



**Essex Police, Fire and Crime Commissioner Fire and Rescue Authority**

**Decision Report**

**Report reference number:** 024-22

**Government security classification:** Official

**Title of report:** Performance and Resources Board Terms of Reference

**Area of county / stakeholders affected:**  
Whole of the Essex County Fire and Rescue Service

**Report by:** Pippa Brent-Isherwood (Chief Executive and Monitoring Officer to the PFCC)

**Date of report:** 18 May 2022

**Enquiries to:** Pippa Brent-Isherwood (Chief Executive and Monitoring Officer to the PFCC)

**1. Purpose of the report**

The purpose of this report is to agree updated Terms of Reference for the Performance and Resources Board.

**2. Recommendations**

That the Police, Fire and Crime Commissioner Fire and Rescue Authority (PFCCFRA) approves and adopts the updated Terms of Reference for the Performance and Resources Board attached at Appendix 2 to this report.

**3. Benefits of the proposal**

The proposed amendments and additions to the Terms of Reference are intended primarily to:

- Align terminology with the National Fire Standard where appropriate;
- Reflect changes made to the Essex County Fire and Rescue Service's internal governance arrangements since the last review, and align these as appropriate with the Authority's governance structure;

- Clarify how amendments and additions to the forward plan for the board and the submission of papers for meetings are managed, and
- Clarify what information relating to the board will be placed in the public domain.

For ease of reference, a marked-up version of the proposed new Terms of Reference is attached as Appendix 1 to this report, with a clean version being attached for approval and adoption at Appendix 2.

#### **4. Background and proposal**

The current Terms of Reference for the Performance and Resources Board were adopted in February 2020. Over recent weeks, the document has been reviewed, in consultation with the service, as part of the regular review of the Authority's Constitution and wider governance framework.

#### **5. Alternative options considered and rejected**

The Authority could choose not to review and update the Terms of Reference for the Performance and Resources Board, however this would give rise to the risks set out in section 12 below.

#### **6. Strategic priorities**

By clarifying what information arising from the proceedings of the Performance and Resources Board will be placed in the public domain, the proposal contributes to the commitment set out in the Fire and Rescue Plan to provide easily accessible information about our service, as part of the Authority's priority to be transparent, open and accessible.

By continuing to support the Authority to scrutinise, support and challenge the overall performance of the fire and rescue service, the proposed Terms of Reference will also assist in fulfilling the commitment to benchmark our performance with other fire and rescue services and leading public and private sector bodies in order to improve our own performance, as part of the priority set out in the Fire and Rescue Plan to make best use of our resources.

#### **7. Operational implications**

There are no operational implications arising directly from this decision report. Consultation on its content has taken place as set out in section 13 below, as well as directly with the Chief Fire Officer / Chief Executive, the Chief Financial Officer and the Data Protection Officer.

#### **8. Financial implications**

There are no financial implications arising directly from this decision report. However, as part of the review of the Terms of Reference, it is proposed that the Performance and Resources Board will play a more active role in scrutinising the service's procurement activity going forward.

#### **9. Legal implications**

There are no legal implications arising directly from this decision report.

The principal provisions affecting the governance of the fire and rescue service are set out in the Fire and Rescue Services Act 2004, as amended by the Policing and Crime Act 2017, and the Police, Fire and Crime Commissioner for Essex (Fire and Rescue Authority) Order 2017, through which the Police, Fire and Crime Commissioner Fire and Rescue Authority (PFCCFRA) for Essex, as a new corporation sole, replaced the former Essex Fire Authority. The Terms of Reference for the Performance and Resources Board are designed to support the Authority in discharging

their statutory duties to put in place arrangements to deliver an efficient and effective fire and rescue service, and to hold the Chief Fire Officer / Chief Executive to account for the exercise of functions which are delegated to them as well as for the exercise of functions of persons under their direction and control.

#### **10. Staffing implications**

There are no staffing implications arising directly from this decision report. The membership of the board has been amended as part of the review to reflect changes to the composition of both the Authority's Senior Management Team (SMT) and the Service Leadership Team (SLT).

#### **11. Equality and Diversity implications**

There are no equality and diversity implications arising from this decision report. The Performance and Resources Board will continue to monitor workforce composition and demographics, and to champion initiatives to increase workforce diversity.

#### **12. Risks**

Without a clear statement of the purpose of the Performance and Resources Board, and well-defined relationships with the Authority's and the service's other governance boards, there is a risk that issues will not receive appropriate scrutiny from the Authority, which in turn would undermine their accountability to the public. Should the Terms of Reference not be reviewed and updated on a regular basis, there is a risk that matters may be considered at an inappropriate level, or that issues may not be escalated as required. There would also be a risk of duplication and of the various boards not fulfilling their core functions, due to the remits of individual boards and their links to other boards being insufficiently clear. It is considered that the recommendations set out in this report, along with the review of the Strategic Board's Terms of Reference that is scheduled for consideration at its June meeting, sufficiently mitigate these risks.

#### **13. Governance Boards**

The proposed amendments to the Terms of Reference have been consulted on via the following formal governance meetings:

- The PFCC's Senior Management Team (SMT) on 26 April 2022
- The PFCC and Chief Fire Officer / Chief Executive's formal Performance Meeting on 10 May 2022
- The Performance and Resources Board on 18 May 2022

#### **14. Background papers**

Appendix 1 – Performance and Resources Board Terms of Reference (May 2022) (marked-up)  
Appendix 2 - Performance and Resources Board Terms of Reference (May 2022) (clean copy)

**Decision Process**

**Step 1A - Chief Fire Officer Comments**

(The Chief Fire Officer is asked in their capacity as the Head of Paid Service to comment on the proposal.)

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Sign: .....

Date:.....

**Step 1B – Consultation with representative bodies**

(The Chief Fire Officer is to set out the consultation that has been undertaken with the representative bodies)

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**Step 2 - Statutory Officer Review**

The report will be reviewed by the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority’s (“the Commissioner’s”) Monitoring Officer and Chief Finance Officer prior to review and sign off by the Commissioner or their Deputy.

Monitoring Officer

Sign:

Print: P. Brent-Isherwood

Date: 18 May 2022

Chief Finance Officer

Sign: .....

Print: .....

**Step 3 - Publication**

**Is the report for publication?      YES/NO**

**If ‘NO’, please give reasons for non-publication** *(Where relevant, cite the security classification of the document(s). State ‘none’ if applicable)*

.....  
.....None.....

If the report is not for publication, the Monitoring Officer will decide if and how the public can be informed of the decision.

**Step 4 - Redaction**

If the report is for publication, is redaction required:

- 1 Of Decision Sheet YES/NO
- 2 Of Appendix YES/NO

If 'YES', please provide details of required redaction:

.....  
.....N/A.....

**Date redaction carried out:** .....

If redaction is required, the Chief Finance Officer or the Monitoring Officer are to sign off that redaction has been completed.

Sign: .....

Print: .....

Date signed: .....

**Step 5 - Decision by the Police, Fire and Crime Commissioner or Deputy Police, Fire and Crime Commissioner**

**I agree the recommendations to this report:**

Sign: ..... (PFCC / DPFCC)

Print: .....

Date signed: .....

**I do not agree the recommendations to this report because:**

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.....

Sign: ..... (PFCC / DPFCC)

Print: .....

Date signed: .....