

# Combined Fire Authority Review

## Report of the Assistant Chief Fire Officer

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### 1 Purpose of Report

The report sets out the scope of the Combined Fire Authority review and ask the Fire Authority to decide upon which options they would like Legal Services to explore further.

### 2 Recommendations

The Fire Authority is asked to:

- a) Indicate which option(s) they would like Legal Services to explore further; and
- b) Consider how they would like to receive their information only items if they were no longer presented at Fire Authority and Committee Meetings.

### 3 Background

On 20 June 2018 the Shropshire and Wrekin Fire and Rescue Authority (SWFRA) resolved that it would undertake a review of its “form and function” having regard for the Home office Reform Agenda and the recommendations of the “Adrian Thomas “Review – 2016. The Fire Authority directed its Strategy and Planning (StraP) Working Group to lead on the review and provide the Authority with options in a timescale that would allow any changes to be in place for the following governance year (2019/20) (This timeframe would be dependent on the preferred change and the scope of the proposals).

It is important to note, that the findings of the Thomas Review were critical of Fire Authority Governance structures which were seen to inhibit changes to efficiencies and effectiveness. This is not necessarily the case within SWFRA, however, the Authority recognised that there was an opportunity to redesign the membership and the Committee structures to show a proactive approach to creating a more agile and efficient decision-making entity. This would support and enable the future of the Fire Authority as an effective governing body, whilst possibly making some small financial savings.

## **4 What is covered by the Review**

The review is to consider whether the Fire Authority can deliver the needs of the community in a more efficient and economical way whilst maintaining its current high levels of effectiveness.

This review will explore:

- the number of members on the fire authority
- the committee structure
- the decisions made by the Fire Authority, delegation, and the number of meetings
- the way members receive information and training

Any proposed options will have regard to the rules set out in the Combination Scheme and the Local Government and Housing Act 1989 (see below) and any potential risks associated with any proposals will be highlighted.

Reference will be made to similar reviews carried out by other Fire Authorities, as well as the CIPFA document 'Delivering Good Governance 2016' and the relevant recommendations set out in the Thomas review.

## **5 The number of members on the Fire Authority**

The Combination Scheme sets out the rules for the make-up of Fire Authorities.

- Maximum no. of 25 members
- All Constituent Authorities should be represented
- Member allocation to each constituent Authority is based upon number of voters in each constituent authority
- The quorum for the Authority and its committees is one third of the total number, however the requirement to include at least one representative from each constituent authority only applies to the Fire Authority.

The Local Government and Housing Act 1989, and Regulations made thereunder, requires that:

- Those members should reflect the political balance of each constituent authority
- Committee Membership should also mirror the allocation of members from each constituent authority and be politically balanced across the total number of committee places (i.e. in aggregate) as far as possible.

The current membership of SWFRA is 17 and is split between members from Shropshire Council (11) and Telford & Wrekin (T&W) Council (6). This ratio has recently been checked (October 2018) and remains current.

There are 5 committees and panels and 1 working group (which is not a fully constituted committee of the FA and therefore does not form part of the political balance calculations, however Members have agreed that this group should be politically balanced as far as possible).

The table below sets out the population statistics for each fire authority, the number of members they have, the number of committees and panels, and the number of constituent authorities. SWFRA has the smallest population of all fire and rescue authorities (493,227) however when comparing it to authorities with the same number of members, their populations are considerably larger (Buckinghamshire 803,439 – 17 Members, North Yorkshire 819,796 – 16 Members plus PCC, Cambridgeshire 847,151 – 17 Members, Leicestershire 1,083,226 – 17 Members).

This would indicate that there is some room for considering a smaller number of Members.

Fire Authority	Population (in constituent authorities)	Number of Members	Number of Committees / Panels	Additional Comments	No of Constituent Authorities
<b>Shropshire</b>	<b>493,227</b>	<b>17</b>	<b>5 and 1 working group</b>		<b>2</b>
Cleveland	566,150	16	2 plus 1 pensions Board		4
Durham and Darlington	630,009	25	5 plus 1 Pensions Board		2
Bedfordshire	664,600	12	1 Audit and standards group / 1 Exec Committee (deals with CFO and PO appointments, disputes etc)	3 Policy and Challenge Groups (not public meetings)	3
Hereford and Worcester	779,411	25	3 plus 1 sub-committee plus 1 Pensions Board		2
Buckinghamshire	803,439	17	3 plus 1 sub-committee plus 1 panel		2
North Yorkshire	819,796	16 plus PCC	4 plus 1 subcommittee plus 1 Pensions Board		2
East Sussex	840,414	18	6 Panels		2
Cambridgeshire	847,151	17	2 plus		2
Royal Berkshire	905,813	20	2 plus 1 outside joint committee for Fire Control	Review carried out in 2015/6	6
Humberside	929,854	22	1 plus 1 pensions Board		4

Fire Authority	Population (in constituent authorities)	Number of Members	Number of Committees / Panels	Additional Comments	No of Constituent Authorities
Derbyshire	1,049,000	16	Forums and Working Groups plus 1 pensions Board		2
Cheshire	1,054,149	23	7 plus 1 Pensions Board		4
Leicestershire	1,083,226	17	2 plus 1 Pensions Board		3
Staffordshire	1,126,203	NA	NA	PCC	NA
Avon	1,139,791	20	5 plus 1 Pensions Board		4
Nottinghamshire	1,147,760	18	6 plus 1 Pensions Board		2
Essex	1,468,177	NA	NA	PCC	NA
Dorset and Wiltshire	1,487,095	18	1 plus 4 area performance boards		5
Lancashire	1,490,497	25	5		3
Devon and Somerset	1,740,683	26	6 committees plus 4 panels		4
Kent	1,832,252	25	2 committees (not scheduled)		2
Hampshire	1,837,805	10	1 plus 1 Pensions Board	Option to have PCC	3

Population stats as of June 2017 (<https://www.citypopulation.de/php/uk-admin.php>)

A reduction in the number of Authority Members would be possible, without amendment to the Combination Order, providing that the ratio between local government electors and representative Members on the Authority is maintained.

Based upon the current political balance as of October 2018 (0.653:0.346, Shropshire Council - Telford & Wrekin Council), below are detailed the scenarios for varying changes in Member numbers and the proportionate representation of each constituent Authority. (It is important to note that there are all out elections in Telford & Wrekin this year which may affect the balance.

#### Current – 17 Members

	Total	Actual Ratio
Shropshire Council	11	11.101
T&W Council	6	5.882
	17	

### Reduction to 15 Members

	Total	Actual Ratio
Shropshire Council	10	9.795
T&W Council	5	5.19
	15	

Quorum: 5

### Reduction to 13 Members

	Total	Actual Ratio
Shropshire Council	8	8.489
T&W Council	5	4.498
	13	

Quorum: 5

### Reduction to 11 Members

	Total	Actual Ratio
Shropshire Council	7	7.183
T&W Council	4	3.806
	11	

Quorum: 4

### Reduction to 9 Members

	Total	Actual Ratio
Shropshire Council	6	5.877
T&W Council	3	3.114
	9	

Quorum: 3

### Reduction to 6 Members

	Total	Actual Ratio
Shropshire Council	4	3.918
T&W Council	2	2.076
	6	

Quorum: 2

(The Quorum is determined as one third of the total number of members of the Authority)

When considering the number of Members on the Fire Authority, the following risks increase as the total numbers decrease:

- More difficult to achieve politically balanced decisions and be representative of Shropshire and Telford & Wrekin
- Likelihood of not being quorate is higher, as there is a reliance on fewer Members to attend
- Depth and breadth of skills of Members would be reduced
- More pressure/work on those Members including the need to attend more meetings
- More difficult to have politically balanced committees - may have no representation on some committees

- Even numbers for committees and Fire Authorities are not recommended as the Chair may need to use his or her casting vote. This is not popular.

## 6 Committee Structures

The Authority's governance structure is based on the "Committee System", whereby decision-making powers within the Authority's remit are exercised by either the Full Authority of all Members, or through specific delegation to a Committee of Members or officers.

### Options for Committee Structures

- Keep the status quo
- Reduce the number of Committees
- Consider the delegated powers of those committees and increased delegation to officers

The current political balance of each constituent authority based upon 17 members is as follows:

	Cons	Lab	Lib Dem/ Indep	Total
Shropshire Council	7	1	3	11
Telford & Wrekin Council	2	4	0	6
	9	5	3	17

The current balance is calculated by the following ratios.

Conservative – 0.529,

Labour – 0.235

Liberal Democrat / Independent – 0.235

The table below shows how many seats each political party would have for each of the Membership reduction scenarios based upon the current political balance. Some options using the current balance would be difficult to achieve.

There are estimated savings associated with each option, which are not fully developed, but for indicative purposes, show cost savings based on the reduction of basic Member allowances.

Total Seats	Cons	Lab	Lib Dem / Indep	Potential Saving
15	8 (7.935)	3/4 (3.525)	3/4 ( 3.525)	£5,719.6
13	7 (6.877)	3 (3.055)	3 (3.055)	£11,439.2
11	6 (5.819)	2/3 (2.585)	2/3 (2.585)	£17,158.8
9	5 (4.761)	2 (2.115)	2 (2.115)	£22,878.4
6	3 (3.174)	1/2 (1.41)	1/2 (1.41)	£31,457.8

As the numbers reduce further and further, it becomes increasingly difficult to achieve a fair political balance across all parties. If the current committee structure were maintained, it would also prove difficult to achieve political balance across the committees. This would suggest that a reduction in the number of Members would be determined by the size, shape and potential function of the committee structure within the Fire Authority.

## **7 Decisions made by the Fire Authority and the number of meetings**

Currently there are 5 Full Fire Authority meetings scheduled annually. In 2017 there was 1 extraordinary meeting, and in 2018 far there were 2 (associated with the PCC bid) and may be more depending upon further developments. There are 4 scheduled Audit and Performance Management (A&PM) Committee meetings and 4 scheduled Strategy and Resources (S&R) Committee meetings, as well as 2 Standards and Human Resources (S&HR) Committee meetings.

The total number of scheduled meetings annually is 15 plus any extraordinary meetings.

When considering the revision of the number of meetings it is important to understand what business is received by the Fire Authority and the Committees.

Business can be classed as either for decision or for information only. Below is an overview of the business that was included on the Fire Authority agenda in 2017.

### **Items received by the Fire Authority for Decision**

- Election of chair/vice chair
- *Actions for decision from APMC*
- *Actions for decision from S&R*
- *Actions for decision from Standards and HR*
- Financial Performance
- CFA Workplan
- *Committee composition and allocation of seats*
- Statement of accounts
- IRMP project decisions
- Strategic Planning Timetable
- *Election of Chairs/vice chairs for committees, panels and working groups*
- Review of Finance Regulations
- *Meeting Schedule*
- Standing Orders/Constitution
- Shropshire Fire Risk Management Services

### **Items for Information only**

- Corporate Risk Summary
- Details of those Lives saved and those protected from Harm

- Finalised Annual Plan
- *Receive minutes from Committees*
- Verbal updates
- Partnership working
- Corporate Risk Management Annual Report

The items in italics have either already been considered by a committee or are the resulting minutes of that committee.

It is also important to have sight of the items that are considered by committee. The majority of items at S&R are referred back to the Full Fire Authority for decision, as well as any recommendations made by the A&PM Committee. The A&PM Committee also receives a large amount of information only items. Link to [Committee constitution](#).

As a result of the ongoing Strategic Alliance, the number and frequency of Fire Authority meetings across Shropshire and Wrekin Fire Authority and Hereford and Worcester Fire and Rescue (HWFRA) Authority has also been questioned. It is felt that aligning the number and dates of FA meetings would be beneficial to allow better governance of each Authority's business whilst also maintaining an aligned programme of governance for the shared Strategic Alliance Board.

Currently, HWFRA have had 3 FA meetings a year, compared to 5 per year in SWFRA. It would make sense to align these Full Authority meetings in each Authority to the 4 Annual Strategic Alliance board meetings, supporting a more effective process of progressing strategic projects through the respective Authority approvals processes.

### **Option 1 – Remove Committee structure**

Moving away from a traditional committee structure would result in all business going to the Full Fire Authority potentially lengthening the meetings, however it would also remove the need to receive minutes from Committees and revisit decisions already taken by Committees. This would require more debate and discussion at Fire Authority meetings but might also demonstrate greater transparency and challenge. Alongside this the revision of delegated powers would be worthwhile.

A proportion of the agenda (see workplan above) is taken up with receiving the minutes of committees and agreeing the recommendations of those committees. To make best use of meeting time, Information Only items could be delivered in an alternative way.

### **Case Study - Hampshire Model**

Hampshire Fire and Rescue Authority reduced its members from 25 to 10 in 2016, following a review of its governance arrangements. The Fire Authority also made changes to its committee structure going from 4 Committees to 1 (plus the Pensions Board – No Members). Financial savings were demonstrated at the time through member costs and visible officer time at meetings.



All business is decided at the Fire Authority meetings ([link](#) to HFRA Constitution) of which there are 6 per year. The one committee for Standards and Governance has 6 Members and met three times in 2017 and three times in 2018.

### **Option 2 – Devolved powers to Committees**

Alternatively, the Fire Authority could reduce the number of committees and grant them decision making powers. Only statutory business that has to go to the Fire Authority should be discussed and agreed there, and all other business could be discussed and agreed at Committee meetings.

This would mean fewer Fire Authority meetings with smaller agendas. Decisions made at committee would be binding and quick due to the reduced number of members. However, the size of the full Fire Authority would be key as this would influence the size of committees, and as demonstrated the smaller the numbers, the more difficult it is to achieve political balance.

Again, items for information could be delivered in an alternative way.

### ***Case Study - Royal Berkshire Model***

Royal Berkshire reviewed their governance arrangements in 2015 and reduced their Authority Membership from 25 to 20. The review also concluded that the authority would be served by two committees (Management Committee and Audit and Governance Committee with 11 and 9 members respectively).

The Fire Authority would only deal with those matters reserved by law, and all other decisions would be made by the Management Committee with the Audit and Governance Committee providing scrutiny and challenge on behalf of the Fire Authority.

Hampshire were able to make a more dramatic reduction in Member numbers probably as a result of the fewer number of Constituent Authorities (only 3 compared to Berkshire who have 6), and the decision to extend the remit of the Fire Authority to cover all business with only one committee providing a standards and governance function.

Any options would need to be explored by Legal Services at T&W Council to review their feasibility and ensure they are within legal limits.

### **Option 3 – Reduced committees with delegated Authority decision-making**

StraP, having considered options 1 and 2, developed a further option that brought together the strengths of the other two but also recognised Shropshire's unique characteristics and needs. It seeks to gain all the positive attributes of options 1 and 2 while maintain the capacity that has proven to be effective when undertaking previous Integrated Risk Management Plans (IRMPs) and maintaining the close community relationships that are required in a service that relies predominantly on On-call firefighters.

The importance of having an effective staff engagement change model, such as Shropshire's relies heavily on the ability of Fire Authority Members being visible and able to liaise directly with their local communities and On-call staff groups, hence why it is felt important to have a carefully considered number of Members across the County to undertake this engagement.

This option proposes a small reduction in Member numbers (15 or 13 minimum) and a reduction to two Committees with strengthened delegations from the Fire Authority.

This also allows an opportunity to streamline committee agendas to spend more time on "decision" items rather than "information". Information and training can be provided in a range of more effective formats (see Section 8). Any reduction in Member numbers has to be considered and balanced against the political influence from constituent Authorities and the political and public expectation of the Fire Authority to demonstrate public value and consider effectiveness and efficiencies in its governance structure.

The figures above suggest that reducing below 13 would prove difficult in maintaining proportional representation between constituent Authorities and would be difficult to support the capacity required for the range of committee and lead Member responsibilities.

Alongside any proposed Membership reductions, this option proposes two functional committees; one decision-making committee which considers strategy and the allocation of resources, whilst the other scrutinises and challenges these decisions to ensure transparency and effectiveness on behalf of the Fire Authority and the public

In the context of Shropshire Fire Authority the Human Resources functions of the existing Standards and Human Resources Committee could fall within the scope of the new Strategy and Resources Committee, while the "Standards" responsibilities fit well within a reformed Audit, Standards and Performance Committee.

Both Committees would feed back into Full Fire Authority but with appropriate delegations to ensure the Fire Authority would be able to concentrate on those statutory matters reserved by law.

This option could show efficiencies in the number of Committee meetings annually, would support a small reduction in Authority Members and would provide more time to focus on decision making.

The size of the full Fire Authority would be key as this would influence the size of the committees, and as demonstrated, the smaller the numbers, the more difficult it is to achieve political balance. This would also be an opportunity to reduce the number of Full Authority meetings to 4 per year, aligned to those of Hereford and Worcester Fire Authority to support governance of the Strategic Alliance Board.

This option would demonstrate a more efficient committee function, whilst still maintaining Full Authority decision-making powers on reserved matters and an aggregate number of Members to fully represent the Authority and liaise with communities across the county of Shropshire.

## 8 Items for Information Only

To reduce Committee and Fire Authority agendas and make best use of Member and Officer time, alternative ways to deliver the information only items should be considered;

**Regular Combined information and Training Days for Members** - A reduced number of members on the Fire Authority would place the decision making in fewer hands. To support those members and ensure continued effective decision making, regular training should be provided. This would also create the opportunity to pass on information items and maintain a good working relationship with Officers.

**And through a variety of other methods:**

**Member Training Days** - as already described, regular training days to support members

**Members e Newsletter at regular intervals** – containing all the Information Only items (use of SWAY possibly)

**Members SharePoint site** – A Member focused site, where information items can be added as and when they arise. Notifications could be created for Members to alert them to newly added information. The site could also be used for other Member related information (meeting dates, links to the Members Handbook etc).

**Use of Electronic devices to access reports and training-**

Providing Members with devices to access reports and papers remotely, to support access to the SharePoint site and Strategic Alliance developments, and to reduce the amounts of paper-based reports, supporting GDPR and confidentiality.

## 9 Summary

In the context of public value, political scrutiny and public expectations, it would seem prudent for the Fire Authority to review its structures at this point in time.

The levels of reduction are for the Authority to determine and should be based on a clear justification for the preferred option. The financial advantages of reducing the overall Membership are minimal, but some change may demonstrate the Authority's commitment to realising efficiencies and effectiveness to those bodies and individuals who have an interest in the Fire Authority's structures.

The reduction in Committees has clear advantages in terms of efficiencies, streamlining meetings and agendas, with delegated powers to reduce Full Authority meetings and a focus on the important decision-making items, reducing the “for information only” items.

Informal consultation with Local Constituent Authorities has shown support for committee changes, but would prefer the Membership numbers to remain the same. This approach must be considered against a backdrop of Public Value and other political drivers which are scrutinising Fire Authority structures and governance models.

## **10 Equality Impact Assessment**

There are no equality or diversity implications arising from this report. An e-EQIA is not, therefore, required.

## **11 Financial Implications**

Initial financial implications have been set out within the report.

## **12 Legal Comment**

Paragraph 11 of Part III of the The Shropshire Fire Services (Combination Scheme) Order 1997 states that the Authority shall consist of not more than 25 members save that, where the minimum number of members of the Authority resulting from the operation of paragraph 12 would be greater than 25, the Authority shall consist of that number of members. Each member of the Authority shall be appointed by a constituent authority from its own members in accordance with this Part.

Paragraph 12 states each constituent authority shall, so far as is practicable, appoint such number of representatives to be members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in the other constituent authority's area.

## **13 Appendices**

There are no appendices attached to this report.

## **14 Background Papers**

There are no background papers associated with this report.