Fire and Rescue Authorities were compliant but felt that there were some areas where practice could be strengthened. By:

- a formal declaration of assurance and sign off by the Chair of the Fire Authority and Chief Fire Officer
- a table of requirements of the National Framework with references to evidence (for ease of reference purposes)
- reference was made to the fitness principles that were an addendum to the National Framework in December

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The Statement of Assurance had been strengthened to meet the requirements. The Forward was still being agreed and members would be notified when the final document was available on line.

The document will be live together with electronic links to other corporate documents referenced therein and would be published before the 1 April 2017.

In future, a Plain English approach would be made towards the Statement of Assurance making it simpler to read.

**Resolved** that the Statement of Assurance document for 2015/16 be approved.

9/17 **2017/18 Property Asset Management Plan**

Approval was sought to the 2017/18 Property Asset Management Plan. In order to ensure the effective and efficient use of land and buildings, a Property Asset Management Plan is essential.

Over the previous twelve months' considerable work had been undertaken in assessing the appropriateness of the existing property assets and consideration had been taken where any future investment should be directed.

Major refurbishment of Aston Fire Station was one of the main issues together with the rebuild of Coventry Fire Station with a completion date of mid 2018.

Planned maintenance issues will be undertaken during the five year period and the current annual revenue budget provision for these items is £900,000 per year.

Estimated capital expenditure of £700,000 will be incurred on planned maintenance of buildings related assets in 2017/18.

The Treasurer stated that the maintenance requirements between 2017/18 to 2019/20 were fully funded at this stage, but the figures indicated a deficit in 2020/21 and 2021/22.

The Authority received the key Specific Actions for the forthcoming financial year.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The Chair confirmed that it was necessary for the work to be undertaken to replace Aston Fire Station as it was the oldest station in the Brigade's building stock being built in 1924. With many more stations being built in the 1930s, 1940s, 1950s and 1960s and the planned replacement and maintenance programme will require capital funding in the future. Further lobbying will be required in the future to secure capital funding to finance this work.

The CFO stated that although the Academy building had been sold, the Service continued to provide training resources and were committed to staff being operationally excellent. Training had not been downgraded but had been distributed throughout the Brigade, enabling training to take place whilst firefighters were still available to respond to emergencies. This mechanism enabled the Service to continue with its work with a leaner workforce.

**Resolved** that the 2017/18 Property Asset Management Plan be approved.

10/17 **Pay Policy Statement 2017/18**

Approval was sought to the Pay Policy Statement for 2017/18 financial year setting out the Authority's policies relating to the remuneration of its Chief Officers.

The Deputy Chief Fire Officer confirmed that the Pay Policy Statement 2017/18 complied with Section 38 (1) of the Localism Act 2011 and would be available on the Internet.

The Pay Policy Statement and Appendices set out the pay of all employees, pension arrangements and confirms the Authority's commitment as a Living Wage employer.

The Chair referred to the position some Fire Authorities across the country have taken in allowing retired fire officers to be re-employed on new contracts. The government is hostile to this type of contract. This is something that the West Midlands FRA do not do and it does not provide bonuses, perks, free cars or performance related pay. The Home Office have also ordered a special inspection of Avon Fire and Rescue Service to look at a range of alleged irregularities and behaviours.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

A copy of a document regarding Avon FRS would be circulated to Members of the Authority.

**Resolved** that the Pay Policy Statement for the financial year 2017/18 as now submitted be approved.

11/17 **Proposed Vehicle Replacement Programme 2017/18 to 2019/20**

Approval was sought to proceed with the proposed Vehicle Replacement Programme (VRP) for the financial years 2017/18 to 2019/20, based on the three year capital programme for 2017/18 to 2019/20 identified as part of the Authority's budget setting process.

The Treasurer confirmed that the VRP is constantly reviewed and extensions made to the life of assets where appropriate. In respect of operational appliances it was noted that five pump rescue ladders, would be replaced in each of the following three years. It was anticipated that no Brigade Response Vehicles would be required during this period.

Consideration will be given over the next 12 months to the type and range of vehicles required to effectively meet the expanding range of services delivered by WMFS when responding to slips, trips and falls; telecare etc. These costs will be built into the capital programme and future VRP reports if/where appropriate.

In response to a Members question, the Treasurer confirmed that the funding for Vehicles is reflected within the capital budget and the Authority do not pay VAT on vehicles. The Treasurer would confirm the age of the coach, it was thought to be 7 – 8 years old. Leasing is an option for officers when procuring vehicles, although the purchase of vehicles had proved better value for money to date due to the maintenance and related life expectancy of vehicles.

**Resolved:**

- (1) that the Vehicle Replacement Programme for the financial years 2017/18 to 2019/20, as now submitted, be approved;
- (2) that the funding for the Vehicle Replacement Programme for 2017/18 be approved;

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

- (3) that the intention to procure a range of vehicles identified in the Vehicle Replacement Programme using the Crown Commercial Services Purchase Framework Agreement RM859, Open EU tenders and other approved Consortia routes that represent value for money to the Authority be noted.

12/17 **Arrangements for Appointment of External Auditors**

Approval was sought to the option to 'opt-in' to a Sector Led Body (SLB) appointed by the Secretary of State for the procurement of External Auditors.

Following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits, changes were required to the arrangements for appointing External Auditors. The Authority considered the options:

- (1) supporting the Local Government Association (LGA) in setting up a national SLB by indicating intention to "opt in";
- (2) establishing a stand-alone Auditor Panel to make the appointment on behalf of the Authority;
- (3) commencing work on exploring the establishment of local joint procurement arrangements with neighbouring authorities.

The Authority members noted that all their respective Local Councils had considered the options in a similar manner, as had the Police and Crime Commissioner.

The advantages/benefits of each Option were considered as submitted. It was noted that an appointment is required by December 2017, but in practical terms, one of the options should be in place by Spring 2017 in order that the contract negotiation process can be carried out during 2017.

It was noted that in July 2016, the Secretary of State for Communities and Local Government specified Public Sector Audit Appointments Limited (PSAA) as an appointing person under regulation 3 of the Local Audit (Appointing Person) Regulations 2015. The PSAA is a not for profit organisation owned by the LGA.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The Audit Committee considered the options at their meeting on the 14 November 2016 and elected to recommend to the Authority supporting the LGA in setting up a national SLB by indicating the intention to opt-in.

The Treasurer confirmed that the detail of the contract was not currently available, although it was anticipated robust contract management would protect local authorities and there would be scope to end the contract if the chosen company were failing.

It was confirmed that Dudley MBC had chosen to “opt-in” and one member of the Audit Committee stated that they had recommended the “opt-in” option on the basis that the process would be competitive and many of the regional auditing companies have bases in the West Midlands area.

In answer to an enquiry about the future cost, the Treasurer stated that the cost was unknown at this point. However, the most appropriate value for money solution and lowest cost option would be sought.

The current arrangements would need to be replicated in the future and current price may not be held, but this was a national contract and a significant number of Authorities would be involved. The PSAA had played a part in the current arrangements and have demonstrated that value for money can be achieved and they are well placed to achieve a good outcome that will stand the test of time in the future

The Treasurer confirmed that once confirmed a further report would be presented to the Authority on the final costs.

**Resolved** that the Authority approve the option to ‘opt-in’ to a Sector Led Body (SLB) appointed by the Secretary of State for the Procurement of External Auditors.

13/17 **Outcomes of the Future Government Working Group**

The Authority noted the outcomes and conclusions of the Future Governance Working Group. The approach and considerations of the Working Group, as submitted, were also considered at the Policy Planning Forum held on 6 February 2017.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The Policing and Crime Act 2017 (the Act) places a clear expectation on the blue light emergency services (Police, Ambulance and Fire) to collaborate further where efficiency and effectiveness can be achieved. The Act also enables the governance of a Fire Service to transfer from a Fire Authority to a Police and Crime Commissioner, or an elected Mayor where there is local agreement.

The Authority recognised the need for further reform and in June 2016 approved the commissioning of a Future Governance Working Group signalling their intent to review the governance arrangements of the West Midlands Fire Service.

The purpose of the Working Group was to consider how the future governance of the Service can support the delivery of services to local communities, with increased scrutiny, transparency and accountability of decisions; in a value for money way.

The Working Group consisted of a number of key stakeholders from across the public sector and held six meetings between July 2016 and January 2017 with the aim of providing an evidence based options appraisal for the future governance of WMFS, providing the best approach to governance, that supported the delivery of services across the West Midlands.

The Chair of the Working Group provided regular updates to the Executive Committee during the period of July 2016 and January 2017.

The Report of the Findings of the Future Governance Working Group found that:

On 11 September 2015 the Government released a consultation entitled “Enabling Closer Working between the Emergency Services”. This was followed by a move of government department for the Fire and Rescue Service on 5 January 2016 from the Department of Communities and Local Government to the Home Office. The outcomes of the Consultation introduced the Policing and Crime Bill which received Royal Assent in January 2017 and proposes a duty to collaborate.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

In view of the national Policy developments, the Authority recognised that staying the same was not an option and suggested four future possible routes for potential future governance structures:

1. A Reformed Fire Authority
2. A Police and Crime Commissioner
3. A Mayoral WMCA as part of the WMCA and/or
4. A combination of regional Fire Service

The Authority considered that they were overseeing a highly performing fire service and commissioned a Future Governance Working Group and invited a range of participants to sit on the Working Group. The Group enjoyed open debate and an excellent attendance by members of the Group.

The Report of the Working Group considered how better collaboration and value for money through the governance arrangements of the Fire Service could be provided.

The outcomes of the Working Group were to provide an options based appraisal for the Authority to be able to make an evidence based decision on the best case for governance of the Service. Following the Working Groups discussions and careful consideration of the options, their conclusions indicated that there was no stand out option. Two of the possible governance changes would involve a potential increased cost risk and it was felt that these should be avoided.

The Working Group determined that “the Authority should consider its own governance should change, to enhance opportunities for further reform and collaboration.”

There was potential for considerable change and some Police and Crime Commissioners had already put forward Business Cases to govern Fire and Rescue Services. There were emerging models of Mayoral governance in Manchester and London. The Mayoral Elections are scheduled to take place on 4 May 2017. The outcome of the Mayoral Election would provide clarity and the options could be further considered

The Authority continues to fully engage with other organisations and there was enthusiasm for collaboration in the group. Although the Ambulance Service have a different funding model from the police,

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

there is an appetite for collaboration and the Working Group felt this should be pursued.

Fire/Fire collaboration could provide potential benefits, but there were many complexities around council tax and boundary issues.

The PCC Model is relatively new, but there was already some recognition that this does bring some benefits from commissioning perspective. There were significant cost benefits but some risk involved too.

Richard Bacon, The Chair of the Working Group, was enormously impressed with Fire Service and its focus on the vulnerable and felt a lot more could to be done with the Ambulance Service, and encouraged the Authority to pursue this collaboration as there is an appetite and willingness to engage.

Richard Bacon thanked the Clerk and her team who managed the work of the Working Group and thanked each member of the Working Group and confirmed that he would write to everyone involve to thank them personally.

Richard Bacon thanked the Chief Fire Officer and Chair of the Authority for the opportunity to act as Independent Chair of the Working Group.

Cllr Brackenridge as a member of the Future Governance Working Group felt privileged to be involved with the Group and stated that Richard Bacon had been an outstanding Chair. He felt the Group had considered the risks and benefits of each option and had done well, considering all the different sectors. On behalf of the Authority he thanked Richard and other partners of the Working Group and felt this was the best example of collaborative working.

The Chair echoed the comments made by Councillor Brackenridge and wished to place on record the thanks of the Authority to those members of staff involved and the representatives from the Ambulance Service, Health Service, Chamber of Commerce, Home Office. The Group had taken an evidence based objective look for this Service and collaboration in public sector. The Chair thanked Richard for excellent job in Chairing the Working Group.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The Authority considered the conclusions of the Working Group and future governance of the Service as part of the Route Map to the West Midlands Combined Authority Mayoral WMCA Governance Report.

14/17 **Route Map to the West Midlands Combined Authority Mayoral WMCA Governance Report**

Approval was sought to the strategy concerning the reform of West Midlands Fire and Rescue Authority (the Authority) namely the route and approach required for the Mayoral WMCA of the West Midlands Combined Authority (WMCA) assume governance of the West Midlands Fire and Rescue Service (the Service) from the Authority.

The outcomes, purpose, approach and timelines of the route map were set out in the report.

Consultation with the elected WMCA and elected Mayoral WMCA will enable a reformed Authority to provide a more streamlined and flexible arrangement to a Mayoral WMCA.

Governance through a PCC or a Mayoral WMCA as part of a Combined Authority are the main options being proposed by Government through the Policing and Crime Act. However, the Home Office and former Minister of State for Policing and the Fire Service Mike Penning, confirmed there would not be a single governance approach for all Fire and Rescue Services.

This is in accordance with the Home Office expectations regarding accountability and improved scrutiny in governance arrangements, as well as measuring the outcome of the current and future service delivery to the communities of the West Midlands and beyond.

The Authority had committed itself to exploring an evidence based approach to understanding how each of the future governance options can support the delivery of services.

The Authority was clear in its intention to seek alignment to a Mayoral WMCA governance model. An Options Appraisal and the recent Consultation, the current and future strategic directions of the Service, the WMCA and the overall direction set by the government reinforces the overall direction the Authority seek for the future governance of the Service through the mayoral WMCA as part of the WMCA. All provide

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

an evidence base for the recommendations.

The Mayoral governance model is untested, however, there are emerging models in London and Manchester. This option could provide the pathway for the Service to combined with other regional fire services and scale up the collaborative delivery of services. Public safety can be enhanced through better collaboration delivering better integrated services in a value for money way. The Fire Service are leading on Public Sector Reform and Multiple Complex Needs as key elements of the WMC Devolution deal.

A critical element to a change in governance to a Mayoral WMCA will be the interim arrangements. The Working Group in its conclusions determined that *“the Authority should consider how its own governance should change, to enhance opportunities for further reform and collaboration”*.

The proposals include the reform of the Fire Authority, enabling a streamlined and flexible arrangement to a Mayoral WMCA and possible future Combination options. Proportionality would be maintained.

A Mayoral WMCA provides a progressive governance option, however, the Chair and CFO maintain regular discussion with the PCC and other partners enabling two-way communication and a continued approach to collaboration with partners such as West Midlands Police.

Both the route a Mayoral WMCA and a reformed Fire Authority were amongst the popular and highly desirable options for local citizens in the IRMP consultation exercise, along with combined Fire Services.

The main piece of legislation and draft legislation enabling the Mayoral WMCA to enact a change in governance are:

- The Local Democracy, Economic Development and Construction Act 2009
- The Cities and Local Government Devolution Act 2016, and
- The Policing and Crime Act 2017

Providing three possible routes of governance.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The proposed changes in governance for the Service will mean a new model will be enabled. There are two Mayoral governance models emerging:

- The London Mayoral and the London Fire Commissioner (LFC) and
- Greater Manchester Combined Authority (GMCA) and Mayoral

Each model represents different approaches to the discharge of statutory responsibilities and liabilities. The most pertinent being:

- Functions relating to statutory plans (the IRMP)
- The budget and
- The setting of the council tax precept

The following pieces of legislation will need to be transferred on abolition of the Authority:

- Local Government Act 1985
- Local Government and Housing Act 1989
- Local Government Act 1972

There are a several core service activities delivered by the fire service through prescriptive legislation and these will need to be transferred to the Mayoral WMCA for discharge. These are:

- Fire and Rescue National Framework for England (2012)
- The Fire and Rescue Services (Emergencies) (England) Order 2007
- Regulatory Reform (Fire Safety Order) 2005
- Civil Contingencies Act 2004

The Home Office have clearly stated its intention for Fire Service reform. In supporting these expectations, the introduction of the Policing and Crime legislation and developing approaches to devolution has set the vehicle for change.

On 4 May 2017, elections will be taking place for a West Midlands Mayor and it is anticipated that following the election of the Mayoral WMCA the earliest opportunity for Mayoral WMCA to assume governance of the Service via the second Devolution deal would be

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

around May 2018.

There will be a three year elected period for the Mayoral WMCA from May 2017 to 2020 at which point Mayoral elections will take place. The PCC also has a mandate until 2020. It is reasonable to assume that beyond 2020 the Mayoral WMCA will incorporate both functions of the PCC and the Service. This would then reflect both the Manchester and London routes for governance.

An early change in governance would ensure that outcomes for local communities can be delivered in the most efficient and effective way.

The key milestones required to be navigated to reach the changes in governance are:

- (i) The Authority's approval – 20 February 2017
- (ii) WMCA Board approval – 3 March 2017
- (iii) Further Devolution – March 2017
- (iv) Governance Review, Scheme of Consultation – July to September 2017
- (v) The Service would then become incorporated into the WMCA and this would warrant a review of its Observer membership status.

The Reformed Fire Authority would be enabled irrespective of a timeline to a Mayoral WMCA. Key milestones would need to be navigated:

- (i) The Authority's approval for a Reformed Fire Authority
- (ii) Consultation
- (iii) Secretary of State makes Order
- (iv) The Service will become incorporated early into the WMCA and in line with the Mayoral timelines.

The government expects Services to collaborate with blue light partners and the Authority would continue to explore opportunities with the Ambulance Service, the Police and combination with other fire services.

The CFO stated that Governance is the responsibility of for Elected Members and he provides professional advice based on the requirements of the Fire Service Act and effective delivery of services.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

The West Midlands Fire Service area is the largest and the risks are the most complex outside of London. The security risks and indices of deprivation align with London and Manchester.

The Chair confirmed that both he and the CFO had met with the Police and Crime Commission to confirm the Authority's intentions on governance. They had sought clarity on the PCCs views on future governance as the PCC still had the option to produce a business case for governance of the Fire Service. This would require full consultation. However, in the past the PCC had said that his interests were in the delivery of services to the people of the West Midlands. . Future conversations with the PCC would be held at the Combined Authority.

The Chair confirmed that the Local Government Association's view was supportive of the new duty to collaborate between blue light services. There was a view that PCCs should not be allowed to assume governance of fire and rescue services without local consent of communities and of the FRA and local Councils impacted by the change. Any plan for a 'hostile take-over' should be the subject of robust and independent review.

There are clear differences between the humanitarian services provided by fire and rescue services and the enforcement role of the police.

The supportive view that communities display towards firefighters underpins the wide range of prevention activities they undertake. Their neutrality gives the service access and this 'brand' is critical. The LGA is supportive of the proposal that budgets of FRAs and Police Services would be held separately, but where a single employer model develops, there is a view that this would lead to a natural progression to bring both budgets together and this may lead to diminution in budgets for fire service prevention and intervention activities.

It was confirmed that the Fire Brigades Union were not supportive of a PCC governance model as they did not feel that this was in the best long term interests of the future of the fire and rescue sector or of their members.

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

It was confirmed that the change of governance in devolved areas like the West Midlands would be complex. The imminent decision of the Combined Authority and its view on fire service governance will provide more clarity.

Further consultation, discussions with the Combined Authority and Mayor's office, Reform of the Fire Authority, maintaining the role of the Section 41 Members and Authority proportionality all required a large amount of work, but following the outcome of the Combined Authority decision there would be a confirmed direction of travel.

**Resolved that:**

- (i) the strategy proposed, as submitted, concerning the reform of West Midlands Fire and Rescue Authority (the Authority), namely the route required for the Mayoral WMCA of the West Midlands Combined Authority (WMCA) to assume governance of West Midlands Fire and Rescue Service (the Service) from the Authority be approved.
- (ii) The outcomes, purpose, approach and timeline, as submitted, be approved.

15/17 Councillor Ann Young confirmed that Walsall Metropolitan Borough Council had agreed to provide an award of £5,000 for the two volunteers to continue to run the Young Firefighters' Association in Walsall and to set up another group for children in the 8 – 11 age group.

The Chair thanked Councillor Young personally and Walsall MBC on behalf of the Authority.

16/18 **Result of Recent Fire Safety Prosecutions**

The Chief Fire Officer reported on the following successful prosecutions which had been brought under the Regulatory Reform (Fire Safety) Order 2005:

- 551 Foleshill Road, Coventry following concerns raised by Coventry City Environmental Health Team over the poor fire safety measures within. The offences included poor

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

maintenance of fire doors, no working fire alarm, no fire risk assessment and no maintenance of the fire extinguishers. Mushtaq's Limited were fined £60,000 and ordered to make a contribution of £5,000 towards costs. Mr Bashir Ahmed was sentenced to 30 week's imprisonment suspended for two years and 200 hours unpaid work and order to make a contribution of £2,000 towards costs.

- Mr Raja pleaded guilty jointly with Mr Jan and was sentenced to 6 month's imprisonment suspended for two years and 240 hours unpaid work. He was ordered to make a contribution of £1,000 towards costs.
- Mr Jan was sentenced to 9 month's immediate custody for breaching the prohibition notice which had been served on the premises; 6 months concurrent for fire separate issues and 4 months concurrent for maintenance issues and ordered to make a contribution of £750 towards costs.

The total costs incurred were £18,920, the costs within that sum for officers time were £7,026.25. The total awarded by the court was £8,750.

17/17 **Notes of the Policy Planning Forum 10 October 2016**

The notes of the Policy Planning Forum held on 10 October 2016 were received.

18/17 **Notes of the Policy Planning Forum 7 November 2016**

The notes of the Policy Planning Forum held on 7 November 2016 were received.

19/17 **Minutes of the Audit Committee held on 14 November 2016**

The Minutes of the Audit Committee held on the 14 November 2016 were received.

**West Midlands Fire and Rescue Authority  
20 February 2017**

20/17 **Minutes of the Scrutiny Committee held on 14 November 2016**

The Minutes of the Scrutiny Committee held on the 14 November 2016 were received.

21/17 **Notes of the Policy Planning Forum 12 December 2016**

The notes of the Policy Planning Forum held on 12 December 2016 were received.

22/17 **Minutes of the Executive Committee held on 12 December 2016**

The Minutes of the Executive Committee held on 12 December 2016 were received.

23/17 **Minutes of the Audit Committee held on 16 January 2017**

The Minutes of the Audit Committee held on the 16 January 2017 were received.

24/17 **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 Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 relating to the financial or business affairs of any particular person (including the authority holding that information) and information relating to any action taken, or to be taken in connection with the prevention, investigation or prosecution or crime).

25/17 **Planned Procurement Exercises for 2017/18**

The Authority received a report for approval of the tender exercise for the provision of various works, good and services to West Midlands Fire and Rescue Authority during 2017/18 for:

- Occupational Health Physician Services
- Cycle to Work Scheme

**West Midlands Fire and Rescue Authority**  
**20 February 2017**

- Appliance Bay Door Maintenance
- Energy
- Boiler Replacements
- Window and Door Replacements
- Pump Rescue Ladders

**Resolved** that the tender exercises for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2017/18 be approved.

(The meeting ended at 1304 hours)

Contact Officer: Julie Connor  
Strategic Hub  
West Midlands Fire Service  
0121 380 6906



# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

Item 5

**10 APRIL 2017**

## **1. ROUTE MAP TO A MAYORAL WEST MIDLANDS COMBINED AUTHORITY GOVERNANCE – A REFORMED FIRE AUTHORITY (RFA)**

Report of the Chief Fire Officer

RECOMMENDED

- 1.1 THAT the Authority note the approval of the West Midlands Combined Authority (WMCA) Board Paper – Route Map to Mayoral WMCA Governance submitted to the WMCA Board on the 3 March 2017.
- 1.2 THAT the Authority notes the direction that this sets in the strategic direction of The Plan 2017-2020.
- 1.3 THAT the Authority approve the direction, process, timeline and approach to the reform of West Midlands Fire and Rescue Authority.
- 1.4 THAT the Authority approves that an application to the Secretary of State be submitted, for amendment to the Local Government Act 1985 Schedule 10. This will be in line with the RFA proposal set out in this paper, which it considers to be the most appropriate to lead the Service through to a Mayoral WMCA arrangement.
- 1.5 THAT the Authority agree a proposal for the future RFA to take effect at the earliest opportunity following Secretary of State approval. This will be no later than the June 2018 Annual General Meeting (AGM) of the Authority.
- 1.6 THAT, subject to the approval of 1.4 above, the Authority approve to delegate authority as required to the Clerk and Monitoring Officer to:
  - a) Prepare and submit an application for appropriate revisions to the Local Government Act 1985, Schedule

10 (Part VI) in consultation with the Chair of the Authority.

- b) Seek appropriate consents for a reduction in the number of appointments to the RFA, from its constituent Local Authority bodies as set out in the relevant application, as well as seeking appropriate appointments of co-opted members to the RFA.
- c) Prepare appropriate draft revisions to the Authority's Constitution, Standing Orders, Committee Structure and Committee Terms of Reference and any other relevant governance documentation for consideration on implementation of the RFA.
- d) Prepare appropriate draft revisions to the Authority's Scheme of Delegation as set out in the Constitution for consideration on implementation of the RFA.
- e) Initiate a review of the Members' Allowances Scheme in accordance with statutory requirements.

## 2. **PURPOSE OF REPORT**

This report is submitted to set out and agree the approach required of the Authority, to provide a more streamlined and flexible arrangement to the current Authority structure. This change will provide an interim measure, until the functions of the Authority are transferred and exercisable by the Mayoral West Midlands Combined Authority (WMCA). This direction has been approved through the 20 February 2017 Authority paper – 'Route Map to Mayoral Governance' and the 3 March 2017 WMCA Board paper.

## 3. **BACKGROUND**

- 3.1 The launch of the Policing and Crime Bill in early 2016, now the Policing and Crime Act 2017 (the Act), set out the potential for a change in the future governance of Fire and Rescue Services across England. The Act, along with the clear expectations set out by Government around the reform of Fire and Rescue Services, provided the opportunity for West Midlands Fire and Rescue Authority (Authority) to review the future governance of West Midlands Fire Service (the Service).

- 3.2 A critical influence has been the changing landscape for the West Midlands in terms of devolution, the duty to collaborate, the WMCA and the imminent Mayoral elections. An example can be seen in the new powers for a Police and Crime Commissioner (PCC) and Mayor to take on governance of Fire and Rescue Services, as set out by the Act. Further change can be seen in the current and future decline of core government funding, as well as opportunities generated across the West Midlands through key programmes such as public service reform. These changes present many opportunities for future collaboration and to improve future services delivered to, and outcomes for, local communities.
- 3.3 During the period June 2016 to January 2017, concentrated stakeholder engagement has taken place through the Future Governance Working Group (the group) and public consultation with partners and local communities. Thus, on 20 February 2017, the Authority approved a strategy and indicative timeline for the reform of the Authority. This forms part of the route required for the Mayoral WMCA to assume governance of West Midlands Fire Service, from the Authority.
- 3.4 On 3 March 2017 the WMCA Board unanimously approved a report supporting the Authority's strategy and timeline, in moving towards the transfer in governance from the Authority to a Mayoral WMCA. This change would be enabled as part of the second WMCA devolution deal.
- 3.5 It is anticipated that the destination governance of a Mayoral WMCA would be achieving by the Autumn of 2018.

3.6 A clear direction as part of both papers highlighted above, was the reform of the Authority. The RFA will provide for a more streamlined and flexible arrangement as an interim measure, until the functions of the Authority are transferred to those of the Mayoral WMCA.

3.7 **The evidenced business case to support a RFA**

3.7.1 As the agenda for the future governance of Fire and Rescue Services across England will change over the next three years, the picture of future governance for local Fire and Rescue Services will depend very much on the local business case for change. This will be determined locally and agreed by constituent Local Authorities

3.7.2 The approval of the direction for the future governance of the Service, through the Authority on 20 February 2017 and WMCA Board on 3 March 2017, has set a clear path of change for the Service over this period.

3.7.3 The timeline for transfer of governance to a Mayoral WMCA will not be imminent, as due process must be observed. This will incorporate (for example) discussions with local and central government regarding inclusion in the second devolution deal, the development of a governance review and scheme and a public consultation process. This will provide the opportunity in the interim, to progress reform and collaboration further, supporting delivery of the Services Corporate Strategy, The Plan 2017-2020 and a more progressive journey into the Mayoral WMCA.

3.7.4 The Plan 2017-2020 sets out how the Service will deliver its services to the communities of the West Midlands. Targeting the most vulnerable sits at the core of The Plan and is a key priority for all public services across the West Midlands. The Plan seeks to address the wider issues which exist across local communities which impact on their health, safety and economic strength.

- 3.7.5 Examples of how this is being achieved can be demonstrated through the engagement the Service has with other Local Authorities, NHS and public services in the delivery of services. The Authority's established 'observer' status on the WMCA, has provided for an invaluable opportunity to develop wider understanding of the merits of a 21<sup>st</sup> century Metropolitan Fire Service. How the Services integrated Service Delivery Model can support wider improved community outcomes across a range of public service agendas
- 3.7.6 On behalf of the WMCA the Chief Fire Officer leads on the Public Service Reform (PSR) and Multiple Complex Needs Individuals (MCN) work programme. This represents a clear signal and acknowledgement that through its experience, brand and skills, WMFS can lead and support these wider agendas.
- 3.7.7 The outcomes of the group highlighted earlier was to provide an options appraisal for the Authority, to support an evidence based decision regarding the best option for governance of the Service in the future, as well as the best approach to achieving this. This provides a critical evidence base to support this change in governance.
- 3.7.8 The conclusions of the group clearly set out *'that the Authority would benefit from considering its constitution and structure and how it might change to enable further collaboration.'*
- 3.7.9 The analysis undertaken by the group also suggested that *'a two-stage process two changes in governance, i.e. from Authority to PCC, then to Mayor) increases costs, risk and reduces benefits and as such should be avoided.'*
- 3.7.10 The outcomes of the Public Consultation undertaken between 1 December 2016 and 10 January 2017, demonstrated public support for a RFA.

3.7.11 The Mayoral and RFA timeline along with the conclusions of the group, has informed Authority discussions around its future structure. These discussions have focused on how the Authority should change to support reform in the interim period, up to a Mayoral WMCA assuming governance for the Service and to enable further collaboration. The Mayoral timeline and conclusions of the group are detailed in Appendix 1.

### 3.8 **What the RFA will deliver**

3.8.1 A RFA will seek to maintain and improve the approach to robust decision making and scrutiny arrangements. These arrangements will be enhanced through a more diverse approach to membership enabling key partners (co-opted members) to take a place on the RFA, offering additional challenge and scrutiny. This is detailed further in section 3.11.

3.8.2 In the recent Authority Public Consultation the West Midlands communities prioritised the importance of the outcomes (in the operation of governance) in the following order:-

- Public Safety
- Value for Money
- Collaboration
- Increased Scrutiny
- Increased Accountability
- Increased Transparency.

3.8.3 The Authority already delivers well against these outcomes. This is supported through internal and external audit reports which continue to provide the Authority with a good level of assurance across all areas of the Service, including governance.

3.8.4 The three priority outcomes for local communities of Public Safety in the delivery of Prevention, Protection and Response services, Value for Money and Collaboration, are also considered by the

Government to be the most important outcomes of future reform.

- 3.8.5 Public Safety is achieved through the delivery of core services as set out in the Fire and Rescue Services Act and The National Framework for Fire and Rescue Services (England) 2012. To some extent the way in which the Authority is funded is applicable here, as current funding streams provide stability in how core services can be delivered. A RFA will provide stability for the Service in supporting public safety for communities, as the Service moves towards governance as part of a Mayoral WMCA arrangement.
- 3.8.6 The Authority has supported the Service in the delivery of successful collaborations across other emergency services, health and the third sector. A RFA will be able to increase the potential for successful collaboration, through being more reflective of the partnerships (through co-opted membership) that support the delivery of wider priorities to the communities of the West Midlands. With the requirement to make continued savings with further cuts to budgets forecast, further collaboration will enable the Service to deliver more efficient and effective services to the community.
- 3.8.7 From a perspective of improved outcomes for the community, moving to a RFA model as part of a route to a Mayoral WMCA model (incorporating public health agencies and access to health and wellbeing commissioning), provides far better value for money for longer term ongoing reduction upon the public purse. This is opposed to exploring the potential for short term cost savings. A RFA will ensure services can continue to be delivered with little, if no, internal or external disruption whilst preparing staff and partners for the change to a Mayoral WMCA.

3.8.8 A RFA will not only provide benefits in the delivery of outcomes to local communities. It will enable a more dynamic and responsive approach in which all members will be fully engaged, delivering efficiencies through a revised structure and streamlining its approach to its committees.

3.8.9 A RFA will potentially offer efficiencies in both allowances and expenses as well as efficiencies in its management and co-ordination. The possible efficiencies to be gained are set out in section 6.

### 3.9 **The principles of a RFA**

3.9.1 As highlighted in section 2 a RFA would be a streamlined and flexible interim governance arrangement, which would lead the Service into a Mayoral WMCA.

3.9.2 This change will reflect the ongoing changing approaches to the governance of Fire and Rescue Services across England. It also recognises, in line with government policy, the possibility of the West Midlands Mayor, due to be elected in May 2017, acquiring the governance of both Fire and Police by 2020.

3.9.3 In taking reform further the RFA would:

- Reduce the current legislatively prescribed Authority membership, but maintain section 41 principles of accountability and transparency.
- Refine committee structures – overview and scrutiny forums.
- Maintain proportionality of members to electors across the West Midlands.
- Support future collaboration through continued member involvement across the 7 West Midlands Local Authorities, enabling improved community outcomes.

- Further support collaboration and provide for a more diverse membership through co-opted membership from the Office of the PCC, West Midlands Ambulance, Mayoral WMCA and Public Health.

3.9.4 This latter principle would not only support collaboration in a more focused way but could enhance scrutiny, audit and performance measurement, to improve outcomes for the community.

### 3.10 **The current position and possibility for change**

#### 3.10.1 **The Fire Authority – legislative considerations**

The Authority was legally created via the Local Government Act (LGA) 1985 which created joint fire authorities. Currently there are 27 members appointed to the Authority stipulated through Section 29 and Schedule 10 of the LGA 1985. This position has remained unchanged since the Authority was formed.

3.10.2 The Local Government Act 1985, part IV section 29 states:

- (1) The number of members to be appointed to a joint authority by a constituent council shall be the number specified for that council in relation to that authority in Schedule 10 to this Act.
- (2) Subject to subsection (3) below, the Secretary of State may by order make alterations in the numbers for the time being specified in that Schedule, including alterations resulting in an increase or decrease in the total number of members of any joint authority.
- (3) In making any alteration in the number of members to be appointed to a joint authority by any of its constituent councils the Secretary of State shall have regard to the number of local government electors in the areas of those councils respectively.

- (4) The Secretary of State shall consult a joint authority's constituent councils before making any order in respect of that authority under subsection (2) above.

3.10.3 The above section of the LGA 1985, subsection (2) provides the pathway by which an order can be made to vary the size of the Authority. Subsection (3) requires for any alteration to have regard for the number of local government electors. Such an order would require the consent of each of the constituent Local Authorities.

**3.10.4 The Authority – Elected Members**

The Authority's geographical footprint / area is one of the largest compared with other Metropolitan Fire and Rescue Authorities (Met FRAs). Table 1 below highlights the number of electors to member ratio:

<b>TABLE 1: ELECTED MEMBER/POPULATION AND ELECTED MEMBER/ELECTOR RATIOS FOR METROPOLITAN FIRE AUTHORITIES IN ENGLAND AND LONDON</b>					
Metropolitan Fire Authority	Population	No of Members	Member Population Ratio ('000)	No of Electors	Member Elector Ratio ('000)
Greater Manchester	2,756,200	30	1:92	1,968,109	1:66
Merseyside	1,398,000	18	1:78	1,018,972	1:57
South Yorkshire	1,374,700	12	1:115	997,780	1:83
Tyne & Wear	1,122,200	16	1:70	813,504	1:51
West Midlands	2,833,600	27	1:105	1,949,255	1:72
West Yorkshire	2,281,700	22	1:104	1,605,847	1:73
London	8,673,700	17	1:510	5,827,705	1:342

ONS Elector Statistics 2016  
Fire Statistics Data 2016

- 3.10.5 The West Midlands, Greater Manchester and West Yorkshire are the three biggest Met FRAs outside of London and have the largest number of electors compared with the other Mets. Member elector numbers across these three Fire and Rescue Authorities are comparable. It should be recognised that Greater Manchester Fire and Rescue Service once governed through the Greater Manchester Combined Authority, will abolish the Fire Authority and governance will exist as part of a Mayoral arrangement, incorporating a Fire Committee of 15 Members (10 elected members) with some delegated responsibilities.
- 3.10.6 London Fire Emergency Planning Authority (LFEPA) is an outlier when considering the population and elector numbers as these are significantly higher than the Met areas, reflected in the member elector ratio. Again, it should be recognised that this status is set to change during 2017 via the Policing and Crime Act 2017, which once enacted will abolish LFEPA when the governance of the London Fire transfers to the London Fire Commissioner.
- 3.10.7 The Authority sits between these two FRAs in terms of size and complexity of risk. The Service serves the most complex area in terms of risk, is the biggest Fire Service and has the largest most diverse population, outside of London.
- 3.10.8 The West Midlands itself as has been highlighted already in this paper, is currently in the late stages of preparing its second devolution deal and about to elect a Mayor to the WMCA. This is the route through which the Authority is seeking a change in governance to a Mayoral WMCA arrangement.
- 3.10.9 Table 1 at 3.10.4 highlights the current size of the Authority and provides a ratio of 1 Authority member representing every 72,295 of the elector population across the West Midlands. This is also reflective of the elector member ratios across each of the Local Authority constituencies as highlighted in table 2 below, providing proportional representation.

**TABLE 2: Member Elector Ratio by Local Authority 2015**

<b>Local Authority</b>	<b>Current Authority</b>	<b>Member/Elector Ratio</b>
Birmingham	10	1:71
Coventry	3	1:74
Dudley	3	1:80
Sandwell	3	1:75
Solihull	2	1:77
Walsall	3	1:63
Wolverhampton	3	1:59

**3.10.10 Political Balance and Committee Structure**

1. The Local Government in Housing Act 1989, section 15 sets out the requirement for all Authorities to consider political balance when making appointments.
2. Each constituent Local Authority appoints members to the Authority on a politically proportionate basis and subsequently Authority Members can form political Groups within the Authority.
3. The Authority determines its own committee system which enables decision-making powers within the Authority's remit. These are exercised by either the Full Authority of all Members, or through specific delegation to a committee of Members. The Authority currently has seven committees and Members are appointed to these annually on a proportionate basis, representing the political balance of the overall Authority. The current committee structure is detailed in Appendix 2.
4. Although the committee system model is a requirement of a joint Fire Authority, it is up to each Authority to determine the number, size and role of its Committees.

5. Where the size and therefore number of elected members on the Authority is proposed to change, this will need the consent of each of the Local Authorities, as proportional and political representation may be impacted, as highlighted in this section.

### 3.10.11 **Independent and non-elected members**

1. The Localism Act 2011 places a duty on all Authorities to promote and maintain high standards of conduct for elected members. The Localism Act also requires Authorities to appoint an Independent Member whose role it is to assist the Authority to maintain standards of conduct.
2. Sections 15-17 of the Local Government & Housing Act 1989 allow for non-elected members to be appointed to the Authority, for example, a representative from the Office of the PCC, West Midlands Ambulance, Mayoral WMCA and Public Health.

## 3.11 **Proposals for a future RFA**

- 3.11.1 This report has so far set out the background for change including:

- The ongoing strategic direction of the Service and Authority.
- Approval of the Authority for future Mayoral WMCA governance.
- Approval of support from the WMCA for future Mayoral WMCA governance.
- Evidence to support this direction through the group and Authority public consultation.
- The potential to amend the legislation which stipulates the current Authority size and make up via a Secretary of State order.
- The need to demonstrate consideration of the member/elector ratio and proportionality across the Local Authority areas.

- 3.11.2 This information provides a body of evidence to support the direction of the Authority is taking, as well as the required support from political leaders in achieving governance as part of a Mayoral WMCA arrangement.
- 3.11.3 It is important to reflect on the changes that have already been adopted across the UK, to ensure best practice and learning is considered as part of this path of change. Some examples of change to the established Fire and Rescue Authority model are detailed in Appendix 3.
- 3.11.4 The options set out below for a RFA, seek to address the information and evidence outlined in this paper, as well as adopt the principles in section 3.9. The following options are proposed for the Authority to consider:
- a) Governance model comprising 9 members (plus inviting 4 non-elected members).
  - b) Governance model comprising 14 members (plus inviting 4 non-elected members).
  - c) Governance model comprising 15 members (plus inviting 4 non-elected members).
- 3.11.5 The impact of these proposals presents a change to the current member/elector ratio of 1:72 as can be seen in table 3 below:

**TABLE 3: Member/Elector Ratio proposed models of an Authority size of 15, 14 and 9**

<b>Metropolitan Fire Authority</b>	<b>Population</b>	<b>No of Members</b>	<b>Member Population Ratio ('000)</b>	<b>No of Electors</b>	<b>Member Elector Ratio ('000)</b>
West Midlands	2,833,600	27	1:105	1,949,255	1:72
West Midlands		15	1:189		1:130
West Midlands		14	1:202		1:139
West Midlands		9	1:283		1:217

3.11.6 Each of the options will result in an increase in the elector/member ratio from the current ratio of 1:72,000. This is to be expected with a proposed reduction in members. As stipulated in paragraphs 3.10.2 the Secretary of State must have regard to the number of electors. The proposals set out in this section have allowed for proportionality to be applied in an equitable way across each of the Local authority areas. This is detailed in Table 4 below for each of the three options proposed above.

**Table 4: Elector/Member Ratio of Proposed RFA models**

<b>Local Authority</b>	<b>Electors 2016</b>	<b>Mbr Ratio ('000)</b>	<b>9</b>	<b>Ratio ('000)</b>	<b>14</b>	<b>Ratio ('000)</b>	<b>15</b>	<b>Ratio ('000)</b>
Birmingham	711,761	1:71	3	1:237	3	1:237	4	<b>1:178</b>
Coventry	229,710	1:74	1	1:223	2	1:115	2	<b>1:115</b>
Dudley	243,554	1:80	1	1:244	2	1:122	2	<b>1:122</b>
Sandwell	228,811	1:75	1	1:229	2	1:114	2	<b>1:114</b>
Solihull	161,279	1:77	1	1:161	1	1:161	1	<b>1:161</b>
Walsall	194,684	1:63	1	1:195	2	1:97	2	<b>1:97</b>
Wolverhampton	179,456	1:59	1	1:179	2	1:90	2	<b>1:90</b>

- 3.11.7 A model of 9 elected members (4 co-opted additional) provides a larger ratio of proportionality across the 7 Local Authority areas, than the current model of 27 and the proposed models of 14 or 15. This model does offer a balanced approach to proportionality. However political balance may prove a challenge. This model will present a challenge to current member workload but will offer a real focus on the leadership role of Members. However, as part of the transition to a Mayoral WMCA arrangement, this will demonstrate a real intent to reform and commitment to the role of co-opted members in furthering collaboration, as well as scrutiny and audit committee roles.
- 3.11.8 The models of 14 and 15 elected members (both with 4 co-opted members as an addition) provides for a larger ratio than the current 27 elected member model, but smaller than the proposed model of 9. The ratios with 14 elected members are not as balanced, as Birmingham has a much higher ratio and Walsall and Wolverhampton, much less. Both elected and co-opted member workloads will see an increase, although this will not be as challenging as the model of 9 elected members, plus 4 co-optees.
- 3.11.9 The difference between a model of 14 elected members and that of 15, can be seen in the member representation from Birmingham City Council, which increases from 3 to 4 elected members to offer a better proportionate representation.
- 3.11.10 All the above interim models will maintain the principles set out in section 3.8.3, including section 41 leadership providing accountability and transparency and importantly, demonstrating a real intent to reform along with a challenge to the current way of working and generating efficiencies.
- 3.11.11 In addition to the principles set out in paragraph 3.8.3 the reformed model will support the transition of the governance of the Service to a future Mayoral WMCA arrangement.

3.11.12 These models propose an alternative solution to recognise the opportunities as well as the practicalities of a smaller Authority. Due to the reduction in members, widespread delegation of functions to committees would not be achievable and there could also be duplication, as matters would be considered by a broadly similar group of Members both at committee and at Full Authority. It is therefore proposed in principle that the number of committees are reduced to a minimum level of four committees, for business that cannot be resolved at Full Authority such as Audit and Scrutiny functions. The bulk of Authority business would therefore be handled directly by the Full Authority acting in the style of a board, demonstrative of the enhanced leadership role to be played by a smaller number of Members.

3.11.13 In line with recommendation 1.6, a review of Authority committee meetings terms of reference and structure, will take place prior to the June AGM. A future structure could incorporate;

- Scrutiny Committee
- Audit Committee
- Joint Consultative Panel
- Appeal, appointments and Standards amalgamated into one

3.11.14 Full Authority meetings could increase from a frequency of 6 to 8 a year. Executive Committee would not exist as a separate committee, but could exist in principle to be called upon in times of emergency as defined by the Authority's Constitution.

3.11.15 The frequency of Executive Committee meetings has already been reduced in of the current authority year. To date the business presented at those Executive Committees held, could be dealt with at full Authority.

3.11.16 The proposal to incorporate co-opted members onto the Authority, will provide opportunities to increasingly reflect the communities of the West

Midlands. It will also support further collaboration, as well as open the Authority up to increased scrutiny and transparency in decision making, through membership on both scrutiny and audit committees. It is proposed that co-opted member invites are be made to:

- The office of the PCC (with the possibility of voting rights)
- Ambulance Service
- Public Health
- Mayoral representative.

3.11.17 It is recognised that whichever model is approved, this will present a challenge for each of the 7 Local Authorities in managing elected member portfolios. Section 3.12 sets out how further engagement with Local Authorities and Leaders, will ensure early engagement to inform effective planning for this change.

### 3.12 **The process and timeline to a RFA**

3.12.1 It is anticipated the following timeline will be followed to enable implementation of the RFA option, at the earliest opportunity and no later than the June 2018 AGM. This direction will enable the Authority to embed itself in the route to future governance as part of a Mayoral WMCA arrangement.

**3 March 2017:** WMCA approved support for strategy to Mayoral WMCA governance including the reform of the current Authority.

#### **10 April 2017: Authority approval for a Reformed Fire Authority**

Approval of RFA option determining size and make up enabling a process to re-affirm Local Authority consent, PCC engagement and formal letter to Secretary of State requesting an order to be amend the Authority as highlighted in paragraphs 3.9.5 and 3.9.6.

**12 April 2017: Clarification of Consent**

Requests sent to Local Authority leaders and copied to Chief Executive.

Letters to PCC and proposed co-optees informing them of future change and inviting them to engage in Authority.

Inform each Local Authority of proposed RFA, process and timeline and implications in allocation of members for new Authority year.

**13 April 2017: Letter sent to SoS (in tandem with above)** Requesting amendment to Authority as outlined in section 3.13. Timeline for this to pass through parliament is 8-12 weeks. On receipt of a letter which demonstrates local consent, the Home Office will draft the Order based on the above reform of the Authority.

**25 April 2017:** Consent deadline

**27 June 2017 AGM:** Co-optees take place on Authority.

**1 – 31 August 2017 (approximate):** Secretary of State Order approved

**At earliest opportunity or June 2018 AGM- RFA implemented:**

A revised constitution will set out how the RFA will be structured, the role of non-elected members, changes to proportionality, political balance, committee membership and member expenses.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report a full Equality Impact Assessment has been carried out. The Equality Impact Assessment did not require any further action.

## 5. **LEGAL IMPLICATIONS**

In approving the recommendations outlined in this report, the Authority is to have due regard to the relevant provisions set out within the following legislation.

Localism Act 2000

Local Government Act 1985, Section 29 and Schedule 10 (Part 6)

Local Government and Housing Act 1989, ss. 15 to 17 and Schedule 1

Local Government (Committees and Political Groups) Regulations 1990 [SI 1990 No 1553]

Further legal resources may be required to manage the work required around the drafting of the relevant Order, to be undertaken in consultation with the Secretary of State and in relation to the amendments required to the respective revisions in para 1.6.

## 6. **FINANCIAL IMPLICATIONS**

The cost of the Authority during 2016/2017 taking into account basic and special responsibility allowances and expenses, will be £243,684. The approximate efficiencies to be gained from each of the proposals outlined above are set out below:

Option 1 (9 Members) - £120k

Option 2 (14 Members) - £80k

Option 3 (15 Members) - £70k

These efficiencies are based upon current allowance levels and include the current payments provided for Executive Committee members. Depending upon the future committee structure, these efficiencies could vary. For example, if as suggested in paragraph 3.11.13-15 the Executive Committee ceases as a 'usual' committee, depending on the model approved further savings of between 9,800 and 29,400 could be made.

## 7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

**BACKGROUND PAPERS**

20 February 2017 Fire Authority Paper – Route to Future Governance

3 March 2017 WMCA Board Paper – Route to Future Governance The Plan 2017-2020

20 February 2017 Public Consultation Outcomes report

20 February 2017 Fire Authority report – Outcomes of the Future Governance Working Group

AUTHOR: Karen Gowreesunker 0121 380 6678

KAREN GOWREESUNKER  
CLERK TO THE AUTHORITY

## **Appendix 1**

### **Mayoral Timeline**

Proposed changes in governance to a Mayoral WMCA will need to or will have, navigated through some key milestones:

- i) The Authority's approval – 20th February 2017 The Authority has approved the strategy to pursue the route to a WMCA Mayoral model for future governance of the Service and has approved the instigation of the process to reform itself.
- ii) WMCA Board – 3rd March 2017 The Authority will need to secure the approval of the WMCA Board in order to form part of the formal discussions for further devolution deals.
- iii) Further Devolution – March 2017 Once the WMCA Board has confirmed its intent to include the transfer of the Service as part of its devolution discussions, the WMCA will need to begin discussions with HM Government over further devolution in March 2017 and if agreed, it will form part [PUBLIC] Page 11 of 15 of the second devolution deal. The inclusion of the Fire Service in the second devolution deal will be critical to enabling the required change in governance to a Mayoral WMCA at the earliest opportunity (May 2018).
- iv) Governance Review, Scheme and Consultation – July to September 2017 A Governance Review, Scheme and Consultation would enable the transfer of governance for the Service to the Mayoral WMCA by way of an Order. The Scheme would set out how the Mayoral WMCA's powers are to be exercised in relation to the Service. It is envisaged that the public consultation would begin in July 2017 and last for up to eight weeks, after which time it will proceed to the Secretary of State, who will draft the required Order based on the above. The draft Order will require approval by all Constituent WMCA Councils. It is envisaged that the transfer of powers would take 12 months to complete from the signing of the second devolution deal. It is estimated that this would take us to March 2018. At this point the responsibilities and liabilities of the Authority would transfer in accordance with the governance model adopted.

- v) The Service would then become incorporated into the WMCA and this would warrant a review of its current Observer membership status to reflect its engagement.

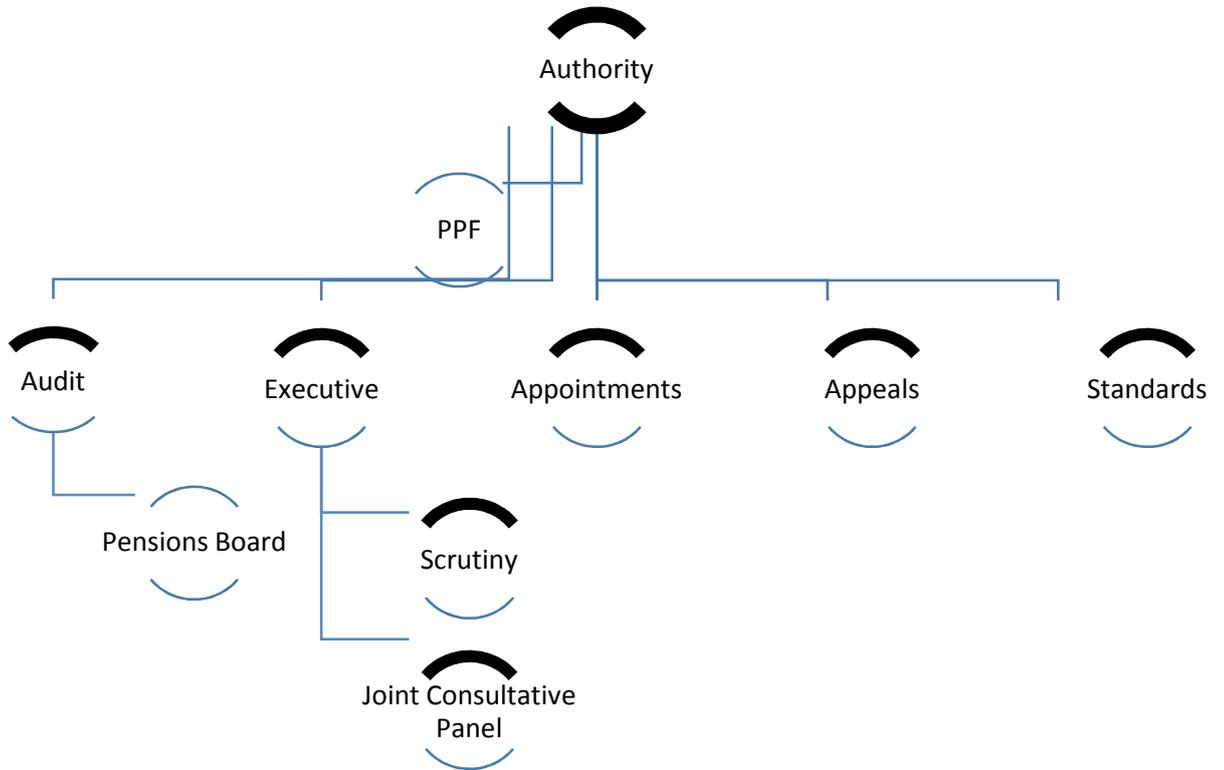
### **The Group's Conclusions**

1. There is no “stand out” option, but the analysis suggests that a two-stage process increases costs, risk and reduces benefits and as such should be avoided. There is considerable potential change in the next year or so: - PCC business cases - The development of the Combined Authority model in Manchester and London - The programme of the Mayor and the WMCA - Additional Devolution deals  
The WMFRA needs to ensure it continues to engage with stakeholders to ensure it can fully consider its position and the options available to it.
2. The Working Group found that there was enthusiasm and commitment from other organisations for collaboration. The Service has made great progress over recent years, and the working group felt that the Authority would benefit from considering its constitution and structure and how it might change enable further collaboration.
3. The Mayoral and WMCA model is just emerging and the first Mayor is yet to be appointed, so there is as yet lack of clarity about its programme. However, change with a new Mayor will happen and this will create opportunity in improving public services. The WMFRA need to ensure that they remain engaged in this to ensure the best opportunity for delivery of outcomes for future.
4. If a mayoral option is not available in the medium term for police or fire, then the options would need re appraised to ensure the benefits of collaboration across the emergency services and wider public services are realised.
5. The Bill does not enable governance changes with the Ambulance Service which may prevent full collaboration to be realised as well as the benefits from this.
6. Ambulance sits outside of governance analysis however the opportunities for collaboration are significant.

7. A Fire/Fire combination would realise significant benefits at lower risk than other options. This would require local consensus and a formal business case, approved by the Home Office. The associated Council tax consequences, and any boundary issues would need to be considered.
8. The PCC model is relatively new but is having an impact on Police effectiveness. Although there would be some risk associated with the Fire/Police combination, there could be significant cost benefit.

**Appendix 2**

**Current Authority Structure**



Weighted full circle represents the full Authority meeting

Half weighted circle represents a committee to which decisions are delegated

Non weighted circles are member consultation forums or non-authority meetings.

## **Appendix 3**

### **Different Fire Authority models**

In recent years Fire and Rescue Authorities have begun to challenge the way in which they are structured and governed to provide a more efficient and effective approach to the delivery of services. Some examples are:

#### **Hampshire FRS**

In December 2015 Hampshire (Combined) Fire and Rescue Authority commissioned a cross party, member-led working group to review its governance arrangements. This working group (reported in September 2016) recommended improvements to the effectiveness of the Fire Authority to evaluate its size. The Fire Authority is currently made up of 25 members. Two models were proposed to the Fire Authority – one incorporating 19 members, including the PCC, a second incorporating 11 members, including the PCC. The Fire Authority opted for the model of 11 members, including the PCC.

This option was favoured by consultees in its ability to provide a dynamic and responsive Authority model for the future in which every member could be fully engaged and play a leadership role as many functions would be undertaken by the full Fire Authority. It would represent an increase in efficiencies and overall reduce committees, meetings and resources required to manage these.

An order to amend the current Fire Authority membership to include the PCC, which will require a change in Fire and Rescue Services Act 2004, has been submitted to the Secretary of State.

#### **Cleveland FRS**

Cleveland FRS has reduced the Membership of their Authority as part of building their understanding of Member to Elector Ratio and Member to Population Ratio. Whilst the option of 12 Members would have enabled the Authority to more closely align to the Average Member to Elector/Population ratios for combined fire authorities, Cleveland settled 16 Members, which places them lower quartile within their family group.

## **Scottish FRS**

Another more dynamic approach has been taken by Scotland which merged eight Fire and Rescue Authorities into a single 'Board' when the Fire Service was nationalised and became The Scotland's Fire and Rescue Service (SFRS).

'The Board' came into being on 1 April 2013 with 11 non-elected members and a Chair appointed by the government to serve as members of SFRS 'Board'. The Board provides strategic direction, support and guidance to the SFRS. Members are personally and corporately accountable for the Board's actions and decisions to the Scottish Government. The Board can establish its own committee structure and delegate responsibilities to such committees as it considers fit in scrutinising risk, financial management and performance.



# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**10 APRIL 2017**

Item 6

## **1. EXTERNAL AUDIT WORK PROGRAMME AND SCALE OF FEES FOR 2017/18**

Report of the Chief Fire Officer.

RECOMMENDED

THAT the Authority note the external audit work programme and scale of fees for the 2017/18 audit work to be undertaken by Grant Thornton UK LLP.

## **2. PURPOSE OF REPORT**

This report is submitted to inform the Authority of the external audit work programme and scale of fees for 2017/18 as set out in the Planned Audit Fee for 2017/18 letter attached as Appendix 1.

## **3. BACKGROUND**

- 3.1 Members will recall that following an exercise to outsource the public body audit work of the Audit Commission's in-house audit practice, the contract for undertaking of the external audit of this Authority was awarded to Grant Thornton UK LLP.
- 3.2 When the Audit Commission announced the contract awards it also confirmed that the scale of fees for the delivery of the work programme would be reduced by 40% in comparison to the 2011/12 scale of fees. The Commission stated that it was anticipated that the reduced fee would be fixed, irrespective of inflation, and would apply for the five-year term of the contract although fees would be subject to annual review. The scale of fees proposed for the delivery of the 2017/18 work programme is £38,636 which is the same charge as 2016/17.
- 3.3 Similarly, the work programme proposed for 2017/18 is broadly the same as the 2016/17 work programme. Essentially, the work programme will consist of an audit of the financial statements, audit work to enable a value for money

Ref. AU/92003173

conclusion and on the Whole of Government Accounts (WGA) return. This is applicable to all public bodies.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment has not been carried out. The matters contained in this report will not lead to policy change.

5. **LEGAL IMPLICATIONS**

The Local Audit Bill sets out the framework to support the delivery of local public audit arrangements.

6. **FINANCIAL IMPLICATIONS**

The proposed scale fee for the 2017/18 external audit work programme is £38,636.

**BACKGROUND PAPERS**

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

PHIL LOACH  
CHIEF FIRE OFFICER

Our ref: RDP/EJM/W09000020/Fee\_Letter\_17-18

Mr M Griffiths  
Strategic Enabler of Finance and Resources  
West Midlands Fire & Rescue Authority  
West Midlands Fire Service Headquarters  
99 Vauxhall Road  
Birmingham  
B7 4HW

Grant Thornton UK LLP  
Colmore Plaza  
20 Colmore Circus  
Birmingham B4 6AT  
T +44 (0)121 212 4000  
F +44 (0)121 212 4014  
[www.grant-thornton.co.uk](http://www.grant-thornton.co.uk)

31 March 2017

Dear Mike

### **Planned audit fee for 2017/18**

The Local Audit and Accountability Act 2014 provides the framework for local public audit. Under these provisions the Secretary of State for Communities and Local Government delegated some statutory functions from the Audit Commission Act 1998 to Public Sector Audit Appointments Limited (PSAA) on a transitional basis.

PSAA will oversee the Audit Commission's audit contracts for local government bodies until they end in 2018, following the announcement by the Department for Communities and Local Government (DCLG) that it will extend transitional arrangements until 2017/18. PSAA's responsibilities include setting fees, appointing auditors and monitoring the quality of auditors' work. Further information on PSAA and its responsibilities are available on the [PSAA website](#).

From 2018/19 PSAA has been specified by the Secretary of State as an appointing person for principal local government and police bodies, and will make auditor appointments and set fees for bodies that have opted into the national auditor appointment scheme it is developing.

### **Scale fee**

PSAA prescribes that 'scale fees are based on the expectation that audited bodies are able to provide the auditor with complete and materially accurate financial statements, with supporting working papers, within agreed timescales'.

There are no changes to the overall work programme for local government audited bodies for 2017/18, following the recent CIPFA/LASAAC announcement that their planned introduction of the Highways Network Asset Code into the financial reporting requirements for local authorities in 2017/18 will no longer proceed. PSAA have therefore set the 2017/18 scale audit fees at the same level as the scale fees applicable for 2016/17. The Authority's scale fee for 2017/18 has been set by PSAA at £38,636.

The audit planning process for 2017/18, including the risk assessment, will continue as the year progresses and fees will be reviewed and updated as necessary as our work progresses.

### **Scope of the audit fee**

Under the provisions of the Local Audit and Accountability Act 2014, the National Audit Office (NAO) is responsible for publishing the statutory Code of Audit Practice and

guidance for auditors from April 2015. Audits of the accounts for 2017/18 will be undertaken under this Code, on the basis of the [2017/18 work-programme and scales of fees](#) set out on the PSAA website. Further information on the NAO Code and guidance is available on the [NAO website](#).

The scale fee covers:

- our audit of your financial statements;
- our work to reach a conclusion on the economy, efficiency and effectiveness in your use of resources (the value for money conclusion); and
- our work on your whole of government accounts return (if applicable).

PSAA will agree fees for considering objections from the point at which auditors accept an objection as valid, or any special investigations, as a variation to the scale fee.

### **Value for Money conclusion**

The Code requires us to consider whether the Authority has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources. This is known as the Value for Money (VfM) conclusion.

The NAO issued its guidance for auditors on value for money work in November 2016. The guidance states that for local government bodies, auditors are required to give a conclusion on whether the Authority has put proper arrangements in place.

The NAO guidance identifies one single criterion for auditors to evaluate:

*In all significant respects, the audited body had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.*

### **Certification of grant claims and returns [if applicable]**

At the request of the Department for Work and Pensions, auditors appointed by PSAA will continue to certify local authority claims for housing benefit subsidy for 2017/18.

The Authority's indicative fee for this certification work has yet to be set by PSAA. We will write to you to confirm the fee when this has been confirmed.

Assurance engagements for other schemes will be subject to separate arrangements and fees agreed between the grant-paying body, the Authority and ourselves.

### **Billing schedule**

Fees will be billed as follows:

<b>Main Audit fee</b>	<b>£</b>
September 2017	9,659
December 2017	9,659
March 2018	9,659
June 2018	9,659
<b>Total</b>	<b>38,636</b>

### Outline audit timetable

We will undertake our audit planning and interim audit procedures in January to March 2018. Upon completion of this phase of our work we will issue a detailed audit plan setting out our findings and details of our audit approach. Our final accounts audit and work on the VfM conclusion will be completed in June 2018 and work on the whole of government accounts return in July 2018.

<b>Phase of work</b>	<b>Timing</b>	<b>Outputs</b>	<b>Comments</b>
Audit planning and interim audit	January to March 2018	Audit plan	The plan summarises the findings of our audit planning and our approach to the audit of the Authority's accounts and VfM.
Final accounts audit	June 2018	Audit Findings (Report to those charged with governance)	This report sets out the findings of our accounts audit and VfM work for the consideration of those charged with governance.
VfM conclusion	January to July 2018	Audit Findings (Report to those charged with governance)	As above
Whole of government accounts	July 2018	Opinion on the WGA return	This work will be completed alongside the accounts audit.
Annual audit letter	September 2018	Annual audit letter to the Authority	The letter will summarise the findings of all aspects of our work.

### Our team

The key members of the audit team for 2017/18 are:

	<b>Name</b>	<b>Phone Number</b>	<b>E-mail</b>
Engagement Lead	Richard Percival	07584 591508	<a href="mailto:richard.d.percival@uk.gt.com">richard.d.percival@uk.gt.com</a>
Engagement Manager	Emily Mayne	07880 456112	<a href="mailto:emily.j.mayne@uk.gt.com">emily.j.mayne@uk.gt.com</a>
In Charge Auditor	Steph Quartermaine	0121 232 5238	<a href="mailto:steph.quartermaine@uk.gt.com">steph.quartermaine@uk.gt.com</a>

### Additional work

The scale fee excludes any work requested by the Authority that we may agree to undertake outside of our Code audit. Each additional piece of work will be separately agreed and a detailed project specification and fee agreed with the Authority.

**Quality assurance**

We are committed to providing you with a high quality service. If you are in any way dissatisfied, or would like to discuss how we can improve our service, please contact me in the first instance. Alternatively you may wish to contact Mark Stocks, our Public Sector Assurance regional lead partner, via [mark.c.stocks@uk.gt.com](mailto:mark.c.stocks@uk.gt.com).

Yours sincerely

Richard Percival

Engagement Lead

For Grant Thornton UK LLP

# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**10 APRIL 2017**

Item 7

## 1. **CONTRACT AWARDS SUMMARY FOR PERIOD TO 31 MARCH 2017**

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 1 October 2016.

## 2. **PURPOSE OF REPORT**

This report provides a six month summary of all contracts that have been awarded since 1 October 2016.

## 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 Standing Orders 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

Standing Order 1/8 – Procurement Procedures

The contact name for this report is Phil Hales - 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
Construction of Training at Height Towers	Three Pines Building Co	28 November 2016	One off Purchase	£375,000	£375,000	£390,000	MEAT	23 November 2015	
Cycle to Work Scheme	Cycle Solutions	16 March 2017	4 years	£90,000	£360,000	n/a	Direct award from Framework	20 February 2017	Funded by Employees that utilise the scheme. Est. National Insurance Saving for the Authority of £12,500 pa
Relocation of Secondary Fire Control	Feasibility – SVM Associates	16 June 2016	One off purchase	£8,000	£8,000	£350,000	Price Only	27 June 2016	Other low value contracts and contract variations totalling £58,000 were awarded as part of this project.
	Phase 1- Three Pines Building Co	23 August 2016		£28,000	£28,000		Price Only		
	Phase 2 – Three Pines Building Co	4 October 2016		£263,000	£263,000		MEAT		

\* Most Economically Advantageous Tender (MEAT)



# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

## **AUTHORITY REPORT**

Item 8

**10 APRIL 2017**

### **1. DYING 2 WORK CAMPAIGN**

Report of the Chief Fire Officer

RECOMMENDED

- 1.1 THAT the contents of this report are noted as the Service's response to the Trade Union Congress Dying 2 Work Campaign.
- 1.2 THAT the Service confirms it will be signing the supporting charter that aims to improve the lives of employees diagnosed as terminally ill.

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

To inform the Authority of the Services position with reference to the Trade Union Congress campaign and Charter 'Dying 2 Work'

### **3. BACKGROUND**

- 3.1 This report provides an overview of the approach being taken by the Service in support of the Dying 2 Work campaign and charter.
- 3.2 Dying 2 Work is a Trade Union Congress (TUC) campaign to gain support and encourage employers to sign a voluntary charter that sets out how employees will be supported, protected and guided through their employment should they receive a terminal diagnosis.
- 3.3 The campaign is about providing choices to employees who have been diagnosed with a terminal illness.
- 3.4 West Midlands Fire Service has a history of providing excellent care to our employees who have been diagnosed with a terminal illness. We work closely with them to support their decisions to ensure the best outcome for the individual, their loved ones and the Service.

### 3.5 The Dying 2 Work Charter states:

- We recognise that terminal illness requires support and understanding and not additional and avoidable stress and worry.
- Terminally ill workers will be secure in the knowledge that we will support them following their diagnosis and we recognise that, safe and reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself.
- We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.
- We support the TUC's Dying 2 Work campaign so that all employees facing a terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind.

### 3.6 How will the Service continue to achieve this?

The Service will achieve this by working collaboratively and sympathetically with the employee and their representative through this difficult time and will:

- Support employees with a terminal illness diagnosis to maintain dignity and be empowered to explore appropriate options that provide them with choices giving some peace of mind and financial security to them and their families through this difficult time.
- Liaise with medical and occupational health professionals and the employee directly to consider reasonable adjustments to support them in undertaking valuable work and provide some improved measure of wellbeing. Whilst ensuring Health, Safety and Wellbeing implications for employee, Service and community are also considered.
- To work with the employee to assist them to achieve an appropriate work life balance and flexible working to support improved end of life care and support.

- To consider each case on its own merits and create specific support package for each employee diagnosed with as being terminally ill.

## 5. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The Service's Policies that are applied in all case management have been subject to full Equality Impact Assessments.

## 6. **LEGAL IMPLICATIONS**

There are no direct legal implications arising from this report.

## 7. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

## 8. **TRADE UNION CONSULTATION**

8.1 In preparing this report, Trade Union Representatives' views have been sort and the Dying 2 Work campaign is a Trade Union Congress campaign. The Trade Unions are supportive of the principles of the Charter and the approach the Service is taking.

8.2 This item will feature as a standing item on the Joint Working Party.

## **BACKGROUND PAPERS**

Trade Union Congress Dying to Work Campaign

<http://www.dyingtowork.co.uk/our-campaign/>

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

PHIL LOACH  
CHIEF FIRE OFFICER



**16 January 2017 at 10.30 am  
at Fire Service Headquarters, Vauxhall Road, Birmingham**

Present: Members of the Authority  
Councillor Edwards (Chair)  
Councillor Idrees (Vice Chair)  
Councillors Allcock, Aston, Atwal Singh, Barlow, Barrie, Booth,  
Brackenridge, Cartwright, Clinton, Craddock, Dad, Davis,  
Eustace, Hogarth, Sealey, B Singh, P Singh, T Singh, Spence,  
Tranter, Walsh and Young

Officers: West Midlands Fire Service  
Chief Fire Officer (P Loach)  
Deputy Chief Fire Officer (P Hales)  
Assistant Chief Fire Officer (G Taylor)  
M Griffiths (Treasurer),  
A Afsar, J Danbury, M Hamilton-Russell, M Pym, S Timmington,  
and S Vincent

**Clerk and Monitoring Officer**  
K Gowreesunker (Clerk)

Apologies: Councillors: Bennett, Mottram, and Skinner  
Mr Ager  
S Sahota (Monitoring Officer)

Observers: Nil

**1/17 Chair and CFO Announcements**

The Chair and the Chief Fire Officer welcomed all attendees to the Policy Planning Forum.

Fourteen new Fire Control recruits had been successful and a pass out parade would be held on 16 January 2017.

An expansion of the falls response service to the Dudley area had been agreed with Dudley MBC. WMFS would be providing the service out of hours, including evenings, weekends, and bank holidays.

Thanks were extended from the Chief Fire Officer and Members to the specialist advisors, both locally and nationally, who had been mobilised to the east coast due to the risk of severe flooding.

## **Policy Planning Forum 16 January 2017**

Former WMFS employee, Rose Jones, who had worked within Fire Control and subsequently for the Fire Brigades Union, had sadly passed away, with her funeral due to take place on 17 January 2017. The Chief Fire Officer noted that he would pass on condolences on behalf of the Fire Authority.

### **2/17 Future Governance Working Group**

ClIr Edwards delivered a presentation and update on the work of the Future Governance Working Group (FGWG):

The FGWG comprised representatives of a wide variety of organisations, including but not limited to representatives from the Home Office, West Midlands Combined Authority, West Midlands Police and Crime Commissioner, and the health sector.

The Fire Authority commissioned the FGWG in June 2016, and since then it had met five times over a six month period to consider:

- Collaboration, now and future
- Collaboration, wider than just emergency blue light services
- Agreement of community outcomes
- Four governance options (assessing achievability of community outcomes):
  - Reformed Fire Authority
  - Combination of Fire Authorities
  - West Midlands Combined Authority / Mayor
  - Police and Crime CommissionerNote: variations of options were also considered.

Outcomes and criteria considered included public safety, better collaboration, scrutiny and accountability, savings, costs, and risks.

Initial outcomes included:

- It was clear that collaboration was wider than just emergency blue light services
- Combination will achieve majority of outcomes but little political appetite
- A single change in governance would be smoother. A two stage governance change could potentially result in less effective delivery of outcomes to enable effective change
- The option regarding the West Midlands Combined Authority / Mayor could provide a better approach to achieving delivery of wider West Midlands priorities and services of WMFS

The draft conclusions of the FGWG included:

- The Authority need to be ahead of change

## **Policy Planning Forum 16 January 2017**

- A focus of further collaboration across the region should continue
- Consideration should be given to how WMFS' governance structure should change to enhance services
- Any two stage change could increase costs, risks and reduce benefits
- Opportunities to collaborate with the Ambulance Service are significant
- A Mayor will create opportunity in improving public services, ensuring full engagement, to enable best opportunity for delivery of outcomes for future

In terms of next steps, it was noted that the Fire Authority would need to begin mapping direction for the future. Early reform and engagement can support mitigation of risks considered by the FGWG.

The outcomes of the FGWG would be presented in a report at the Fire Authority meeting scheduled on 20 February.

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

- The IRMP consultation included questions regarding the future governance model of WMFS. This was the first tentative step in the process of gaining insight into public perception.
- In the event of the PCC undertaking a business case, it is the PCC that would need to consult with the public.
- In the event of a business case, the PCC would orchestrate the consultation; the Fire Authority would be a consultee.
- With regard to whether a PCC should consult with the public about proposals before proceeding with any business case, this will not be a requirement of the Policing and Crime Bill, or of the Government.
- Any business case would need to stack up and demonstrate improvements including in the areas of efficiency and effectiveness.
- The Government has recognised that the PCC model may not be the best option in devolved areas. However, following remarks made by the Minister for Policing and the Fire Service, it does seem that there is an expectation for business cases to be developed and submitted by PCCs.

## Policy Planning Forum 16 January 2017

### 3/17 IRMP Consultation 2016/17

Mark Hamilton-Russell, Strategic Enabler Corporate Communications, delivered a presentation on the consultation of the integrated risk management plan (IRMP):

The consultation involved engaging with members of our communities, partners and business between December 2016 and 10th January 2017 around our Service Delivery Model, priorities, funding and governance.

The Service received 5757 responses to the consultation, potentially more once analysis of all paper copies has been completed. The number of responses was higher than the previous IRMP consultation undertaken by the Service, and significantly higher than consultation exercises undertaken by other public sector organisations. The response rate and level of engagement demonstrated the reputation of the WMFS brand and the Service's reach into our communities.

A brief overview of the initial results were provided as follows:

- We know that getting to people, homes and businesses in 5 minutes means they are more likely to survive serious incidents. Do you agree we should continue to protect our 5-minute target?
  - Yes: 96%
  - No: 2%
  - Don't know: 2%
  
- Our plans include a 1.99% increase in council tax which amounts to £1.12 to an average band 'D' property per year. Would you support consideration of a further increase of up to £5 per year in order to protect our 5-minute target?
  - Yes: 82%
  - No: 10%
  - Don't know: 8%
  
- Do you agree that our Prevention, Protection and Response work will make the communities and businesses of the West Midlands Safer, Stronger and Healthier?
  - Yes: 91%
  - No: 2%
  - Don't know: 7%
  
- What do you think are the most important things to consider when it comes to how we are governed?

## Policy Planning Forum 16 January 2017

- In order of importance:
  - Safety (prevention, protection, response)
  - Value for money
  - Working with others
  - More transparency
  - More accountability
  - More scrutiny
- Which of these options would best support the delivery with our partners of our prevention, protection and response services to you?
  - In order of preference:
    - Reformed Fire Authority
    - Combination
    - WMCA Mayor
    - PCC
- Considering we already get a Government grant and money from Council Tax, should we continue to look at alternative ways of bringing in money?
  - Yes: 81%
  - No: 12%
  - Don't know: 7%
- Do you think your fire service's funding should be linked to the business rates collected by the West Midlands' seven councils, or come from a completely new Government grant which has no link to local business rate collections?
  - Business rates: 36%
  - Government grant: 41%
  - Don't know: 23%

A brief overview of the demographics of the respondents was provided:

- Gender:
  - 51% male
  - 46% female
- Age:
  - 16-24: 8%
  - 25-44: 36%
  - 45-64: 36%
  - 65+: 17%
  - Did not disclose: 3%
- Ethnicity:

## **Policy Planning Forum 16 January 2017**

- White British/Irish, White & Black (mixed race), White Asian: 80%
- Asian, Asian British, Indian, Pakistani, Bangladeshi: 10%
- Black British Caribbean: 6.5%
- Other: 3.5%
  
- Religion:
  - Christian: 44%
  - None: 34%
  - Did not disclose: 9.5%
  - Muslim: 4.1%
  - Sikh: 3.7%
  - Other: 2.1%
  - Hindu: 1.5%
  
- 441 Community Members responded to the consultation (54% female, 46% male), equating to 8% of all respondents

Further analysis would be undertaken, and the responses and comments would be used to assist in the shaping of The Plan.

The Chief Fire Officer thanked all Members and Officers for their efforts and contributions in making the consultation exercise a success.

The meeting closed at 12:08 hours.

<p>Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680</p>
---

Notes of Joint Consultative Panel

6 February 2017  
at Fire Service Headquarters, Vauxhall Road, Birmingham

- Present: Councillor Clinton (Chair)  
Councillor Booth (Vice Chair)  
Councillors Allcock, Bennett, Dad, Idrees and P. Singh
- Observer: Councillor David Barrie
- Apologies: Andrew Scattergood – Fire Brigades Union (FBU)  
CFO Andy Hickmott, Association of Principal Fire Officers (APFO)  
Vic Mallabar – (UNISON)  
Sarah Warnes, Strategic Enabler, People Support Manager
- Employees Side: Steve Price-Hunt – Fire Brigades Union (FBU)  
John Routley (UNISON)
- Officers: Wendy Browning-Sampson, People Support Manager  
Clare Glover, People Support Services

1/17 Declarations of Interest

There were no declarations of interest.

2/17 Notes of the Joint Consultative Panel held on 19 September 2016

Attendance:

Angela Johnson was representing Unison and not FBU

9/16 Business Assistants should read Assistant Business Partners

10/16 The provider of the Employee Assistance Programme had now changed from OPTUM 24/7 to the BHSF (Birmingham Hospital Saturday Fund).

The FBU representative did confirm that Fire Fighter Fitness testing was taking place and that the FBU were supportive of this however, it looked forward to including the approved

FireFighter Drill Assessment into the testing process as their preferred approach rather than the Chester Tread Mill Test.

In answer to a member's enquiry, it was confirmed that the firefighters fitness test had recently changed from every three years to once a year.

Firefighters are encouraged to use the Chester Treadmill test to manage and maintain their own fitness. If a firefighter fails their fitness test they are referred to Occupational Health where a specialist plan can be put in place.

The FBU representative stated that they support fitness testing and feel that the Fireground Fitness Test is the best and can be carried out at no cost to the Fire Service.

An update report was requested and it was agreed that a report would be scheduled for September 2017 and each subsequent year.

11/16 FBU should read Trade Unions

The notes of the Joint Consultative Panel held on 19 September 2016 were approved as a correct record with the above amendments.

3/17

#### Dispute Resolution Report

The Panel were informed of the proposed changes to be made to the format of the Dispute Resolution report. The new format will enhance the information provided and give more clarity. The report will continue to focus on the number, type and outcomes of disciplinary hearings, grievance hearings, capability outcomes, debriefs and other dispute resolution, including Employment Tribunal activity which has occurred during the reporting period and would be presented at the Joint Consultative Panel scheduled for September 2017.

It was proposed that at the Joint Consultative Panel scheduled for April 2017, two reports will be provided with the information for the reporting period July to December 2016. One report in the old format and one report in the new format. Members of the Panel will be asked to provide feedback on the new format and the format will be amended (if required) to ensure it captures all the information required by the Panel.

The FBU representative confirmed that the FBU have been working with People Support Services to ensure that the report is more user friendly.

The FBU representative stated that although numbers have fallen over the previous 5 to 6 years, there had been an unprecedented rise in the number and severity of discipline cases with six dismissals in the last six months. Following appeal, some of these cases were now going to Employment Tribunal.

The Unison representative welcomed the improvements to the report and felt the Service had a more adult and informal approach. On the non-uniformed side of the Service, there were less disciplinary cases but more grievances, but overall they were happy with the way these were being managed.

The Chair asked for the report to include more statistics on dismissals and grievances and it was agreed that this information would be provided to the April meeting of the Panel. An additional paragraph would be added about the dismissals. The Panel were informed that dismissals are not taken lightly and an appeals process was also in place. Debriefs are held with the Trade Unions involved in the case and the lessons learned are included in the Disputes Resolution Report.

It was explained that Disciplinary Action is action by the Employer against the employee, where a Grievance is made by an employee against the Employer.

A clear explanation of Dismissals/Grievances would be included in the Report, together with a breakdown of protected characteristics.

The Fire Brigades Union made a request for the Members to be involved in the Appeals stage of Gross Misconduct cases. It was felt that this would be open, transparent and fair and Members would provide impartiality and bring a wider skill set and a more balanced judgement than officers only sitting on an appeal.

The Chair stated that all Members of the Panel would benefit from further Employment Law training and it was agreed that this would be provided to Members in the new Municipal year.

Resolved that:

1. the change to the format of the data to the Dispute Resolution report be noted.
2. the Members of the JCP will provide feedback to the proposed approach to sharing information.

3. that the new approach to dispute resolution reporting commences from 1 January 2017 and subsequent future Dispute Resolution reports.

4/17

Presentation on the Effective Management Series of Training Videos

It was explained that a series of Management Videos had been produced with a Training Consultant.

The training videos are available on the Internet using the link [www.fireecadamy.org.uk](http://www.fireecadamy.org.uk)

Members watched the training video on Grievances and it was explained that officers had worked with the Representative Bodies. The information is still current and focuses on the behaviours and soft skills required when managing a grievance.

It was agreed that the link to the website would be circulated to members of the Panel.

Wendy Browning-Sampson would be available to answer any questions. Her contact details are:

[Wendy.Browning-Sampson@wmfs.net](mailto:Wendy.Browning-Sampson@wmfs.net)

Tel No. 0121 380 6121

The FBU Representative asked if Any Other Business could be added to the agenda. It was confirmed that no other business must be raised at the meeting and any issues must be fed to the Wendy Browning-Sampson in the first instance.

(The meeting closed at 1315 hours)

Contact Officer: Julie Connor Strategic Hub West Midlands Fire Service 0121 380 6906
---

**6 February 2017 at 10.30 am  
at Fire Service Headquarters, Vauxhall Road, Birmingham**

Present: Members of the Authority  
Councillor Edwards (Chair)  
Councillor Idrees (Vice Chair)  
Councillors Allcock, Aston, Atwal Singh, Barlow, Barrie, Bennett,  
Booth, Cartwright, Clinton, Craddock, Dad, Davis, Eustace,  
Hogarth, Mottram, Sealey, B Singh, P Singh, T Singh, Skinner,  
Spence and Tranter

Officers: West Midlands Fire Service  
Chief Fire Officer (P Loach)  
Deputy Chief Fire Officer (P Hales)  
Assistant Chief Fire Officer (G Taylor)  
M Griffiths (Treasurer),  
A Afsar, J Connor, J Danbury, M Hamilton-Russell, N Spencer,  
S Timmington, and S Vincent

**Clerk and Monitoring Officer**

K Gowreesunker (Clerk)  
S Sahota (Monitoring Officer)

Apologies: Councillors: Brackenridge, Walsh and Young  
Mr Ager

Observers: Nil

**4/17 Chair and CFO Announcements**

The Chair and the Chief Fire Officer welcomed all attendees to the Policy Planning Forum.

Proposals for falls response services continued to be developed with Local Authorities. A trial with Dudley Council was to commence shortly (with a provision of an 'out of hours' service).

Brandon Lewis, Minister of State for Policing and the Fire Service, would be giving a speech on fire sector reform at an event held by the think tank Reform on 7 February 2017.

A charity football match between WMFS Headquarters and Police veterans was due to take place at Tally Ho on 9 February.

## Policy Planning Forum 6 February 2017

A long service and good conduct ceremony would be taking place on the evening of 22 February.

The clothing appeal at Ladywood would be extended to Highgate, with an aim to expand further where possible.

### 5/17 **The Budget**

Mike Griffiths, Strategic Enabler of Finance and Resources, delivered a presentation on the Budget:

Core funding will decrease by approximately £10 million from 2016/17 to 2019/20.

The five key areas to meet the £10 million deficit remained:

- Increase to Council Tax and Business Rate Distribution: £2M
- General budget reductions: £1M
- Internal restructures: £1M
- Commissioning: £2M
- Staffing: £4M

Proposals to increase council tax by 1.99% in 2017/18 would equate to a cost of £56.03 per year for a Band D property, an increase of £1.11 per year. In the event of the proposed increase being accepted, the amount would continue to represent the lowest council tax charge for a Fire and Rescue Service.

Good progress had been made with regard to commissioning. It was noted that the target of £2M was achievable but it would be challenging.

The target of £4M savings to be made via staffing remained appropriate. It was also noted that payment of the disturbance allowance had been extended to December 2017 (previously due to finish at the end of March 2017), which would result in increased cost pressures in 2017/18.

It was noted that there were a number of budget pressures which Members should be aware of. These were as a result of a variety of issues including the historically low interest rates impacting on balances, forthcoming changes to the Local Government Pension Scheme, changes to rental income derived from the Service's estate, and potential issues arising from the staffing model (as outlined above).

Members were informed that it was proposed that £600k would be utilised from the general balances. General balances were currently approximately £9.2M and therefore would decrease to £8.6M if the proposal was to be accepted. It was noted that general balances

## Policy Planning Forum 6 February 2017

should be used for one off and service reform issues, and that staffing was an issue that fell within this area.

The Capital Programme over the next three years remained in balance and it was noted that the amount for year 2017/18 was quite high, mainly due to re-developments of the Aston and Coventry Fire Stations. However, Members were informed that 2020/21 onwards currently presented a challenge. No specific direct capital funding being made available for Fire and Rescue Services. This was an issue for the fire sector as a whole to challenge.

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

- The total expenditure of the Authority of approximately £95 million in 2017/18 was made up of approximately £55 million core funding and £40 million council tax precept.
- The Government had announced a proposal to localise 100% business rates and a resulting consultation asked whether Fire and Rescue Services should be included within a local business rate retention scheme, or remain funded centrally. However, the outcome would not be known for some time yet.

### 6/17 **The Plan**

Karen Gowreesunker, Clerk to the Authority and Strategic Enabler of the Strategic Hub delivered a presentation and The Plan 2017-20:

The Plan was the Service's three year rolling corporate strategy. The Service sought approval of The Plan on an annual basis although this did not mean that The Plan did not evolve over the course of the year.

The priorities and outcomes had been reviewed, resulting in the outcomes being refreshed.

Influences in the review of The Plan included the Integrated Risk Management Plan (IRMP), outcomes of the public consultation on the IRMP, and external changes:

- The IRMP identified that the Service Delivery Model remains fit for purpose.
- The public consultation informed the Service that:
  - 91% of the community and partners (who responded) understood and agreed that our Prevention, Protection and Response work will make the communities and businesses of the West Midlands safer, stronger and healthier

## **Policy Planning Forum 6 February 2017**

- 96% of the communities and partners (who responded) agreed that the Service should continue to protect the five minute risk based attendance standard
- A changing external environment including the West Midlands Combined Authority and devolution, the Home Office expectations for reform, duty to collaborate, continued funding cuts, etc

The core priorities within The Plan of prevention, protection and response remained the same. The respective outcomes had been refined so that they were more focussed and aligned to the work with Local Authorities and the NHS, the focus on vulnerability, and the five minute attendance standard.

The outcomes within the 'Effective Delivery through Collaboration' had been refined to reflect:

- A focus on greater and better use of ICT
- Clearer on behaviours and the commitment to positive action
- Clarity on flexible funding

It was noted that the next steps would involve the approval of the priorities and outcomes within The Plan at the Fire Authority meeting on 20 February, the approval of performance targets at the Executive Committee scheduled on 27 March, followed by the launch of The Plan 2017-20 on 1 April.

### **7/17 Future Governance**

Cllr John Edwards, Chair of WMFRA, delivered a presentation and update on the subject of future governance:

A report detailing the outcomes of the Future Governance Working Group would be presented at the Fire Authority meeting on 20 February, along with reports on the outcomes of the Integrated Risk Management Plan Public Consultation, and a Route Map to a West Midlands Combined Authority Mayoral Governance.

Emerging changes:

- The Policing and Crime Act had received royal assent. As a result, Police and Crime Commissioners were now able to put forward business cases regarding the governance of fire and rescue services.
- Devolution 2 was currently being considered and developed by the various stakeholders involved in the West Midlands Combined Authority (WMCA). It was noted that there was a need for WMFS to figure in the Devolution 2 agreement which

## **Policy Planning Forum 6 February 2017**

would allow a route through to the WMCA (currently exists via the Policing and Crime Act).

- The mayoral elections would take place on 4 May 2017.
- Finances and business rates, including the proposed business rates retention from 2020 onwards.

### Proposals:

- To seek inclusion in the WMCA's devolution 2 deal, to enable an affective route for future governance through a Mayor at the earliest opportunity.
- This would offer the best route to:
  - Maintain the delivery of the strategic direction and services
  - Further collaboration across the region
  - Enable increased collaboration (duty) across wider public services
  - The achievement of cross sector priorities (multiple complex needs, public sector reform)

### Timeline:

- Commencing initially on 20 February 2017 with the seeking of approval of the Fire Authority on the future route for future governance of WMFS including intent to reform the Fire Authority
- Report to be submitted to and considered at the WMCA meeting on 3 March 2017
- Governance review, consultation and scheme July to October 2017
- Further discussions with Government and the drafting of an Order to enable transfer in governance to take place November 2017 to March 2018

Note: the timeline above demonstrates the earliest opportunity for change

### Continuing reformation:

- A reformed Fire Authority option can provide:
  - A more robust, streamlined and flexible interim approach to governance
  - An arrangement to Mayoral and possible future Combined options

## Policy Planning Forum 6 February 2017

- A reformed Fire Authority would:
  - Maintain proportionality across the West Midlands
  - Reflect changing approaches to governance
  - Include invitations for non-executive membership to enhance collaboration, scrutiny, accountability and transparency to improve outcomes for the community

It was intended that a smaller reformed Fire Authority would maintain Local Authority proportional representation and the section 41 principle.

Timeline for a reformed Fire Authority:

- 20 February 2017 - recommendation submitted to the Fire Authority for consideration and approval
- 3 March 2017 – report seeking approval of Mayoral route including reformed Fire Authority submitted to WMCA for consideration
- Consultation – with the West Midlands Metropolitan Leaders, elected Mayor and the Home Office. It is envisaged that the public consultation would last for up to eight weeks
- Secretary of State to make order – on conclusion of the consultation, the matter will proceed to Government who will draft the Order based on the above
- Reform to take effect – at the earliest possible time and in line with Mayoral milestones

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

- It was highly likely that changes to the Fire Authority / governance arrangements would take place during 2018 and within the timescales outlined (as above)
- There was a distinct possibility that there will an expectation from the Government for the Mayor and Police and Crime Commissioner (PCC) roles to come together at some point in the future
- One of the conclusions of the Future Governance Working Group was that there was little merit to changing governance structures twice, for example, WMFS moving under the PCC only to then move under the Mayor
- Devolution 2 was not due until after the Mayoral elections. However, the Department of Communities and Local Government had opened up the discussion with the WMCA on Devolution 2, and the width and breadth of items / subjects for consideration had increased.
- A press release would be issued following the Fire Authority meeting on 20 February

## Policy Planning Forum 6 February 2017

### 8/17 Strategic Enabling Team Review

Phil Hales, Deputy Chief Fire Officer, delivered a presentation on the review of the Strategic Enabling Team (SET):

SET was created following the move away from the Corporate Board. SET is structured in such a way that allows members of the team to make decisions, which are then put to the Chief Fire Officer who is the final arbiter.

SET had been reviewed since its creation and was constantly evaluated by the Chief Fire Officer, who had commissioned members of SET to reflect on the progress made over the last 12 months, both in terms of what had gone well, and what could be improved.

Evidence used within the review included delivery against The Plan, SET development, zero based budgeting, Operational Assessment and Fire Peer Challenge, Investors in People, external auditors and Organisational Assurance (internal).

The review had recognised SET's continual strive to develop, improve and achieve excellence.

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

- The Service utilised social media as a communication tool (accounting for a large part of its communication strategy), with many officers and staff having Twitter accounts. The Service Facebook page generated a lot of interaction and had gathered a large number of followers.
- The Service used to have a strict social media policy which had subsequently been relaxed to an extent, reflecting the change in culture and the wish to empower staff.
- It was confirmed that the Service provided safety advice regarding the risks and dangers of carbon monoxide (CO). CO advice was included within Safe and Well visits and crews were equipped with CO detecting equipment if required. Additionally, CO detectors had been issued by the Service as part of a Government initiative following the recent change in legislation, where free detectors had been provided to risk groups. These were originally aimed at people who used log burners, etc, however this didn't fit the profile of the West Midlands, and the Service issued detectors to social landlords.
- It was agreed that a joint press release regarding CO would be drafted and distributed to Members, which would include information on how individuals could be entitled to a free CO detector.

**Policy Planning Forum  
6 February 2017**

The meeting closed at 12:33 hours.

<p>Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680</p>
---