

## Schedule 3 - Terms of Reference of the Fire and Rescue Performance and Resources Board

Approved ~~May 2022~~ February 2020

### 1 Introduction

- 1.1 The Board has been established to enable the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority ("the Commissioner") to review Essex County Fire and Rescue Service's (ECFRS) performance, ensure that budgeted resources (both human and financial) are closely aligned with fire and rescue priorities and to ensure that resources are effectively and efficiently being utilised.
- 1.2 The Board will enable the Commissioner to maintain effective oversight of the totality of the fire and rescue service and to hold the Chief Fire Officer / Chief Executive to account for the delivery of fire and rescue services and the delivery against the priorities in the Fire and Rescue Plan.
- 1.3 The Terms of Reference of the Board will be reviewed on a ~~bi-annual~~ biennial basis.
- 1.4 The Board will:
- a) Scrutinise, support and challenge the overall performance of the fire and rescue service including against the priorities agreed within the Fire and Rescue Plan and ~~integrated Community Risk Management Plan~~.
  - b) Support the Commissioner in holding the Chief Fire Officer / Chief Executive to account for the exercise of functions which are delegated to them as well as the exercise of functions of persons under the direction and control of the Chief Fire Officer / Chief Executive.
  - c) Advise the Commissioner on actions to be taken to maintain an efficient, effective and economic fire and rescue service for Essex.
  - d) Identify and consider different themes / "deep dives" for scrutiny, challenge and support.
  - e) ~~Provide governance and oversight of the delivery of the Medium Term Financial Plan. Monitor actual revenue spend against budget, and the forecast outturn advising corrective action where appropriate in order to further advance the priorities of the service.~~
  - f) ~~Agree and~~ Oversee implementation of the service's Treasury Management Strategy.
  - g) Monitor actual and forecast capital expenditure and resourcing of against the approved capital programme, ~~advising the Strategic Board on progress achieved.~~
  - h) Monitor the use of the service's reserves.
  - i) Monitor the progress made in delivering planned transformation and efficiency savings.
  - j) ~~Provide governance and oversight of. Receive updates against the key workforce transformation initiatives, as governed and delivered by the~~

**Commented [A75]:** Due to be reviewed at P&R Board in May. Suggest we propose the changes marked up

**Commented [A76]:** Suggest we amend to align with the review of the Constitution

**Commented [A77]:** Terminology amended as suggested by the CFO / CEx to align with the National Fire Standard

**Commented [A78]:** Comment from Chief Financial Officer – We now produce updates on the MTFS via the Strategic Board quarterly. The P&R Board is more focussed on the annual scrutiny as opposed to the MTFS.

**Commented [A79]:** I think agreement of this would sit at Strat Board level

**Commented [A80]:** Not sure this is appropriate – As a rule of thumb, the Strat Board sets strategy; the P&R Board monitors progress against it

~~service's Portfolio Management Board including recruitment and retention initiatives, on-call development and mixed crewing.~~

- k) Monitor workforce composition and demographics and champion initiatives to increase workforce diversity.
- l) Monitor customer and employee satisfaction survey results and the actions to be taken in response.
- m) Monitor and take steps to improve compliance with key people management processes, such as operational training and annual performance appraisals.
- n) Oversee the development and implementation of the ~~Service Improvement Annual Plan~~, taking account of recommendations arising from HMICFRS inspections, peer reviews and other external reviews and reports (both local and national).
- o) Monitor complaints and compliments made to the Essex County Fire and Rescue Service, and the learning arising from these, on a quarterly basis.
- p) Review papers to be submitted to the Essex Police, Fire and Crime Panel and the Joint Audit Committee, other than those approved by the Strategic Board.
- q) ~~Scrutinise the service's procurement activities and identify areas of commissioning that would assist in delivering the Fire and Rescue Plan.~~
- r) Receive additional reports from the Essex County Fire and Rescue Service's Senior Leadership Team (SLT) and its sub-boards as appropriate.
- s) Commission additional reports via the Chief Fire Officer / Chief Executive as appropriate.

**Commented [A81]:** Amended as requested by the CFO / CEx to align the service's and PFCCFRA's governance structures

**Commented [A82]:** Added at the request of the Chief Financial Officer

1.5 The Performance and Resources Board has no executive powers, other than those specifically delegated in these Terms of Reference.

1.6 Operational management of the Essex County Fire and Rescue Service is outside the scope of the Performance and Resources Board. This sits with the Senior Leadership Team, chaired by the Chief Fire Officer / Chief Executive.

## 2 Membership

2.1 The membership of the Performance and Resources Board is as follows:

- a) Police, Fire and Crime Commissioner
- b) Deputy Police, Fire and Crime Commissioner
- c) ~~Chief Fire Officer / Chief Executive or Deputy Chief Fire Officer~~
- d) Director of Corporate Services
- e) Director of People Services
- ~~f) Director of Operations~~
- g) Chief Executive and Monitoring Officer for the Police, Fire and Crime Commissioner
- h) ECFRS Chief Financials Officer
- i) Strategic Head of Performance and Resources for the Police, Fire and Crime Commissioner

**Commented [A83]:** Amended at the request of ECFRS

**Commented [A84]:** Included at the request of ECFRS

g) Head of Performance and Scrutiny (Fire and Rescue) for the Police, Fire and Crime Commissioner

- 2.2 Additional members may be invited by the Commissioner to support agenda discussions.
- 2.3 This meeting will be chaired by the Commissioner or the Deputy Commissioner.

**3 Frequency and notice of meetings**

- 3.1 The Board will meet monthly. The calendar of meetings shall be agreed at the start of each year.
- 3.2 Further meetings outside of the normal cycle of the Board can be convened at the request of the Chair or any of its members, subject to agreement by the Chair.
- 3.3 Unless otherwise agreed, formal notice of each meeting confirming the venue, time and date together with the agenda of items to be discussed, will be forwarded to each member of the Board, any other person required to attend and all other appropriate persons determined by the Chair, no later than five working days before the date of the meeting.
- 3.4 Any meetings held outside the normal cycle of meetings should be convened with a minimum notice of five working days. Extraordinary or urgent meetings may be held with less notice but should be for exceptional matters only, subject to the Chair's agreement and quorum requirements. In this case the agenda and any supporting papers will be sent Board members and to other attendees at the same time as the meeting notice is sent out.
- 3.5 Oral reports will not be accepted for substantive agenda items except in very exceptional cases, at the discretion of the Chair.

**4 Forward planning and submission of papers**

Commented [A85]: Suggested for inclusion with the EP P&R Board ToR

- 4.1 The Forward Plan including the standing agenda items will be reviewed and any proposed changes agreed at each meeting. Any items which are proposed to be added to the Forward Plan during the meeting will be confirmed by the Chair.
- 4.2 Where changes to the agenda are requested between meetings, which impact the next scheduled meeting:
- Additional items must be accepted by the PFCC and the Chief Fire Officer (or their respective deputies), and
  - Withdrawn items will remain on the agenda for a verbal explanation / update at the meeting.
- 4.3 Papers will ordinarily be added to the forward plan with a minimum of eight weeks' notice. Exceptionally, where need arises, papers may be requested with a minimum four weeks' notice.
- 4.4 Papers will be submitted on a template provided by the PFCC's office unless otherwise agreed in advance with the Head of Performance and Scrutiny. Papers must include a Government Security Classification.
- 4.5 Papers will be submitted seven working days prior to the meeting in order to facilitate timely circulation.

4.6 Where papers are data dependent, and data availability means that a paper is anticipated to be submitted outside of this timeframe, a schedule for submission will be agreed at least eight weeks prior to the meeting at which the paper will be presented. This agreement will acknowledge any requests by the PFCC for draft papers to be shared in advance, the Service Leadership Team (SLT) date for approval of the paper and the deadline for such draft papers.

#### 45 Attendance at meetings and quorum

4.45.1 Members of the Board are expected to attend all meetings, wherever possible. Where this is not possible, a named substitute may be sent on their behalf, who must be appropriately briefed to represent the standing member.

4.25.2 A minimum of four members of the Board, including the Commissioner or their Deputy and the Chief Fire Officer / Chief Executive or Deputy Chief Fire Officer must be present for the meeting to be deemed quorate. The meetings will be held in private with unrestricted papers and the matters discussed being placed in the public domain as appropriate.

4.35.3 An "open chair" will be available for colleagues attending as observers to the meeting, to support their personal development, at the discretion of the Chair.

Commented [A86]: Deleted as this will not always be appropriate – clarified at para 6.3 below. Section on Publishing of Information also added to the end.

#### 56 Minutes

5.16.1 The Secretary will record the names of those present at the meeting, write minutes, including the key points and decisions ~~of taken in principle~~ at all meetings, along with any actions stemming from discussion that need to be taken ~~before the next meeting~~.

Commented [A87]: Added for clarity that the P&R Board has no executive decision-making powers

6.2 The minutes of all meetings and decisions taken will be circulated within 7 working days of the meeting, and the minutes will be presented to the Commissioner, or the Chair of the meeting for approval within 15 working days. Amendments to the minutes may be submitted between meetings and, where the Chair is in agreement, a revised version of the minutes may be circulated. Any proposed amendments which are not authorised by the Chair between meetings must be highlighted at the following meeting for discussion and approval / rejection.

Commented [A88]: Deleted as some actions will have a longer time frame

6.3 The minutes of the Board and unrestricted papers will be placed in the public domain as soon as practical after these have been approved and signed by the Chair, with exclusion to any matter deemed private and confidential.

Commented [A89]: Added for alignment with the EP P&R Board ToR


6.36.4 Once approved, the written minutes will be the official record of the meeting. In preparing these minutes a recording of the meeting may be used but this will be deleted once the official written minutes have been agreed at the following Board meeting.

Commented [A90]: Added for consistency with the EP P&R Board ToR

6.5 The secretariat of the meeting will be provided by the Police, Fire and Crime Commissioner's office.

#### 7 Decision-making (Commissioner or Deputy)

6.7.1 Although the board has no decision-making powers, where a decision is required, the Commissioner or their Deputy (where authorised to do so under the Scheme of Delegation) may decide to take a decision on the item once discussion has concluded.



## 8 Publishing of Information

- 8.1 All documents must be labelled in accordance with the UK Government Security Classifications.
- 8.2 The agenda will include verification of the security classification of papers and confirmation of these classifications (and approval for publishing) will be sought at the conclusion of each Board meeting.
- 8.3 Documents marked 'Official Sensitive' or above (Secret / Top Secret) are not to be published.
- 8.4 Documents labelled 'Official' and those not protectively marked may be published with the following exceptions:
- The document must not include any personal details in accordance with the UK GDPR.
  - The documents must not contain or allude to any form of intelligence, which may compromise operational activity and tactics.
  - The document does not contain any embedded documents that fall outside of the classification on the main paper.

