

Cabinet – 21st March 2018

West Midlands Fire and Rescue Authority Governance Consultation

Portfolio: Councillor Sean Coughlan

Related portfolios: All

Service: All

Wards: All

Key decision: No

Forward plan: No

1. Summary

- 1.1 As reported to Cabinet on the 13 November 2017 the West Midlands Fire and Rescue Authority (Fire Authority) made recommendations to change its Governance, and proposed that it should be incorporated into the Mayoral West Midlands Combined Authority (WMCA) to enable continued service performance and improvement. The Fire Authority is the statutory body responsible for the delivery of the West Midlands Fire Service (Fire Service).
- 1.2 The Fire Authority recommendation followed an independent review undertaken on behalf of the Fire Authority as a result of the Government drive to reform the governance and accountability of Fire Authorities nationally, and the delivery of the Home Office reform agenda for the Fire Services.
- 1.3 On the 13 November 2017 Cabinet approved the proposals set out in the Governance review and Scheme and referred the same to Full Council of the same date. The Scheme has been slightly amended from the original approved Scheme to confirm that the Fire Authority reserves are ring fenced, and provide further clarity on the governance structure.
- 1.4 The purpose of this report is to initiate the final stages of the process, and seek Cabinet to consider the outcome of the Consultation and to agree the slight amendments to the Scheme and approve submission to the Secretary of State. In addition to seek delegated authority to approve the wording of the final Parliamentary orders.

2. Recommendations

- 2.1 That Cabinet considers and notes the outcome of the Consultation conducted on behalf of the Secretary of State.

- 2.2 That Cabinet reaffirms its approval the previously agreed Governance Review and slightly amended Scheme (Appendix A) and agrees the submission of the outcome of the Consultation to the Secretary of State.
- 2.3 Delegate authority to the Chief Executive, in consultation with the Leader, to agree the wording of the draft Parliamentary Order(s) that will enact the governance changes to the West Midlands Fire and Rescue Authority.

3. Report Detail

Amendments to Fire Authority Governance

- 3.1 Following the report presented to Cabinet on 13th November 2017 and reported to Full Council on the same date, this paper seeks to update Cabinet on the progress made to date and the outcomes of the public consultation which under the legislation is done on behalf of the Secretary of State.
- 3.2 The Governance Review and Scheme (presented to Cabinet 13th November) provided a review of existing governance arrangements and functions, this included the proposed new model and its benefits under the Mayoral WMCA.
- 3.3 The benefits of the Mayoral WMCA governance model provides opportunities for the joint transformation of public services to West Midlands communities, providing value for money in the delivery of public safety. The benefits can be broadly summarised under four main themes: public safety delivered through a broad range of responses to emergency services, a workforce to support joined up services and reduce vulnerability, continued improvement and transformation, and operational independence.
- 3.4 In adherence to section 112 of Local Democracy, Economic Development and Construction Act 2009, approval of seven constituent councils of the Governance Review and Scheme is required, all seven constituent councils approved the Governance review and Scheme between October and November 2017.
- 3.5 During that process of seeking approval comments around clarity were received from the councils: that the fire budget and fire reserves be ring-fenced, that the Mayor appoint the Chair of the Mayoral Fire Advisory Committee (MFAC) in consultation with constituent council Leaders, and that MFAC be composed of no fewer than 15 members to ensure sufficient representation from all constituent authorities. As part of the public consultation exercise the Scheme was slightly revised to reflect these concerns (Appendix A).

Consultation

- 3.6 A formal public consultation (Appendix B) on the proposed scheme was launched on 11 January 2018 for a period of eight weeks to 8 March 2018. This was pursuant to section 113 (3) Local Democracy, Economic Development and Construction Act 2009. The consultation is a requirement for the making of an order, which stipulates that the Secretary of State must not only consult constituent councils within a combined authority's area but also must have 'due regard to the need - (a) To reflect the identities and interests of local communities and (b) To secure effective and convenient local government'.

- 3.7 The consultation seeks views on the detail of the proposed scheme, this includes the roles of the Mayor and WMCA, the proposed MFAC and the Chief Fire Officer. The consultation also seeks the views of the communities of the combined authority's area on the stated benefits of the proposed governance change and the transfer of powers to the Combined Authority.
- 3.8 The consultation approach consists of an animation, frequently asked questions list, the scheme, a survey, plain English text of the governance journey and of key roles. Advice and guidance was sought from public relations and public affairs firm the Built Environment Communications Group (BECG) who are members of the Consultation Institute, which promotes best practice within public consultations across UK, as well as constituent council Communications departments.
- 3.9 In order to reach all sections of the society the consultation has been promoted through a comprehensive range of digital and non-digital forums:
- WMCA website,
 - Constituent council websites,
 - WMFS website and social media pages,
 - Press Releases,
 - Letters to key stakeholders,
 - Letters to West Midlands MPs whose constituencies fall within the WMCA area,
 - Letters to MEPs,
 - WMFS stations are promoting the consultation through contact time with the communities as part of normal prevention based activities and focused command based workshop events,
 - 1000 printed copies of the survey have been disseminated by staff to date such as youth engagement activities and places of worship,
 - 200 copies to each constituent council for distribution at key location such as council offices and libraries,
 - Graphics have also been provided to each constituent council for displaying on plasma screens.
 - The survey was available in easy read and large print as well as cd audio formats upon request, a helpline was also set up to enable disabled members of the public to complete the survey with the support of a member of staff. A total of four easy read versions, seven large print versions and four audio versions were requested.
- 3.10 Overview of responses to the consultation are as follows (see Appendix C):
- Outcomes of question 1: 47% of respondents 'strongly agreed' or 'agreed' that the WMCA should take on the responsibility for the functions of the West Midlands Fire and Rescue Authority. Conversely, 41% of respondents strongly disagreed or disagreed with the proposed governance change.
 - Outcomes of question 2: 59% of respondents 'strongly agreed' or 'agreed' that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the

Mayor. Conversely, 33% of respondents either 'strongly disagreed' or 'disagreed' with this element of the proposed governance changes.

- Outcomes of question 3: 54% of respondents 'strongly agreed' or 'agreed' that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service, whereas 33% either 'disagreed' or 'strongly disagreed'.
- Outcomes of question 4: 42% of respondents 'strongly agreed' or 'agreed' that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would achieve those aims outlined within the questions posed. Conversely, 42% of respondents 'strongly disagreed' or 'disagreed' with one or more of the aims listed.
- Outcomes of question 5: 39% of respondents 'strongly agreed' or 'agreed' that the Order to transfer the Fire Service into the Combined Authority is likely to: improve the statutory functions in the Combined Authority area; reflect the local communities; and secure effective and convenient local government. 42% of respondents either 'strongly disagreed' or 'disagreed' with the question. The outcomes for question 5 also show the highest number of 'don't know' responses (4% of respondents), as well as the highest number of 'neither agree or disagree' (15% of respondents).
- Questions 6 – 14 enquire about the identity of the respondent to inform the Secretary of State's need to give due regard to views of the communities of the West Midlands. The identities of respondents broadly reflect the communities of the West Midlands, however, numbers for Asian and Black communities is lower than targets.
- Outcomes also show that 47% of respondents stated they work for the public sector, which represents an engaged workforce and indicates a balanced representation across all sectors.

Timescale/ Next Steps

- 3.11 As requested by constituent councils, the indicative timeline presented to Cabinet in November 2017, has been extended to allow for councils to note the outcomes of the consultation and provide consent to proceed with this direction:

DETAILS	DATE
WMCA approved a governance review and scheme to be developed	8 September 2017
Development of governance review and scheme, which considered the business case for the change in governance.	September 2017
Constituent Council approval of the content of the governance review and scheme.	October-November 2017
WMCA approval of the content of the governance review and scheme and approval to proceed to public consultation.	8 December 2017
Consultation of proposals set out in the scheme on behalf of the Secretary of State	January- February 2018
Analysis of consultation responses locally	March 2018
Constituent councils consider outcomes of the public consultation. Seek consent of constituent councils to submit	March - May 2018

proposal to Secretary of State.	
Governance review, scheme and analysis of consultation reviewed by Secretary of State (4-12 weeks).	June 2018
Government development of order required to give effect to the proposed changes. (NB Parliamentary summer recess)	July - September 2018
Constituent council and WMCA approval of detail of order (see paragraph 5.2)	October - November 2018
Order enters Parliamentary process	December 2018 - January 2019
Secretary of State approves order	February 2019
The West Midlands Fire and Rescue Authority functions transfer to the WMCA	February/March 2019

- 3.12 Receipt of the draft order from the Home Office is anticipated following Parliaments summer recess this year. To allow for effective adherence to the timeline, it is requested that authority is delegated to the Leader and Chief Executive as required, to consider the draft order and provide consent to the order being laid before Parliament to enable the proposed governance changes, on behalf of the Council.

4 Council Corporate Plan priorities

- 4.1 The Councils Corporate Plan 2018-2021 seeks to serve the people and communities of Walsall, to create an environment that provides opportunities for all individuals and communities to fill their potential, key to this is that inequalities are reduced or potential is maximised.

The priorities that will support this purpose are:-

- People have increased independence, improved health and can positively contribute to their communities with increased access to the workplace through improvement of skills.
- Communities are prosperous and resilient with all housing needs met in safe healthy places to build a strong sense of belonging and cohesion.
- Children have the best possible start and are safe from harm, happy healthy and learning well.

5. Risk management

- 5.1 Whilst the WMCA will become the Fire Authority for the West Midlands, with the Mayor being statutory accountable for the exercise of those functions. The Fire and Rescue Service remains operationally under the management of the professional role of a Chief Fire Officer.

6. Financial implications

- 6.1 There are no direct financial implications for the Council, other than the Fire Authority Precept would now come from the WMCA in its capacity as Fire Authority. All assets of the Fire Authority would transfer to the WMCA, and it reserves are proposed to be subject to a ring fence for Fire Authority purposes.

7. Legal implications

- 7.1 Approval of the Fire Authority Governance Review and Scheme is an Executive function, and as approved by Cabinet amounts to an application by the seven West Midlands Constituent Councils and the WMCA for the powers and functions included in those documents to be transferred to the WMCA. Minor clarification changes have been made to the Scheme and as such technically Cabinet need to approve the minor changes as detailed in the report.
- 7.3 The process for conferring of the new powers on to the WMCA includes the Secretary of State preparing a draft order, which is debated in Parliament and then approved. Just before Parliament approve the final wording of the Draft order each Constituent Council, the Mayor and the WMCA have to approve the final draft wording. Unfortunately, the dates of Parliamentary approval will be not be known in advance therefore a delegation will be needed to meet the tight Parliamentary timescales.

8. Procurement Implications/Social Value

- 8.1 No direct procurement impact for the Council.

9. Property implications

- 9.1 There are currently no property implications for the Council.

10. Health and wellbeing implications

- 10.1 The proposals are governance related and therefore have no direct health and wellbeing implications.

11. Staffing implications

- 11.1 There are currently no human resources implications for the Council.

12. Reducing inequalities

- 12.1 As the proposals are around governance and not operational delivery of services there are no direct equalities implications.
- 12.2 As cited in this report, efforts were made to ensure the public consultation reached hard-to-reach and equality groups in the region, to meet the requirements of the Local Democracy, Economic Development and Construction Act 2009 section 113, which stipulates that the consultation must reflect the identities and interests of local communities. As part of the consultation exercise this was also one of the questions asked and the survey was made available in different formats to allow access by all equality groups of the community.

13. Consultation

13.1 The proposals were the subject of statutory consultation undertaken on behalf of the Secretary of State as set out in this report.

Background papers

- Fire Authority Report: 'Route Map to Mayoral Governance' (20 February 2017)
- Fire Authority Report - Future Governance Working Group (20 February 2017)
- Future Governance Working Group Report (February 2017)
- West Midlands Combined Authority (WMCA) report (3 March 2017)
- Fire Authority report – 'Route map to Mayoral West Midlands, Combined Authority
- Governance - a Reformed Fire Authority (RFA) and decision (10 April 2017)
- WMCA Board Report - 8 September - Mayoral WMCA Governance of the Fire Service
- Cabinet report 13 November 2018 'West Midlands Fire and Rescue Authority Governance review'.



Dr Helen Paterson
Chief Executive

13 March 2018



Councillor Sean Coughlan
Leader of the Council

13 March 2018

Appendix A - Scheme

West Midlands Combined Authority Scheme

This scheme is prepared and published following the decision of the West Midlands Combined Authority (WMCA) on 8 September 2017.

The proposals in this scheme will be subject to a further public consultation.

The scheme provides as follows:

1.1 It is proposed that the functions exercisable by the West Midlands Fire and Rescue Authority (WMFRA) across the area that the WMCA covers, should become functions of the WMCA pursuant to sections 105 A of the Local Democracy, Economic Development and Construction Act 2009.

These functions are those as set out in the following acts and other relevant identified sections:

- Local Government Act 1985 (including Part IV, schedule 10).
- Local Government in Housing Act 1989.
- Fire and Rescue Service Act 2004.
- Fire and Rescue Order 2007.
- National Framework for Fire and Rescue Services in England 2012.
- Regulatory (Fire) Reform Order 2005.
- Civil Contingencies Act 2014.

The requirements for change are set in 1.16 of this scheme.

1.2 It is proposed that the properties, rights and liabilities of the WMFRA would become functions of the WMCA.

1.3 It is proposed that the functions relating to fire and rescue referred to in 1.1 should become WMCA functions.

1.4 It is proposed that the fire and rescue functions once they become functions of the WMCA are exercisable only by the Mayor (section 107D (1) Cities and Local Government Devolution Act 2009).

1.5 For the purposes of the exercise of the fire and rescue functions, the Mayor may do anything that the WMCA may do under section 113A of the LDEDC Act 2009 (general power of EPB or combined authority) (1).

1.6 It is proposed that the WMCA has the same borrowing powers in respect to its functions, relating to fire and rescue as are currently exercised by the WMFRA.

1.7 It is proposed that the WMCA retain the same core grant and precept funding arrangements in respect to its functions relating to fire and rescue, as currently exercised by the WMFRA.

1.8 It is proposed that both the funding and reserves for fire are ring fenced within the Mayoral WMCA.

1.9 Any decisions or acts made before abolition of the WMFRA should have effect as if agreed by, or, in relation to the Mayoral WMCA. For example, the setting of the precept for, under section 40 Local Government Finance Act 1988 to the constituent councils in respect of the financial year beginning before transfer in governance, should have effect as if issued by the Mayoral WMCA.

1.10 It is proposed that Members of the WMCA may assist the Mayor in the exercise of the fire and rescue functions in line with delegations, provided that the functions may not include:

- Functions relating to the budget and setting of the precept,
- Functions relating to statutory plans such as the Integrated Risk Management Plan (IRMP)

and strategies,

- Functions relating to all properties, rights and liabilities,
- The appointment of the Chief Fire Officer and Principal officers.

Mayoral Fire Advisory Committee

1.11 It is proposed that the Order should contain provision for the Mayor to arrange for a committee of the WMCA (the Mayoral Fire Advisory Committee), consisting of members appointed by the constituent councils, to advise and support the Mayor in relation to West Midlands Fire Service (WMFS).

1.12 It is proposed the committee appointed should consist of a minimum of fifteen elected members from across the constituent councils, the Police and Crime Commissioner (in accordance with the Policing and Crime Act 2017) and two further co-opted members from Health and Ambulance to promote greater challenge, transparency and further collaboration.

1.13 The following additional provisions are proposed to apply to the Mayoral Fire Advisory Committee (the Committee):

Governance

- Appointment of elected members from each of the constituent councils will be made so that the members of the committee taken as a whole, reflect as far as reasonably practicable, the overall balance of political parties prevailing amongst the constituent councils.
- The majority of members of the committee must be members of the constituent councils, all of those members have one vote.
- Where a member is not from a constituent council (a co-opted member) they will not have voting powers.
- Two-thirds of members must be present for a meeting to be quorate.
- The Chair of the Committee will be appointed by the Mayor in consultation with constituent council leaders.

Functions

- The Committee will not be a decision-making committee this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate.
- The Committee will advise the Mayor, support the Mayor and review decisions made by the Mayor.
- Where decisions are reviewed, the Committee will submit a report to the WMCA Overview and Scrutiny Committee.
- The Committee will support the Mayor in providing advice around exercising fire functions, to ensure the right level of detail and understanding is provided to inform the Mayor's role as the Authority.
- The Committee will represent the priorities and strategy of the Mayor and WMFS in their respective local authorities and will report on performance in relation to fire functions.
- The Committee will represent the priorities and strategy of the Mayor and West Midlands Fire Service (WMFS) within the seven constituent councils, regionally with other Fire and Rescue Services, and nationally through the National Joint Council and Local Government Association.
- The Committee will seek to influence the Government on behalf of the Mayor in matters related to the delivery of fire and rescue services locally, regionally and nationally.
- The Committee will enable the development of partnerships and services to the community through constituent council engagement.

A member's allowance scheme for the committee will be payable by the WMCA.

1.14 The Chief Fire Officer (CFO) as head of paid service will be accountable to the Mayor in the operation of their duties.

1.15 It is proposed that the CFO maintains full accountability for the operational functions of the Fire Service. This will include:

- The management of the Fire and Rescue Service,
- The appointment and development of staff,
- The delivery of WMFS Strategy (including matters relating to exercising functions of the Fire and Rescue Services Act 2004 and other relevant legislation),
- The delivery of staffing structures and models which support current and future Strategy,
- The deployment of resources to meet risk,
- The transformation of services and reform of the workforce to meet WMFS and Mayoral/WMCA priorities.

1.16 Modification requirements of enactments in their application to the WMCA as a Fire and Rescue Authority.

Primary Legislation

Local Government Act 1972

1. In section 138(5) of the Local Government Act 1972 (powers of principal councils with respect to emergencies or disasters) (a), the reference to “metropolitan county fire and rescue authority” is to apply as if it included “the WMCA as a fire and rescue authority”.

Local Government in Housing Act 1989

2. (1) The Local Government and Housing Act 1989(c) is modified as follows.

(2) In section 67 (application of provisions about companies in which local authorities have interests), subsection (3)(k) applies as if the reference to “joint authority established by Part IV of that Act” included a reference to “the WMCA as a fire and rescue authority”.

(3) In section 155 (emergency financial assistance to local authorities) subsection (4)(g) applies as if the reference to a “joint authority established by Part IV of the Local Government Act 1985” included a reference to “the WMCA as a fire and rescue authority”.

Crime and Disorder Act 1998

3.— (1) The Crime and Disorder Act 1998(d) is modified as follows.

(2) In the definition of “fire and rescue authority” in section 5(5) (authorities responsible for strategies), the reference in paragraph (b) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

(3) In the definition of “relevant authority” in section 115(2), the reference in paragraph (j) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

Local Government Act 2003

4. Section 23(1) of the Local Government Act 2003 (meaning of “local authority” for purposes of Part 1) (a) the reference in paragraph (k) to “a joint authority established by Part IV of that Act” is to apply as if it included a reference to “the WMCA as a fire and rescue authority.”

Fire and Rescue Services Act 2004

5.— (1) The FRS Act 2004(b) is modified as follows.

(2) Section 4A (power to provide for police and crime commissioner to be fire and rescue authority) has effect as if at the end of subsection (3)(b) there were inserted—
“, and (c) outside the Area.”;

(3) Section 4B (1) (changes to existing fire and rescue authorities) has effect as if the reference to fire and rescue authorities in England outside Greater London did not include the WMCA.

Secondary legislation

6. In section 1 of the FRS 2004 Act(1), after subsection (4) insert—

“(5) This section is also subject to an order under Part 6 of the Local Democracy, Economic Development and Construction Act 2009 which transfers the functions of a fire and rescue authority to a combined authority established under section 103 of that Act”.

7. In paragraph (a) of the definition of “local authority” in regulation 2(1) of the Pipelines Safety Regulations 1996 (interpretation)(c) the reference to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

8. In article 1(2) of the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009 (application of order to best value authorities) (d) the reference in paragraph (c) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

9. In regulation 3 of the Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012 (relevant authorities) (e) the reference in paragraph (a) to a “metropolitan county fire and rescue authority established under section 26 of the Local Government Act 1985” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

10.— (1) The Local Government Pension Scheme Regulations 2013(f) are modified as follows.

(2) After regulation 64(8), insert—

“(8A) Paragraph (8B) applies where the exiting employer is the WMFRA and the liabilities of the fund in respect of benefits due to the Fire Authority current and former employees (or those of any predecessor authority) have been or are to be transferred to the WMCA by virtue of this Order.

(8B) Where this paragraph applies, no exit payment is due under paragraph (1) and paragraph (2) does not apply.”.

11. In regulation 2(1) of the Explosives Regulations 2014 (interpretation)(g) in the definition of “local authority”, the reference in paragraph (c) to “a metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

12. In regulation 2(1) of the Control of Major Accident Hazards Regulations 2015(a) in paragraph (b) of the definition of “local authority”, sub-paragraph (ii) is to apply as if there were substituted for that sub-paragraph—

“(ii) the Area, the WMCA as a fire and rescue authority;”.

Appendix B – On Line Consultation Document: “Have your say”

Appendix C – Detailed Summary of Consultation Responses



WEST MIDLANDS
COMBINED AUTHORITY

“Have your say”

Future governance of West Midlands Fire Service



11 January 2018 - 8 March 2018

Introduction:

We want your views on who should run West Midlands Fire Service (WMFS) in the future.

More people are coming to live and work in the West Midlands, new businesses are starting up here and plans for HS2 means our population will continue to rise. Your fire service must be ready to meet these additional demands and tailor how they work to meet future challenges.

We are carrying out a consultation on whether your fire service should be run by the West Midlands Combined Authority (WMCA).

This follows an independent review of how WMFS is currently run and governed, and whether changes need to be made for the future.

The review focused on how a new governance model would impact your community, how WMFS could deliver improved public services across the region, improved scrutiny, transparency and accountability - all while providing value for money.

Several options were considered and evaluated before the WMCA was identified as the best option to ensure your fire service continues to meet its overarching vision: making the West Midlands safer, stronger and healthier.

Following this the WMFS and the WMCA undertook a 'Governance Review' which can be found on the WMCA website. This identified the benefits that could be achieved by coming together.

Possible benefits include a more joined up way of working with the WMCA and its members – including local councils, health providers and the police – contributing to a shared vision for the region. This could result in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.

Following this a 'Scheme' was prepared which details how the WMFS would operate within the WMCA and who would be responsible for making decisions. The scheme can be found on the WMCA website. It would also see existing fire service staff transfer to and be employed by WMCA.

It is this scheme we are now consulting on to get your views.

If WMFS were to move under the WMCA, it would not change the type of incidents and emergencies you are used to seeing firefighters attend.

Currently WMFS is governed by a Fire Authority, which is made up of 27 councillors from the seven West Midlands local authorities which make up the WMCA.

If the WMCA were to govern WMFS, the elected Mayor would be singularly accountable for the fire service. A Fire Advisory Committee would also be put in place - made up of councillors, the Police and Crime Commissioner, and representatives of the Health and Ambulance Trusts – who would advise and support the Mayor, while reviewing and scrutinising the Mayor's decisions.

The WMCA is made up of seven *constituent councils which vote on policies and plans to improve the West Midlands. The Mayor is an elected official (a key requirement of the first devolution deal) who chairs the board of the WMCA. To date, the WMCA has secured two devolution deals with government which means money and powers are transferred from central government to local authorities. This means they can decide for themselves locally on the best ways to spend that money for the overall benefit of the region.

By coming under the WMCA, WMFS would work with organisations across the region more effectively. This would include sharing workspaces, better emergency planning and an easier exchange of key information, ensuring your safety is at the heart of everything we do.

We will be consulting across the seven constituent council areas including: local people, businesses, local enterprise partnerships (LEPs), organisations and people who work with the fire service for their views.

The consultation will run for eight-weeks from January 11th to March 8th 2018. Your responses will be fed back to the Home Office and if the government decides this is the best option, they will create a *Statutory Order, based on the 'Scheme', which will enable the changes to take place.

You can find out more information and give us your views by taking part in the survey through our website <https://www.wmca.org.uk/>

Links to the consultation are also available on the seven constituent council websites.

*Please see glossary for more information and explanation of terms

Question 1:

Following an independent review of how your fire service is currently governed, we are proposing that the West Midlands Combined Authority (WMCA) will take on responsibility for West Midlands Fire Service (WMFS). The review examined how a new governance model could impact communities; deliver improved public services across the West Midlands; improve scrutiny, transparency and accountability, while providing value for money. Benefits of changing the WMFS governance include a more joined up way of working with WMCA members - such as local authorities, health providers and the police – contributing to a shared vision for the region, resulting in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.



Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:

- ▶ Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)
- ▶ Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils
- ▶ Appointment of the Chief Fire Officer by the Mayor of the Combined Authority

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Are there any other points you would like to make?

Question 2:

If the WMCA ran the fire service, there would be a single point of accountability; the Mayor of the West Midlands. If the changes went ahead, a Fire Advisory Committee made up of 15 councillors, the Police and Crime Commissioner, Health and Ambulance Trust, would be put in place to review decisions taken by the Mayor.



Do you agree or disagree that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 3:

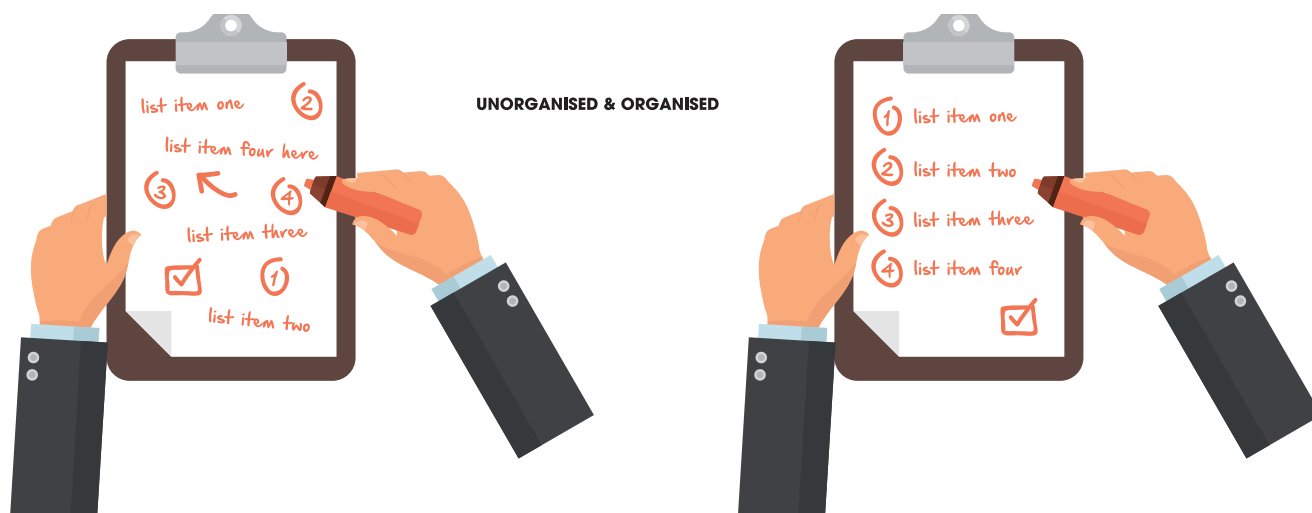
Do you agree or disagree that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service which will include:

- ▶ Workforce planning, management, appointment and development of staff
- ▶ The delivery of West Midlands Fire Service strategy
- ▶ Management of the West Midlands Fire Service

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 4:

The Mayor would be responsible for approving the community safety plan, budgeting, setting the fire Council Tax precept and appointing the Chief Fire Officer (CFO). The CFO currently reports to the Fire Authority, but under new arrangements would report directly to the Mayor. The CFO would still lead the day-to-day running of the fire service, including staff development, management of resources and importantly, delivering the fire service's strategic aims.

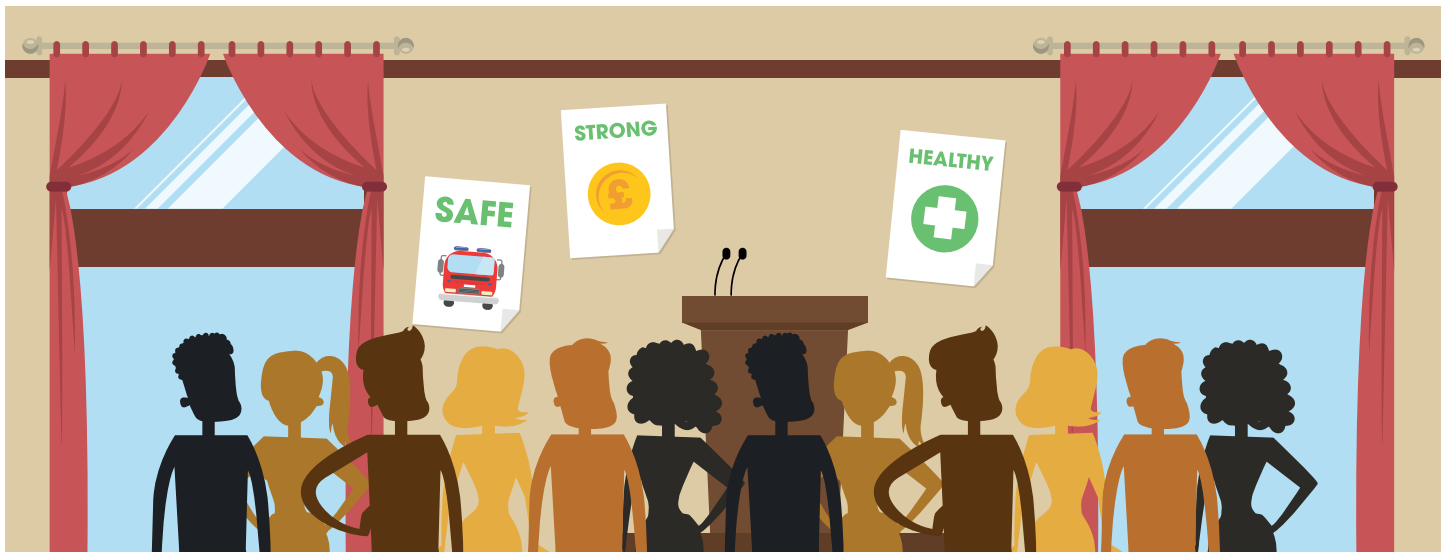


Do you agree or disagree that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would

- ▶ Improve the services which West Midlands Fire Service deliver
- ▶ Create a stronger strategic focus
- ▶ Improve collaboration to deliver joined-up services
- ▶ Widen and strengthen prevention and protection work with businesses and communities to reduce vulnerability to fire risks

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 5:



Do you agree or disagree with the following statement:

The Order to transfer the Fire Service into the Combined Authority is likely:

- ▶ to improve the statutory functions in the Combined Authority area
- ▶ to reflect the local communities
- ▶ to secure effective and convenient local government

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Tell us about yourself

The WMCA has a commitment to understanding the views and needs of different members of the community in the region. The "Tell us about yourself" section helps us understand which groups of people have taken part in the consultation and how views may vary between different groups. You are not required to answer these questions but your responses will help us make decisions based on evidence and will help us meet our duties under equality legislation.

Question 6:



Could you please tell us your age?

- Under 16
- 16 - 24
- 25 - 44
- 45 - 64
- 65+
- I do not wish to disclose

Question 7:

Could you please disclose your sexual orientation?

- Heterosexual
- Bisexual
- Gay
- Lesbian
- I do not wish to disclose

Other (please specify)

Question 8:

Ethnicity

- Asian British
- Indian
- Pakistani
- Bangladeshi
- White and black
- White and Asian
- Other mixed
- Black British
- Black Caribbean
- Black African
- White British
- White other
- Gypsy or Irish traveller
- I do not wish to disclose

Other (please specify)

Question 9:

Religion

- Christian (all denominations)
- Hindu
- Muslim
- None (includes atheist & Humanist)
- Sikh
- I do not wish to disclose

Other (please specify)

Question 10:

Could you please disclose your gender

- Female
- Male
- Transgender
- I do not wish to disclose

Question 11:

Do you consider yourself to have a disability which has:

- Severe impact on everyday life
- Mild impact on everyday life
- No disability
- Prefer not to state

Other (please specify)

Question 12:

Which constituent council area do you live in?

- Birmingham City Council
- City of Wolverhampton Council
- Coventry City Council
- Dudley Metropolitan Borough Council
- Sandwell Metropolitan Borough Council
- Solihull Metropolitan Borough Council
- Walsall Council
- I don't live in the West Midlands
- I don't know which local authority area I live in

Other local authority area (please specify)

Question 13:

Do you work for the public sector?

- Yes
- No

if so, could you please tell us which organisation you work for.

Question 14:

Where did you hear about this consultation?

Many thanks for taking part in this consultation. If you would like more information or to be kept updated, please provide an address or email address.

Glossary:

Community Safety Plan: Sets West Midlands Fire Services priorities and objectives in a rolling, three-year document which identifies and analyses risks across the West Midlands. It is also known as the Integrated Risk Management Plan or IRMP and helps plan the delivery of prevention, protection and response services.

Fire Advisory Committee: A Committee made up of several councillors and partners from across the West Midlands Combined Authority geographical area, which will oversee and scrutinise decisions taken by the Mayor.

WMCA constituent councils: Birmingham City Council; Coventry City Council; Dudley Metropolitan Borough Council; Sandwell Metropolitan Borough Council; Solihull Metropolitan Borough Council; Walsall Metropolitan Borough Council; City of Wolverhampton Council.

Statutory Order: This is prepared by government and agreed by Parliament which applies further legislation to an existing Act. In this case, meaning the WMCA would be responsible for Fire Service activities. It allows changes to be introduced without having to pass a new act.

Secretary of State: A Cabinet Minister in charge of a government department. For the purposes of this consultation the Secretary of State is the Home Secretary.

Governance Review: A review of the current arrangements and the benefits that would result from the Fire Service being part of the WMCA.

Scheme: The proposed arrangements and responsibilities to enable the WMCA to undertake the role of the Fire Service.

Once completed please post back to us to the following address:

Customer Insight Team, 16 Summer Lane, Birmingham, B19 3SD

You can also fill in the consultation online at www.wmca.org.uk/wmfs

If you require help filling out the consultation call us at : 0345 835 8188 and for any other questions email ConsultationViews@wmca.org.uk



WEST MIDLANDS
COMBINED AUTHORITY

Summary of Consultation Responses

Future Mayoral West Midlands Combined Authority
Governance of the West Midlands Fire Service

March 2018

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1. Executive Summary

The seven Metropolitan Constituent Councils, led by the West Midlands Combined Authority (WMCA) carried out the public consultation on the 'Scheme' document between 11 January 2018 – 8 March 2018.

The Scheme outlines the functions required for the WMCA to deliver the legislative functions of West Midlands Fire and Rescue Authority (the Service). This had followed a review of the governance arrangements of the Service by the multi stakeholder 'Future Governance Working Group' which recommended a Mayoral WMCA Governance arrangement [WMFRA Report - [Future Governance Working Group \(20 February 2017\)](#)]. The group sought to understand which governance model would deliver increased value to local communities through wider collaborative working. These proposed arrangements were further supported through a public consultation undertaken by West Midlands Fire and Rescue Authority (WMFRA) in 2017 and aligns to the wider Strategy of the Authority.

The consultation survey was hosted on the constituent councils' websites and links also provided from the WMCA website. The Survey was also available in easy read, audio and alternative languages on request from the WMCA Equalities and Diversity Manager. The survey consisted of five key questions, eight profile-based questions and a free text option for Q1 to provide any further feedback. 1005 responses were received through this medium (excluding one duplicate).

Paper copies of the consultation were available in public buildings, such as libraries, in the seven constituent council areas. 128 responses were received through this medium (excluding one spoilt paper copy).

Additionally officers from the West Midlands Fire Service (WMFS) shared the consultation with members of the public and key strategic partners through engaging as part of normal prevention duties. A number of command areas also undertook more focused engagement through 'consultation workshops', inviting members of the public and local community groups to understand the purpose of the proposals, as well as an opportunity to complete the survey itself.

High Level Summary

Consultation Questions	Strongly Agree/ Agree		Neither agree or disagree		Strongly Disagree / Disagree		Don't Know	
	Responses	%	Responses	%	Responses	%	Responses	%
1. Proposed Governance Arrangements	529	47	102	9	468	42	30	3
2. Role of Fire Advisory Committee	667	59	73	6	369	33	17	2
3. Chief Fire Officer to be accountable to the Mayor	604	54	96	9	397	36	22	2
4. Lead to a more joined up and focused service	477	42	141	13	473	42	36	3
5. Meets the Secretary of State's Key Tests	440	39	171	15	467	42	50	4

2. Continued development of the West Midlands Combined Authority

In 2015 the seven metropolitan councils in the West Midlands: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton committed to establishing the West Midlands Combined Authority (WMCA). During the process of formalising this commitment, a partnership working across the West Midlands of the Black Country LEP, Coventry & Warwickshire LEP and the Greater Birmingham & Solihull LEP was agreed. This included non-constituent areas within the three LEPs and key economically linked authorities across the West Midlands.

The ongoing commitment to developing the government's devolution agenda created the opportunity for the WMFS to become part of the WMCA, therefore transferring governance from WMFRA. The Policing and Crime Act 2017, (PACA 2017), provides for a new duty to collaborate on each of the blue light emergency services, as well as new powers for Mayors and Police and Crime Commissioner (PCC) to become the Fire and Rescue Authority. Governance through a Mayor as part of a Combined Authority or the PCC are the main options being proposed by Government through the PACA 2017.

Governance through a Mayor as part of a Combined Authority is also enabled through the Cities and Devolution Act 2016. This is the legislative route that the proposed transfer of WMFRA to the WMCA and Mayor is following. This proposed change also aligns effectively to the principles of the PACA 2017 through enabling effective collaboration in the delivery of services and outcomes of efficiency, effectiveness, public safety and single accountability.

A Future Governance Working Group was commissioned at the start of 2017 to provide an options appraisal to enable an evidence based decision to be made on the most appropriate future governance for the WMFS and the best approach to achieving this. The options appraisal undertaken by the Group were supported by:

- the outcomes of a WMFRA public consultation focusing in the delivery of services to communities
- the current and future strategic directions of the Service and the WMCA
- the overall direction set by the Government (both policy and legislation) of reform and wider collaboration to enable efficiency, effectiveness and public safety. This reinforces the overall direction sought for the future governance of the Service through the Mayor as part of the WMCA. [WMFRA Report - [Future Governance Working Group \(20 February 2017\)](#)]

The proposal that the WMFS becomes part of the WMCA with the Chief Fire Officer reporting directly to the Mayor was put to the WMCA and the seven constituent councils at their meeting on the 3 March [Route Map to Mayoral WMCA Governance](#). Following this on the 8 September, '[Mayoral WMCA Governance of West Midlands Fire Service](#)', the WMCA agreed that a Governance Review be undertaken and a Scheme prepared.

The Governance Review and Scheme Documents were prepared and agreed with the Constituent Councils prior to their formal agreement and agreement to Consult at the WMCA meeting on the 8 December, '[Mayoral WMCA Governance of West Midlands Fire Service - Governance Review and Scheme](#)'.

In line with the legislative requirements of the Cities and Local Government Devolution Bill 2016, a consultation has been carried out in relation to the Fire Service proposals in the Mayoral WMCA 'Scheme', and associated documents such as the Governance Review.

The Scheme outlines the functions and legislative changes required for the Mayoral WMCA to govern the delivery of Fire Service functions to the West Midlands.

West Midlands Consultation

The seven constituent councils, led by the WMCA, carried out the public consultation from 11 January to the 8 March 2018.

The consultation was aligned to the proposals in the '[Scheme](#)', to inform the Secretary of State for the Home Office, the Home Secretary's decision regarding the transfer of fire functions to WMCA. This report provides the Home Secretary with a summary of consultation responses.

3. Consultation across the West Midlands

Consultation Survey

The consultation survey was hosted on constituent councils' websites and the WMCA website.

The survey consisted of five key questions, eight profile-based questions and a free text option to provide any further feedback on the Scheme. 1005 responses were received through this medium (excluding one duplicate).

Paper copies of the consultation were available in public buildings, such as libraries, in the seven constituent council areas. The consultation poster, attached with the supporting documentation at appendix A, was displayed prominently in these public buildings. 128 responses were received through this medium (excluding one spoilt paper copy).

There was also supporting PR across the seven constituent councils, WMFS and the WMCA signposting people to the website to take part in the consultation. Usual council channels were utilised to engage with the public.

Awareness and engagement building up to and during the consultation

In order to reach all sections of the society the consultation has been promoted through a comprehensive range of digital and non-digital forums:

- WMCA website,
- Constituent council websites,
- WMFS website and social media pages,
- Press releases,
- Letters to key stakeholders (see Appendix C for stakeholder list),
- Letters to West Midlands MPs whose constituencies fall within the WMCA area,
- Letters to MEPs,
- WMFS stations are promoting the consultation through contact time with the communities as part of normal prevention based activities and focused command based workshop events,
- 1000 printed copies of the survey have been disseminated by staff to date such as youth engagement activities and places of worship,
- 200 copies to each constituent council for distribution at key location such as council offices and libraries,
- Graphics have also been provided to each constituent council for displaying on plasma screens.
- The survey was available in easy read and large print as well as cd audio formats upon request, a helpline was also set up to enable disabled members of the public to complete the survey with the support of a member of staff. A total

of four easy read versions, seven large print versions and four audio versions were requested.

Various channels of communication were utilised, including a social media campaign which spanned the consultation period. The campaign was shared and widely supported by regional communications contacts including the seven constituent councils of the WMCA.

A toolkit was provided to these contacts alongside a content planner for the final 10 days of the consultation. The social media campaign was further supported by constituent councils hosting a link to the consultation on their websites.

Advertisements were also utilised mostly across the transport network managed by Network West Midlands, in buses, trams and transport shops.

During the final ten days of the consultation Facebook advertisements were in operation to target 'hard to reach' constituents such as under 25's, Black and Minority Ethnic Groups (BAME) and those from faith backgrounds. Disabled groups were contacted directly by email and were provided with consultations in easy read and audio formats alongside the provision of a support helpline for filling in the survey. Hardcopies of the consultation were also available across the seven constituent council areas in civic suites, libraries and on request from the councils themselves.

Press releases were issued at the beginning and nearing the end of the consultation which resulted in media coverage and increased reach of the consultation.

Online Support:



CoventryCityCouncil @coventrycc · Jan 17

The @WestMids_CA consultation on the governance of @WestMidsFire has begun, find out more and #haveyoursay here socsi.in/JmwtQ

5 replies 3 likes

Bham City Council @BhamCityCouncil · Jan 24

Don't miss out on having your say: @WestMids_CA consultation on the proposed governance of @WestMidsFire here socsi.in/eXRER

4 replies 1 like

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The Council > Current consultations > Current consultations > Future governance of West Midlands Fire Service

The Council

Current consultations

Current consultations

Future governance of West Midlands Fire Service

Budget Consultation 2018/19

Engagement on the Health and Social Care Commissioning Strategy

The Boundary Commission is conducting a review and needs your help

The Pharmaceutical Needs Assessment (2018) Consultation

Informal Consultation on the Proposed Merger of Whitgreave Infant School with Whitgreave Junior School

Formal Consultation on the Proposed Merger of Springdale Infant School with Springdale Junior

Future governance of West Midlands Fire Service

We are asking for your views on how the West Midlands Fire Service (WMFS) should be run in the future.

There are a number of reasons for proposed changes to this vital emergency service, including central government's public service reform and devolution agendas. Public services across the region have already begun to change and this will continue as West Midlands Combined Authority (WMCA) progresses.

Last year the WMFS commissioned an independent review of its current governance, considering several models, and identified the WMCA as the best possible future option. We are now consulting on the 'Scheme' document which describes the proposed governance structure.

This consultation will run from 11 January to 8 March.

There is a short survey and further information on the West Midlands Combined Authority website and we would welcome your feedback and any additional comments that you would like to make.

#haveyoursay

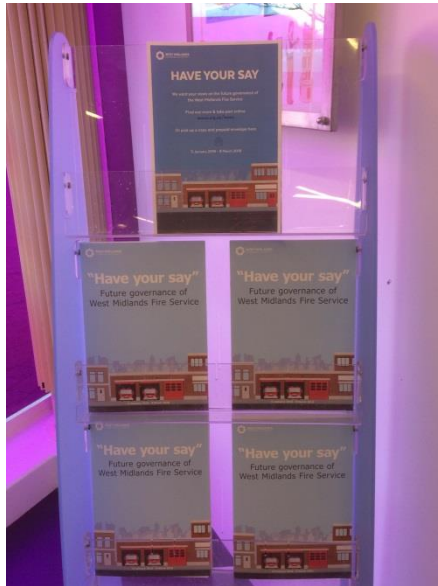
Please do take the time to **#haveyoursay** by visiting the WMCA website at: www.wmca.org.uk/wmfs

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4. Consultation statistics summary

Overview of consultation format

The consultation was completed by 1133 respondents, this includes 128 paper copies and excludes one duplicated response and one spoilt hard copy.

The survey and supporting documents are appended to this report, in appendix A. A glossary of key terms found within the questions was also provided. This is also located in the appendix to this report.

Questions 1 – 5 of the consultation gave background to the proposed governance changes and posed a question in relation to each function area, with the following options:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

A separate open text feedback was available after question 1 of the consultation:

“Are there any other points you would like to make?”

For the purpose of this summary this free text feedback has been grouped into common themes in pages 16-19 of this report.

Top line consultation results*

Consultation Questions	Strongly Agree/ Agree		Neither Agree or Disagree		Strongly Disagree / Disagree		Don't know	
	Responses	%	Responses	%	Responses	%	Responses	%
<p>1. Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:</p> <ul style="list-style-type: none"> ➤ Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority) ➤ Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils ➤ Appointment of the Chief Fire Officer by the Mayor of the Combined Authority 	529	47	102	9	468	41	30	3
<p>2. Do you agree or disagree that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor?</p>	667	59	73	6	369	33	17	2
<p>3. Do you agree or disagree that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service which will include:</p> <ul style="list-style-type: none"> ➤ Workforce planning, management, appointment and development of staff ➤ The delivery of West Midlands Fire Service strategy ➤ Management of the West Midlands Fire Service 	604	54	96	9	397	35	22	2
<p>4. Do you agree or disagree that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would:</p> <ul style="list-style-type: none"> ➤ Improve the services which West Midlands Fire Service deliver ➤ Create a stronger strategic focus ➤ Improve collaboration to deliver joined-up services ➤ Widen and strengthen prevention and protection work with businesses and communities to reduce vulnerability to fire risks 	477	42	141	13	473	42	36	3
<p>5. Do you agree or disagree with the following statement: The Order to transfer the Fire Service into the Combined Authority is likely:</p> <ul style="list-style-type: none"> ➤ to improve the statutory functions in the Combined Authority area ➤ to reflect the local communities ➤ to secure effective and convenient local government 	440	39	171	15	467	42	50	4

*Respondents may not have answered all questions and % are rounded and so may not add up to 100%.

5. Response breakdown by question

Question 1

Following an independent review of how your fire service is currently governed, we are proposing that the West Midlands Combined Authority (WMCA) will take on responsibility for West Midlands Fire Service (WMFS). The review examined how a new governance model could impact communities; deliver improved public services across the West Midlands; improve scrutiny, transparency and accountability, while providing value for money. Benefits of changing the WMFS governance include a more joined up way of working with WMCA members - such as local authorities, health providers and the police – contributing to a shared vision for the region, resulting in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.

Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:

- **Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)**
- **Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils**
- **Appointment of the Chief Fire Officer by the Mayor of the Combined Authority**

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

[please tell us why below]

Question 1 Response summary

47% of respondents 'strongly agreed' or 'agreed' that the WMCA should take on the responsibility for the functions of the West Midlands Fire and Rescue Authority. Conversely, 41% of respondents strongly disagreed or disagreed with the proposed governance change.

An option to provide an open text feedback response to Question 1 was provided on the questionnaire. The most frequent comments/responses to this question included:

- *The proposals would represent a decline in the accountability of those in charge of the fire service, as well as local councillors.*
- *Lack of expertise/capacity within the WMCA to run the fire service.*

- *Satisfied with the current arrangements, which do not need changing.*
- *Concern/fear that various aspects of the fire service and other services are becoming increasingly politicised.*
- *Support for fire service to be within a larger regional organisation such as the WMCA to form a more coordinated approach/make more accountable.*

A comprehensive analysis of the literal responses provided as part of question 1 of the questionnaire can be found in Section 6 of this consultation report.

Response	Frequency	%
Strongly Agree	255	23
Agree	274	24
Neither agree or disagree	102	9
Disagree	131	11
Strongly Disagree	337	30
Don't know	30	3

Question 2

If the WMCA ran the fire service, there would be a single point of accountability; the Mayor of the West Midlands. If the changes went ahead, a Fire Advisory Committee made up of 15 councillors, the Police and Crime Commissioner, Health and Ambulance Trust, would be put in place to review decisions taken by the Mayor.

Do you agree or disagree that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 2 Response summary

59% of respondents 'strongly agreed' or 'agreed' that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor. Conversely, 33% of respondents either 'strongly disagreed' or 'disagreed' with this element of the proposed governance changes.

Response	Frequency	%
Strongly Agree	341	30
Agree	326	29

Neither agree or disagree	73	6
Disagree	115	10
Strongly Disagree	254	23
Don't know	17	2

Question 3

Do you agree or disagree that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service which will include:

- **Workforce planning, management, appointment and development of staff**
- **The delivery of West Midlands Fire Service strategy**
- **Management of the West Midlands Fire Service**

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 3 Response summary

54% of respondents 'strongly agreed' or 'agreed' that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service, whereas 35% either 'disagreed' or 'strongly disagreed'.

Response	Frequency	%
Strongly Agree	296	26
Agree	308	28
Neither agree or disagree	96	9
Disagree	140	12
Strongly Disagree	257	23
Don't know	22	2

Question 4

The Mayor would be responsible for approving the community safety plan, budgeting, setting the fire Council Tax precept and appointing the Chief Fire Officer (CFO). The CFO currently reports to the Fire Authority, but under new arrangements would report directly to the Mayor. The CFO would still lead the day-to-day running of the fire service, including staff development, management of resources and importantly, delivering the fire service's strategic aims.

Do you agree or disagree that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would:

- **Improve the services which West Midlands Fire Service deliver**
- **Create a stronger strategic focus**
- **Improve collaboration to deliver joined-up services**
- **Widen and strengthen prevention and protection work with businesses and communities to reduce vulnerability to fire risks**

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 4 Response summary

42% of respondents 'strongly agreed' or 'agreed' that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would achieve those aims outlined within the questions posed. Conversely, 42% of respondents 'strongly disagreed' or 'disagreed' with one or more of the aims listed.

Response	Frequency	%
Strongly Agree	227	20
Agree	250	22
Neither agree or disagree	141	13
Disagree	156	14
Strongly Disagree	317	28
Don't know	36	3

Question 5

Do you agree or disagree with the following statement: The Order to transfer the Fire Service into the Combined Authority is likely:

- **to improve the statutory functions in the Combined Authority area**
- **to reflect the local communities**
- **to secure effective and convenient local government**

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know



Question 5 Response summary

39% of respondents 'strongly agreed' or 'agreed' that the Order to transfer the Fire Service into the Combined Authority is likely to: improve the statutory functions in the Combined Authority area; reflect the local communities; and secure effective and convenient local government. 42% of respondents either 'strongly disagreed' or 'disagreed' with the question.

Response	Frequency	%
Strongly Agree	191	17
Agree	249	22
Neither agree or disagree	171	15
Disagree	143	13
Strongly Disagree	324	29
Don't know	50	4

Questions 1 – 5: 'Don't know' responses received

The highest area of 'Don't know' responses received were in relation to Question 5 of questionnaire with 50 respondents choosing this option equating to 4%.

Questions 1 (Proposed Governance Arrangements), 2 (Role of Fire Advisory Committee), 3 (Chief Fire Officer to be accountable to the Mayor) and 4 (Lead to a more joined up and focused service) received the least 'don't know' responses, with 3%, 2%, 2% and 3% respectively. They were also the questions which received the most 'strongly agree' responses across the consultation.

Responding to feedback

Both positive and negative feedback received will be addressed in various ways, including sharing information/feedback with the appropriate subject area lead/s, adapting frequently asked questions and incorporating feedback into communications plans to ensure continuous development, improvement and engagement.

Tell us about yourself

In addition to the questions relevant to the proposed Fire Service governance changes, additional questions were also asked to analyse the demographics of the consultation respondents.

Question 6

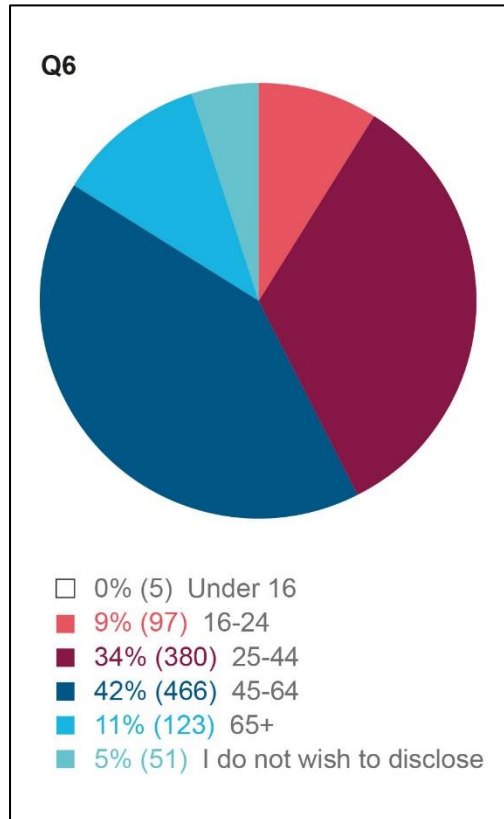
Respondents were asked:

Could you please tell us your age?

- Under 16
- 16-24
- 25-44

- 45-64
- 65+
- I do not wish to disclose

Responses are illustrated below:



Question 7

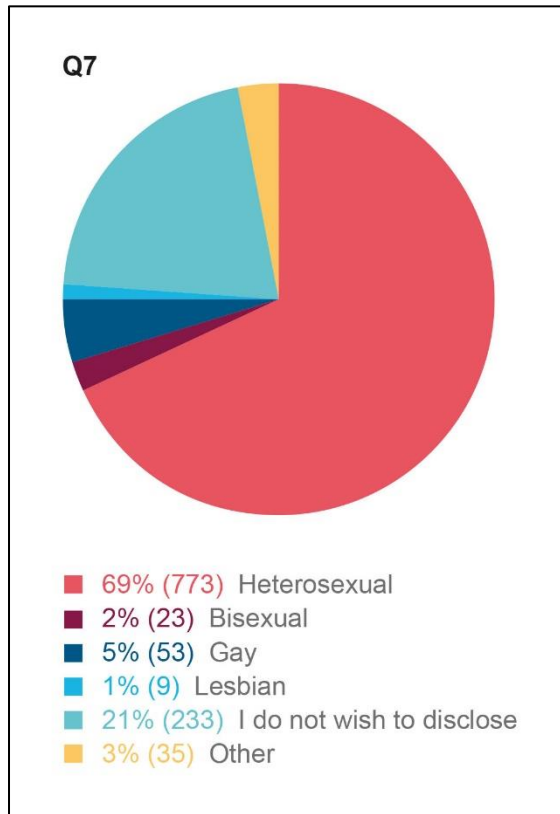
Respondents were asked:

Could you please disclose your sexual orientation?

- Heterosexual
- Bisexual
- Gay
- Lesbian
- I do not wish to disclose

Other (please specify)

Responses are illustrated below:



Question 8

Respondents were asked:

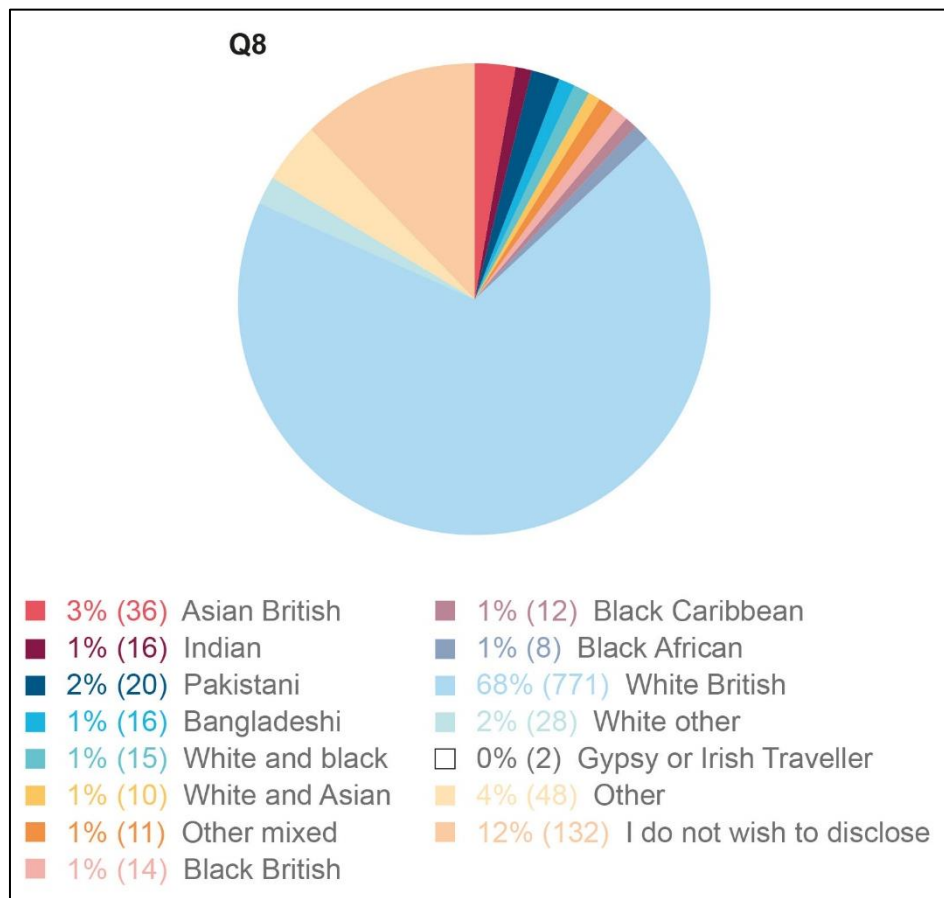
Ethnicity

- Asian British
- Indian
- Pakistani
- Bangladeshi
- White and black
- White and Asian
- Other mixed
- Black British
- Black Caribbean
- Black African
- White British
- White other
- Gypsy or Irish traveller
- I do not wish to disclose

Other (please specify)



Responses are illustrated below:



Question 9

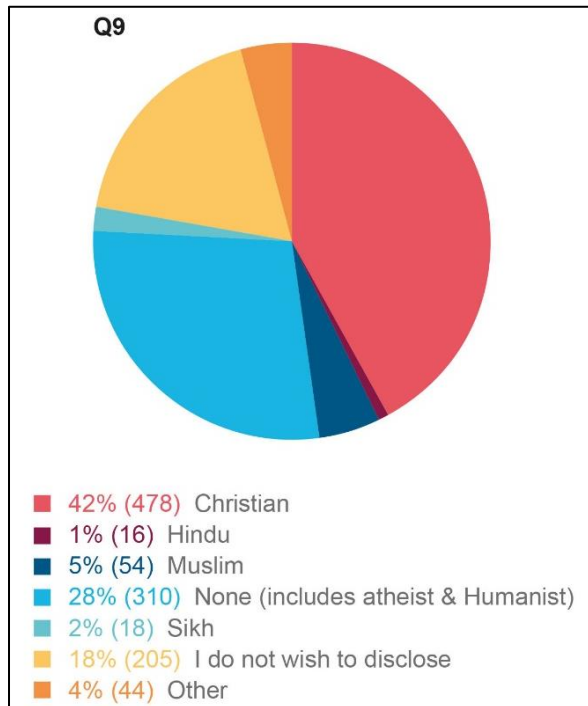
Respondents were asked:

Religion

- Christian (all denominations)
- Hindu
- Muslim
- None (includes atheist & Humanist)
- Sikh
- I do not wish to disclose

Other (please specify)

Responses are illustrated below:



Question 10

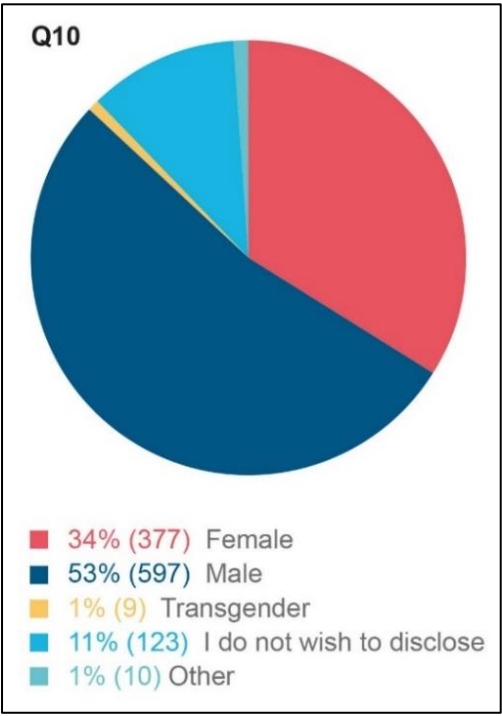
Respondents were asked:

Could you please disclose your gender

- Female
- Male
- Transgender
- I do not wish to disclose

Responses are illustrated below:





Question 11

Respondents were asked:

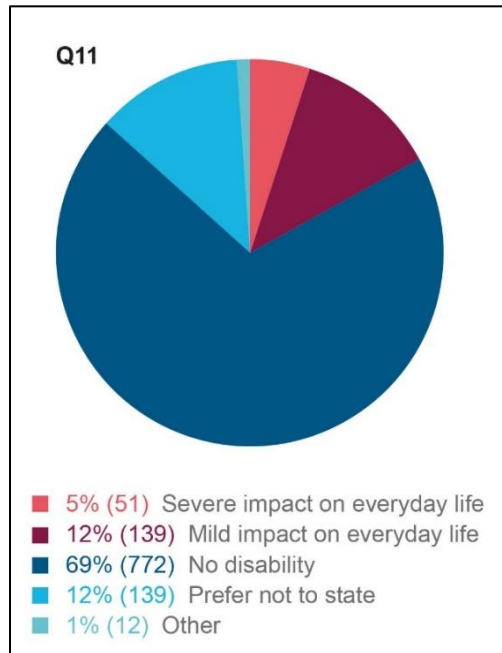
Do you consider yourself to have a disability which has:

- Severe impact on everyday life
- Mild impact on everyday life
- No disability
- Prefer not to state

Other (please specify)

Responses are illustrated below:





Question 12

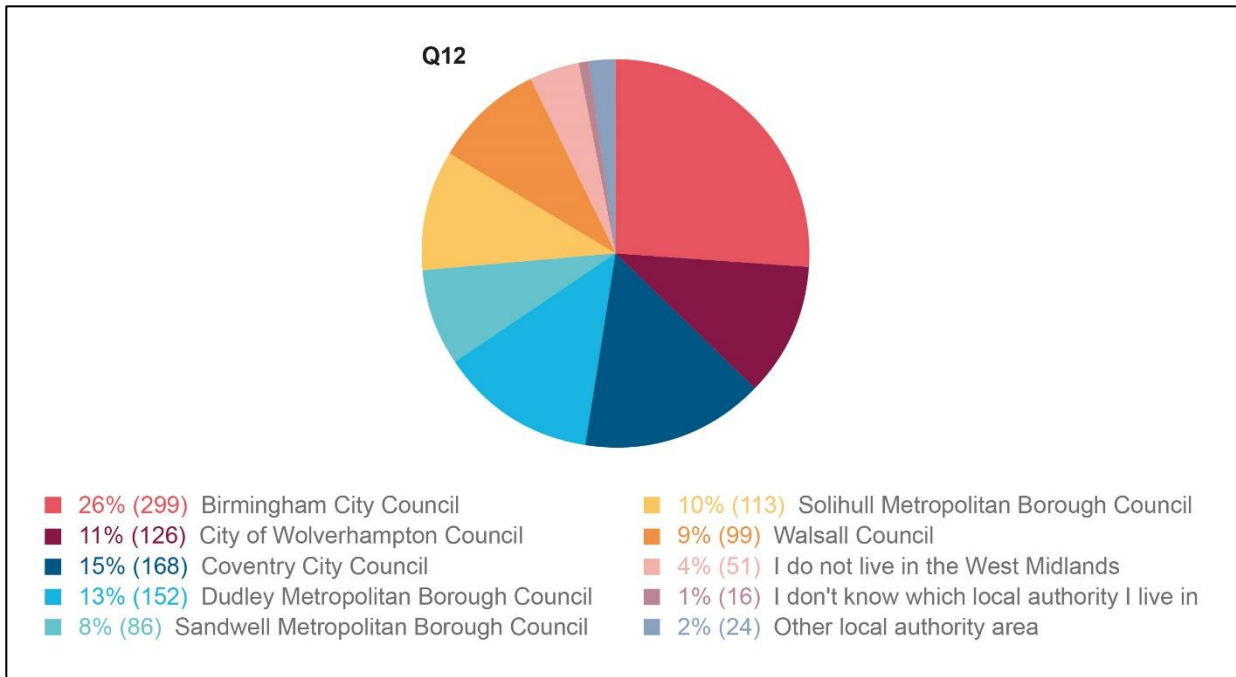
Respondents were asked:

Which constituent council area do you live in?

- Birmingham City Council
- City of Wolverhampton Council
- Coventry City Council
- Dudley Metropolitan Borough Council
- Sandwell Metropolitan Borough Council
- Solihull Metropolitan Borough Council
- Walsall Council
- I don't live in the West Midlands
- I don't know which local authority area I live in

Other local authority area (please specify)

Responses are illustrated below:



As required, the consultation was carried out by the constituent councils across the seven metropolitan council areas of the WMCA.

Additionally, several respondents from areas outside of the WMCA area have provided feedback in relation to proposals in the Scheme, which are included in the table below:

Local Authority	Number of respondents
Warwickshire	8
Staffordshire	5
Worcestershire	5
Gloucestershire	1
Shropshire	1
Telford and Wrekin	1
Unspecified	3

Question 13

Respondents were asked:

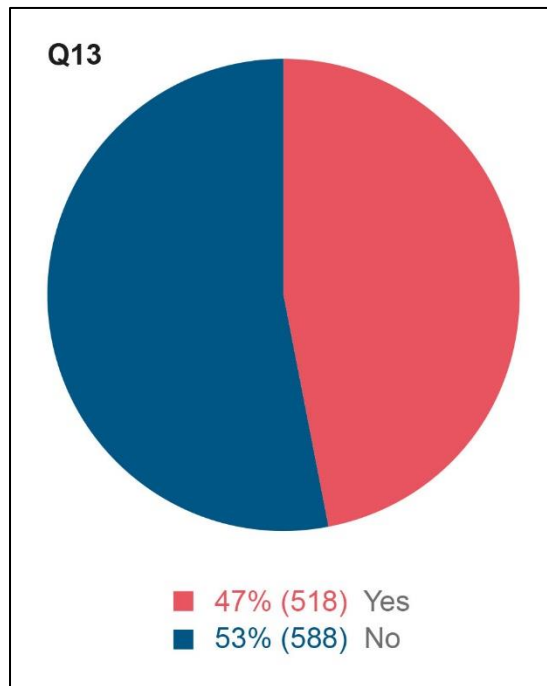
Do you work for the public sector?

Yes

No

If so, could you please tell us which organisation you work for.

Responses are illustrated below:

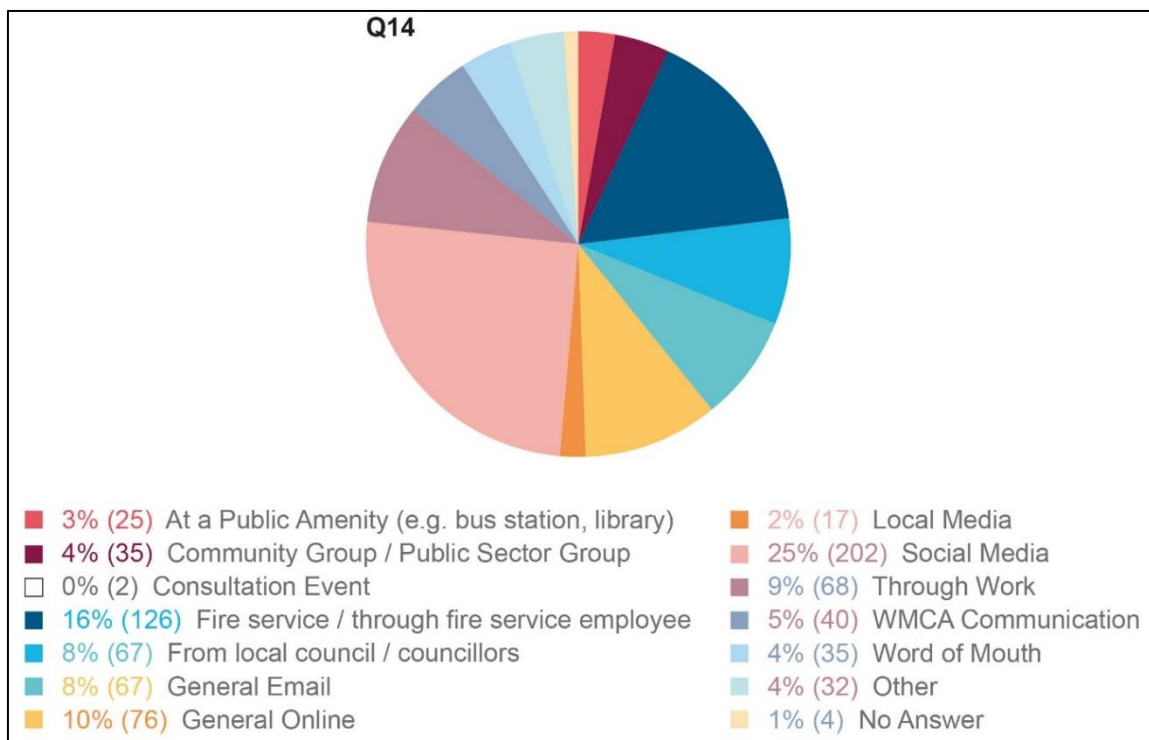


Question 14

Respondents were asked:

Where did you hear about this consultation?

Responses are illustrated below:



6. Open text feedback by theme

The consultation contained an open text feedback option as part of Question 1, as below:

Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:

- ***Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)***
- ***Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils***
- ***Appointment of the Chief Fire Officer by the Mayor of the Combined Authority***

Are there any other points you would like to make?

170 comments were submitted under this free text option. The comments varied in tone, theme and relevance. Some of the responses may not be directly related to the proposals in the Scheme itself but are still relevant to consider as part of the overall consultation.

The free text responses which had a frequency of two or more are summarised by theme below (those with a frequency of one are detailed in a table after the summary):

- 18 of the comments received (11%) stated that the proposals would represent a decline in the accountability of those in charge of the fire service, as well as local councillors.
- 18 of the comments received (11%) raised fears over a lack of expertise/capacity within the WMCA to run the Fire Service.
- 17 of the comments received (10%) expressed satisfaction with the current arrangements while suggesting the current governance scheme does not need changing.
- 16 of the comments received (9%) raised concerns that various aspects of the fire service and other services are becoming increasingly politicised.
- 12 of the comments received (8%) expressed support for fire service to be within a larger regional organisation such as the WMCA to form a more coordinated approach/make more accountable.
- Nine of the comments received (5%) referred to a lack of faith that enough money will be spent to support the Fire Service across the region.

- Eight of the comments received (5%) raised concern over perceived additional expenditure and/or bureaucracy changes would bring.
- Seven of the comments received (4%) said that the running of the fire service should stay with the Chief Fire Officer.
- Five of the comments received (3%) stated their general opposition to the WMCA/Mayor, but did not comment on the proposals specifically.
- Four of the comments received (3%) said that the WMCA is taking on too many responsibilities too quickly since its inception.
- Four of the comments received (3%) said local councils/councillors should decide whether the proposals go ahead.
- Three of the comments received (2%) suggested the Council Tax income should be apportioned to reflect the needs of each individual local authority.
- Three of the comments received (2%) said there should be safeguards to protect the WMFS budget and specialist decision making.
- Three of the comments received (2%) felt the new proposals suggested as part of the consultation are already a foregone conclusion.
- Three of the comments received (2%) said that the WMCA running the Fire Service would be preferable to the Fire Service being run under the Police and Crime Commissioner instead.
- Three of the comments received (2%) raised concern that the quality of the Fire Service would decrease.
- Three of the comments received (2%) said the proposed changes were too difficult for the average person to understand.
- Three of the comments received (2%) said they would like to see a decent level of savings made as part of the proposals.
- Two of the comments received (1%) raised general opposition to the proposals.
- Two of the comments received (1%) argued the current fire authority isn't working as WMFS has too much middle/senior management.
- Two of the comments received (1%) were concerned that the new governance structure could hamper current partnerships with the NHS and third sector.
- Two of the comments received (1%) said the Fire Service is unable to budget properly under the current arrangement.
- Two of the comments received (1%) from respondents were not worried how the Fire Service is managed as long as it is done well and the relevant staff are happy.

- Two of the comments received (1%) stated that the Fire Unions should have been involved at an earlier stage.
- Two of the comments (1%) said the Fire Authority is currently democratic with a mix of views.

Further comments which were received during the consultation are listed in the table below:

Response by theme	Frequency
Police should be governed by WMCA and Mayor to be PCC as in London & Manchester.	1
Birmingham City Council cannot be trusted to utilise taxpayers' money.	1
Communications need to be improved.	1
Current staff should be protected and be given opportunities for transfer to new authority or voluntary redundancy.	1
The Fire Service should be run and funded by central government.	1
The Fire Service should be privatised to allow choice for tax payers.	1
'Yet another American system'.	1
Only the benefits of WMCA taking control of WMFS have been presented, you do not show the other side.	1
I would expect the Community Safety Plan to be subject to public consultation.	1
More fire engines and rescue boats are needed.	1
Open Walsall Fire Station.	1
Hand Coventry area to Warwickshire Fire & Rescue - better value for money for all parties.	1
Would like to see the Mayor engage regularly with firefighters.	1
There is also scope for closer collaboration with WMAS perhaps with some shared stations.	1
What are the thoughts of the PCC?	1
The appointment of the Chief Fire Officer should not be by the Mayor.	1
Would describe the proposals as 'micromanaging'.	1
Expressed wish not to alter firefighters contracts.	1
The WMFS are not being updated when residents have already had their free Safe and Well Check.	1
Insufficient room provided to submit response.	1
Making the WMCA larger doesn't necessarily mean the service will be better.	1
Fire station in West Bromwich is a vital part of the town.	1
The number of councillors should be reduced	1
Lack of trust for local councils	1

Segregation of budget decisions and safety decisions are limited.	1
The mayor was not voted in to take on this role	1
Perception the proposals would mean the closure of local facilities for emergency services.	1
Would like to see other options available	1
The firefighters should have their say first	1
Please bring back the West Midlands county boundary	1
The Mayor is governed by the Councils	1
There is not enough information to make an informed decision	1
Preference for more than one person to be in charge	1
Preference for Aldridge Fire Station to remain open	1
No one but Phil Loach will have any idea how a fire service runs	1



7. Stakeholder Representations

As well as formal consultation responses via online or paper methods, stakeholder representations were made regarding the proposals in connection with the Mayoral West Midlands Combined Authority Scheme Appendix B.

Stakeholder representations were received from:

Fire Brigades Union FBU
Anthea McIntyre MEP

Full details are provided in Appendix C

Appendix A – Consultation Documentation

Consultation Poster



Consultation Survey



WEST MIDLANDS
COMBINED AUTHORITY

“Have your say”

Future governance of West Midlands Fire Service



11 January 2018 - 8 March 2018

Introduction:

We want your views on who should run West Midlands Fire Service (WMFS) in the future.

More people are coming to live and work in the West Midlands, new businesses are starting up here and plans for HS2 means our population will continue to rise. Your fire service must be ready to meet these additional demands and tailor how they work to meet future challenges.

We are carrying out a consultation on whether your fire service should be run by the West Midlands Combined Authority (WMCA).

This follows an independent review of how WMFS is currently run and governed, and whether changes need to be made for the future.

The review focused on how a new governance model would impact your community, how WMFS could deliver improved public services across the region, improved scrutiny, transparency and accountability - all while providing value for money.

Several options were considered and evaluated before the WMCA was identified as the best option to ensure your fire service continues to meet its overarching vision: making the West Midlands safer, stronger and healthier.

Following this the WMFS and the WMCA undertook a 'Governance Review' which can be found on the WMCA website. This identified the benefits that could be achieved by coming together.

Possible benefits include a more joined up way of working with the WMCA and its members – including local councils, health providers and the police – contributing to a shared vision for the region. This could result in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.

Following this a 'Scheme' was prepared which details how the WMFS would operate within the WMCA and who would be responsible for making decisions. The scheme can be found on the WMCA website. It would also see existing fire service staff transfer to and be employed by WMCA.

It is this scheme we are now consulting on to get your views.

If WMFS were to move under the WMCA, it would not change the type of incidents and emergencies you are used to seeing firefighters attend.

Currently WMFS is governed by a Fire Authority, which is made up of 27 councillors from the seven West Midlands local authorities which make up the WMCA.

If the WMCA were to govern WMFS, the elected Mayor would be singularly accountable for the fire service. A Fire Advisory Committee would also be put in place - made up of councillors, the Police and Crime Commissioner, and representatives of the Health and Ambulance Trusts – who would advise and support the Mayor, while reviewing and scrutinising the Mayor's decisions.

The WMCA is made up of seven *constituent councils which vote on policies and plans to improve the West Midlands. The Mayor is an elected official (a key requirement of the first devolution deal) who chairs the board of the WMCA. To date, the WMCA has secured two devolution deals with government which means money and powers are transferred from central government to local authorities. This means they can decide for themselves locally on the best ways to spend that money for the overall benefit of the region.

By coming under the WMCA, WMFS would work with organisations across the region more effectively. This would include sharing workspaces, better emergency planning and an easier exchange of key information, ensuring your safety is at the heart of everything we do.

We will be consulting across the seven constituent council areas including: local people, businesses, local enterprise partnerships (LEPs), organisations and people who work with the fire service for their views.

The consultation will run for eight-weeks from January 11th to March 8th 2018. Your responses will be fed back to the Home Office and if the government decides this is the best option, they will create a *Statutory Order, based on the 'Scheme', which will enable the changes to take place.

You can find out more information and give us your views by taking part in the survey through our website <https://www.wmca.org.uk/>

Links to the consultation are also available on the seven constituent council websites.

*Please see glossary for more information and explanation of terms

Question 1:

Following an independent review of how your fire service is currently governed, we are proposing that the West Midlands Combined Authority (WMCA) will take on responsibility for West Midlands Fire Service (WMFS). The review examined how a new governance model could impact communities; deliver improved public services across the West Midlands; improve scrutiny, transparency and accountability, while providing value for money. Benefits of changing the WMFS governance include a more joined up way of working with WMCA members - such as local authorities, health providers and the police – contributing to a shared vision for the region, resulting in public services being delivered at a reduced cost in a coordinated, integrated and collaborative way.



Do you agree or disagree that the Mayoral West Midlands Combined Authority should take on responsibility for the functions of West Midlands Fire and Rescue Authority which includes:

- ▶ Community Safety (Mayor will approve Community Safety Plan on behalf of the Combined Authority)
- ▶ Budgeting and setting of the Council Tax precept for the Fire Service across the seven constituent Councils
- ▶ Appointment of the Chief Fire Officer by the Mayor of the Combined Authority

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Are there any other points you would like to make?

Question 2:

If the WMCA ran the fire service, there would be a single point of accountability; the Mayor of the West Midlands. If the changes went ahead, a Fire Advisory Committee made up of 15 councillors, the Police and Crime Commissioner, Health and Ambulance Trust, would be put in place to review decisions taken by the Mayor.



Do you agree or disagree that there should be a Fire Advisory Committee, consisting of members from the WMCA constituent councils, the Police and Crime Commissioners Office, Health and Ambulance Trust, that will advise, support and review decisions made by the Mayor?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 3:

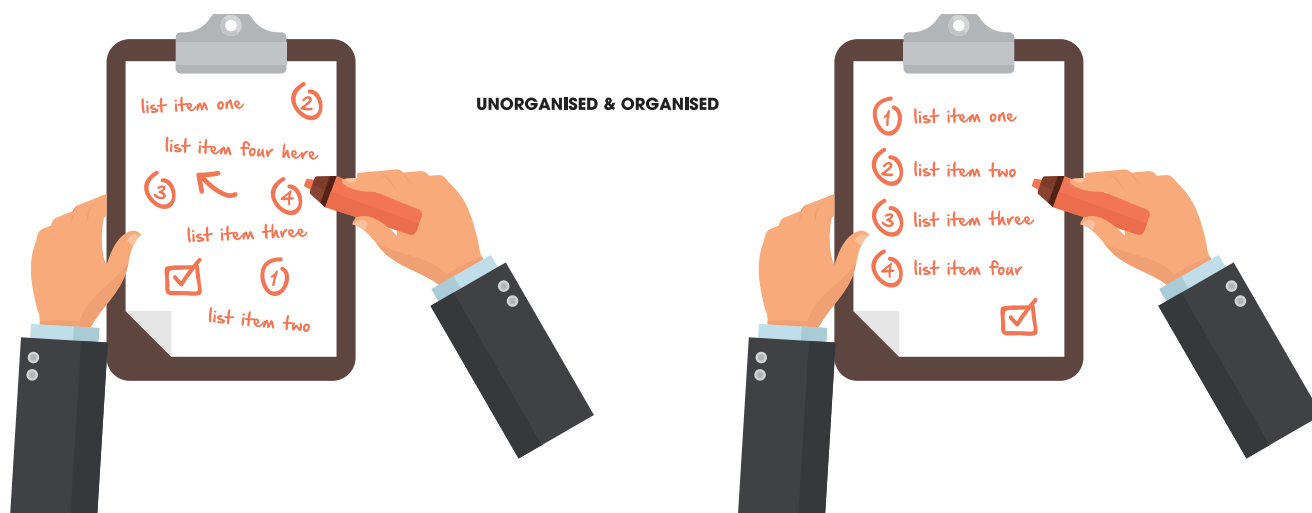
Do you agree or disagree that the Chief Fire Officer should be accountable to the Mayor for the operational functions of the Fire Service which will include:

- ▶ Workforce planning, management, appointment and development of staff
- ▶ The delivery of West Midlands Fire Service strategy
- ▶ Management of the West Midlands Fire Service

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 4:

The Mayor would be responsible for approving the community safety plan, budgeting, setting the fire Council Tax precept and appointing the Chief Fire Officer (CFO). The CFO currently reports to the Fire Authority, but under new arrangements would report directly to the Mayor. The CFO would still lead the day-to-day running of the fire service, including staff development, management of resources and importantly, delivering the fire service's strategic aims.

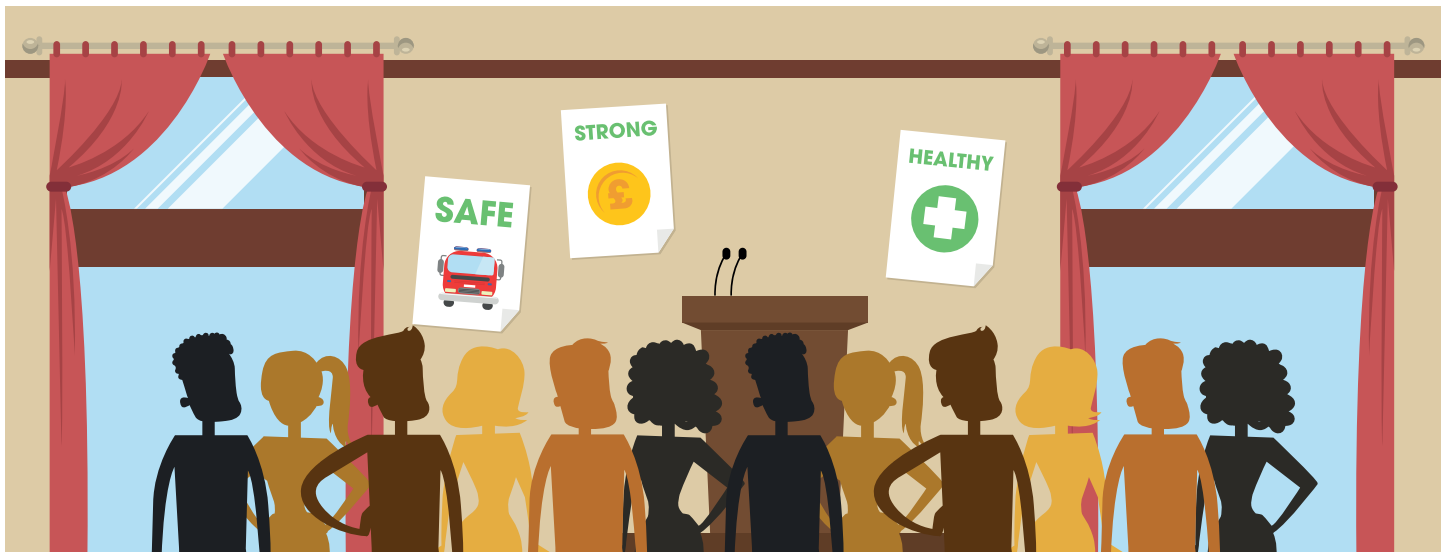


Do you agree or disagree that the Mayoral WMCA taking on responsibility for the function of West Midlands Fire and Rescue Authority would

- ▶ Improve the services which West Midlands Fire Service deliver
- ▶ Create a stronger strategic focus
- ▶ Improve collaboration to deliver joined-up services
- ▶ Widen and strengthen prevention and protection work with businesses and communities to reduce vulnerability to fire risks

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Question 5:



Do you agree or disagree with the following statement:

The Order to transfer the Fire Service into the Combined Authority is likely:

- ▶ to improve the statutory functions in the Combined Authority area
- ▶ to reflect the local communities
- ▶ to secure effective and convenient local government

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Tell us about yourself

The WMCA has a commitment to understanding the views and needs of different members of the community in the region. The "Tell us about yourself" section helps us understand which groups of people have taken part in the consultation and how views may vary between different groups. You are not required to answer these questions but your responses will help us make decisions based on evidence and will help us meet our duties under equality legislation.

Question 6:



Could you please tell us your age?

- Under 16
- 16 - 24
- 25 - 44
- 45 - 64
- 65+
- I do not wish to disclose

Question 7:

Could you please disclose your sexual orientation?

- Heterosexual
- Bisexual
- Gay
- Lesbian
- I do not wish to disclose

Other (please specify)

Question 8:

Ethnicity

- Asian British
- Indian
- Pakistani
- Bangladeshi
- White and black
- White and Asian
- Other mixed
- Black British
- Black Caribbean
- Black African
- White British
- White other
- Gypsy or Irish traveller
- I do not wish to disclose

Other (please specify)

Question 9:

Religion

- Christian (all denominations)
- Hindu
- Muslim
- None (includes atheist & Humanist)
- Sikh
- I do not wish to disclose

Other (please specify)

Question 10:

Could you please disclose your gender

- Female
- Male
- Transgender
- I do not wish to disclose

Question 11:

Do you consider yourself to have a disability which has:

- Severe impact on everyday life
- Mild impact on everyday life
- No disability
- Prefer not to state

Other (please specify)

Question 12:

Which constituent council area do you live in?

- Birmingham City Council
- City of Wolverhampton Council
- Coventry City Council
- Dudley Metropolitan Borough Council
- Sandwell Metropolitan Borough Council
- Solihull Metropolitan Borough Council
- Walsall Council
- I don't live in the West Midlands
- I don't know which local authority area I live in

Other local authority area (please specify)

Question 13:

Do you work for the public sector?

- Yes
- No

if so, could you please tell us which organisation you work for.

Question 14:

Where did you hear about this consultation?

Many thanks for taking part in this consultation. If you would like more information or to be kept updated, please provide an address or email address.

Glossary:

Community Safety Plan: Sets West Midlands Fire Services priorities and objectives in a rolling, three-year document which identifies and analyses risks across the West Midlands. It is also known as the Integrated Risk Management Plan or IRMP and helps plan the delivery of prevention, protection and response services.

Fire Advisory Committee: A Committee made up of several councillors and partners from across the West Midlands Combined Authority geographical area, which will oversee and scrutinise decisions taken by the Mayor.

WMCA constituent councils: Birmingham City Council; Coventry City Council; Dudley Metropolitan Borough Council; Sandwell Metropolitan Borough Council; Solihull Metropolitan Borough Council; Walsall Metropolitan Borough Council; City of Wolverhampton Council.

Statutory Order: This is prepared by government and agreed by Parliament which applies further legislation to an existing Act. In this case, meaning the WMCA would be responsible for Fire Service activities. It allows changes to be introduced without having to pass a new act.

Secretary of State: A Cabinet Minister in charge of a government department. For the purposes of this consultation the Secretary of State is the Home Secretary.

Governance Review: A review of the current arrangements and the benefits that would result from the Fire Service being part of the WMCA.

Scheme: The proposed arrangements and responsibilities to enable the WMCA to undertake the role of the Fire Service.

Once completed please post back to us to the following address:

Customer Insight Team, 16 Summer Lane, Birmingham, B19 3SD

You can also fill in the consultation online at www.wmca.org.uk/wmfs

If you require help filling out the consultation call us at : 0345 835 8188 and for any other questions email ConsultationViews@wmca.org.uk

Title	Salutation	Constituency
MPs		
Wendy Morton MP	Ms Morton	Aldridge-Brownhills
Preet Gill MP	Ms Gill	Birmingham Edgbaston
Jack Dromey MP	Mr Dromey	Birmingham Erdington
Roger Godsiff MP	Mr Godsiff	Birmingham Hall Green
Rt Hon Liam Byrne MP	Mr Byrne	Birmingham Hodge Hill
Shabana Mahmood MP	Ms Mahmood	Birmingham Ladywood
Richard Burden MP	Mr Burden	Birmingham Northfield
Khalid Mahmood MP	Mr Mahmood	Birmingham Perry Barr
Steve McCabe MP	Mr McCabe	Birmingham Selly Oak
Jess Phillips MP	Ms Phillips	Birmingham Yardley
Colleen Fletcher MP	Ms Fletcher	Coventry North East
Geoffrey Robinson MP	Mr Robinson	Coventry North West
Jim Cunningham MP	Mr Cunningham	Coventry South
Ian Austin MP	Mr Austin	Dudley North
Mike Wood MP	Mr Wood	Dudley South
James Morris MP	Mr Morris	Halesowen and Rowley Regis
Rt Hon Dame Caroline Spelman	Dame Caroline	Meriden
Julian Knight MP	Mr Knight	Solihull
Rt Hon Andrew Mitchell MP	Mr Mitchell	Sutton Coldfield
Rt Hon Eddie Hughes MP	Mr Hughes	Walsall North
Valerie Vaz MP	Ms Vaz	Walsall South
Rt Hon John Spellar MP	Mr Spellar	Warley
Tom Watson MP	Mr Watson	West Bromwich East
Adrian Bailey MP	Mr Bailey	West Bromwich West
Emma Reynolds MP	Ms Reynolds	Wolverhampton North East
Rt Hon Pat McFadden MP	Mr McFadden	Wolverhampton South East
Eleanor Smith MP	Ms Smith	Wolverhampton South West
Margot James MP	Ms James	Stourbridge
Rt Honourable Sajid Javid MP		
Rt Honourable Nick Hurd MP		
Ms Chloe Dunnett		Home Office
Mr Stephen Polly		Home Office
MEPs		
Jill Seymour MEP	Ms Seymour	UKIP
Neena Gill MEP CBE	Ms Gill	Labour

Dan Dalton MEP	Mr Dalton	Conservative
James Carver MEP	Mr Carver	UKIP
Siôn Simon MEP	Mr Simon	Labour
Anthea McIntyre MEP	Ms McIntyre	Conservative
Bill Etheridge MEP	Mr Etheridge	UKIP
Black and Ethnic Minorities		
The Manager	Sir/Madam	Birmingham Muslim Foundation Islamic Society of Britain (Birmingham branch) Jami Masjid and Islamic Centre Birmingham
Ms Mehmooda Qureshi	Ms Qureshi	Arrahma Islamic Centre Birmingham Central Mosque
The Manager	Sir/Madam	Nishkam Centre Guru Nanah Gurdwara Sahib Walsall
To whom it may concern	Sir/Madam	Sikh Community and Youth Service UK
To whom it may concern	Sir/Madam	West Midlands Police Sikh Association
Bhai Sahib Bhai (Dr) Mohinder Singh OBE KSG	Dr Singh	Shree Hindu Community Centre Bengali Association Midlands Shree Geeta Bhawan Temple & Hindu Priest Services Hindu Cultural Resource Centre
To whom it may concern	Sir/Madam	Durga Bhawan The Polish Centre
The Manager	Sir/Madam	Emerging Communities Network
The Manager	Sir/Madam	Emerging Communities Network
To whom it may concern	Sir/Madam	Afro Caribbean Millennium Centre
To whom it may concern	Sir/Madam	African Community Council For the Regions
Future Governance Working Group		
Brian Nash		Home Office



Jonathon Jardine

Paul Faulkner

Keith Ireland

Nick Page

Tony Yeaman

Barbara Watt

Simon Brake

Richard Bacon

WM PCC Office

Birmingham Chamber of
Commerce

MD City of Wolverhampton
Council

CEx Solihull Council

Weightmans

Walsall Council

Coventry Council

PwC



Appendix C – Stakeholder Representation





WEST MIDLANDS

Future Governance of West Midlands Fire Service

West Midlands Fire Brigades Union Position

Background

WMFS are currently governed by the West Midlands Fire and Rescue Authority (WMFRA). This authority is made up of 27 Councillors appointed to the authority with the Chair elected by members on the authority. The authority delegates the running of the day-to-day operations of the fire service to the Chief Fire Officer (CFO). However, WMFRA is the employer of all staff and is the ultimate decision maker on policy and delegates other decision making to the Audit Committee, Scrutiny Committee and Executive.

In May 2016, the Secretary of State clearly set out that the fire sector would be expected to reform on a number of subjects, one being governance.

With the move of the fire service to the Home Office in January 2016, and the introduction of the Policing and Crime Act 2017, the clear preference from government was for the fire service to be governed, where a business case could be made, by the Police and Crime Commissioner (PCC).

The Fire Brigades Union (FBU) national policy opposes a PCC takeover of the fire service for a number of reasons, including blurring the line between a humanitarian service and a crime fighting service and the risk that the fire service would just become an arm of the Police whose budget could be dipped into for Police activities.

The FBU have concerns on the ability of a Metro Mayor to govern the Fire Service, including a financial risk and a question of whether any Metro Mayor has the expertise to govern a fire service. The Metro Mayor may seem a better fit from the outside looking in, but the best model of governance of the fire service is an independent governing body that is fully accountable and has a democratic decision making process. Essentially, a Fire Authority.

WMFRA in April 2016 set up a working group with an independent Chair to look at future governance of WMFS. This working group concluded that a reformed Fire Authority and a Mayoral Combined Authority as the most 'desirable' options.

The FBU would have preferred that a reformed Fire Authority model of governance was explored further and a business case developed, no matter the difficulties to this, but this was not consulted on and in February 2017, the WMFRA agreed that a Mayoral Combined Authority model of governance was the route to be taken.

A case was then developed for a Mayoral WMCA model of governance for WMFS which was developed without any input from WMFS employees or trade unions.

In September 2017, the WMCA board was recommended to agree that the proposed governance model of WMFS will be a Mayoral WMCA. This recommendation was accepted, again without any input from WMFS and trade unions being considered.

The model that was agreed in September 2017 was put out to an 8 week public consultation on 11th January 2018.

FBU Concerns

The FBU concerns with the proposed model of Mayoral WMCA governance fall into 3 categories; Democracy, Accountability and Employee Representation.

These points have been raised with management of WMFS and the Chair of WMFRA but have either been ignored or overlooked.

- Democracy

The democracy of any decision making for the fire service appears to have been stripped out completely under the proposed Mayoral WMCA governance model.

A Mayoral Fire Advisory Committee is being proposed which will be made up of 15 representatives from the 7 local authorities with 3 co-opted members from Police, Ambulance and Health. There is no suggestion that this committee will have any decision making ability, it is clear that the Metro Mayor will assume all decision making authority. The proposed Mayoral Fire Advisory Committee will be nothing more than a link between the Metro Mayor and the 7 local authorities reporting on WMFS matters, where discussions can be held but no interventions could be made.

There is no suggestion of any democratic structures for decision making, leaving one sole person to make decisions on the future of the fire service. There is a very real risk of the Metro Mayor and the CFO making decisions 'behind closed doors' on the direction of the fire service without any democratic process, scrutiny or balance of information.

All decisions should have to pass through the fire committee with a majority before they are ratified. That is the democracy that is needed to ensure no one person can make decisions without properly considering all the options and information.

- Accountability

The accountability of decision making is flawed from the beginning. The Fire Advisory Committee is the proposed body that will hold to account and scrutinise the decisions being made. The proposed name for the Fire Advisory Committee is misleading as there is no requirement for members of the committee to have any expertise or experience in firefighting or fire service matters. Without such expertise or experience, the FBU have serious concerns that no decisions can be held to account at all.

The 3 co-opted members have expertise in Policing, Ambulance and Health. In order for decisions to be held to account, it is imperative that those who are advising the Metro Mayor have the knowledge and ability to scrutinise and understand the subjects that are being discussed. The Fire Advisory Committee currently has no balance for an informed decision by the Metro Mayor to be made. Essentially, the only information that the committee can advise on and for the Metro Mayor to make a decision on will come purely from the CFO, or a representative of management.

- Staff Representation

WMFS employees haven't been sufficiently informed, let alone consulted with when the proposal was being formulated. The trade unions have been held at arm's length with no real engagement on the governance proposal as it was being formulated. All of this proposal was formulated behind closed doors between senior WMFS staff and presumably Metro Mayor Staff.

Staff representation feeds directly into the democracy and accountability of the proposed governance model. Not only would a reasonable amount of trade union seats on the committee bring balance, it would bring an element of firefighting expertise and knowledge, both from the frontline and from support staff, including an overview of staff concerns and feelings on the direction of WMFS. This would be essential for the Metro Mayor to make informed and balanced decisions in the interest of the communities we serve and to maintain good industrial relations.

It is very disappointing that that this hasn't being recommended and there is no evidence to suggest it was even considered.

Recommendations

- That a democratic constitution is formed for the Fire Advisory Committee, ensuring that no decisions can be made without a majority of the members with voting rights on the Fire Advisory Committee.
- That a further co-opted member of the Fire Advisory Committee is added, which would be a neutral expert in the Fire Service, having no vested interests in WMFS.
- That the recognised trade unions are each given a non-voting seat on the Fire Advisory Committee.

Conclusion

The FBU have severe reservations on the proposed model of governance for the WMFS. It does not appear to bring about an improved and more accountable decision making form of governance, in fact in some areas it is regressive.

The FBU would prefer the governance of the fire service to remain independent under a reformed Fire Authority. This we believe, provides the most effective and accountable governance of WMFS.

The proposed model raises significant concerns as to whether it serves in the interest of the communities of the West Midlands or whether it places the decision making and power more firmly in the hands of a few.

The FBU are extremely disappointed and concerned that neither the trade unions nor their members have been actively involved in developing the proposed governance model.

The current proposed model of governance must be amended to address the above points raised by the FBU to ensure that the future governance of WMFS is accountable, democratic, transparent and effective to ensure WMFS is delivering on its duty to the communities of the West Midlands.

The FBU have serious concerns that the proposed governance of WMFS in its current form poses a risk to ensuring the best decisions can be made for the fire service and the communities of the West Midlands.

From: Anthea McIntyre [<mailto:anthea@antheamcintyre.com>]

Sent: 08 March 2018 17:59

To: Consultation Views <ConsultationViews@wmca.org.uk>

Subject: West Midlands Fire Service Public Consultation

I write with regard to the West Midlands Fire Service Public Consultation.

The West Midland Fire Service (WMFS) does an excellent job keeping our local communities safe. However, due to the ever increasing population and with more businesses moving to the area, I feel the service would be better governed by the West Midlands Combined Authority (WMCA). Having a single elected figure, such as the Mayor leading this service would make the WMFS more accountable, transparent and provide better value for money to the tax payer.

In my role as a Member of the European Parliament for the West Midlands Region, I represent the interests and concerns of all my constituents in the WMCA area to the best of ability and I work with the seven constituent local authorities. I do hope that the Home Office are satisfied that a competent consultation has been carried out and realise the importance of this sensible change for the West Midlands region.

Yours sincerely

Anthea McIntyre

Anthea McIntyre MEP
Conservative - West Midlands Region