



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

OPTIONS FOR DELIVERY OF FUTURE FIRE CONTROL SERVICES

Report of the Chief Fire Officer

Agenda No:

Date: 24 June 2011

Purpose of Report:

To present to Members options for the continued delivery of fire control services for Nottinghamshire Fire and Rescue Service.

CONTACT OFFICER

Name : Frank Swann
Chief Fire Officer

Tel : (0115) 967 0880

Email : frank.swann@notts-fire.gov.uk

**Media Enquiries
Contact :** Elisabeth Reeson
(0115) 967 5889 elisabeth.reeson@notts-fire.gov.uk

1. BACKGROUND

- 1.1 The requirement for the provision of fire control services is enshrined within legislation. The Fire and Rescue Services Act 2004 states (Part 2, Paragraph 7 2(c)) – “A Fire and Rescue Authority must make provision for the purpose of . . . in particular . . . make arrangements for dealing with calls for help and for summoning personnel.”
- 1.2 These arrangements were not new and had reinforced the original provisions of the 1947 Act when it was updated during 2003.
- 1.3 The traditional model for the provision of fire control services evolved from the 1947 Act and as a consequence, each individual Fire and Rescue Service/Authority provided and maintained an establishment and associated technology to provide 24/7 arrangements.
- 1.4 In December 2003, the Office of the Deputy Prime Minister (ODPM) released the inaugural draft Fire and Rescue Service National Framework for consultation. In Paragraph 2.10, the Framework stated that work commissioned by the Government in 2001 showed “that the current pattern of control rooms was costly and inefficient.” Additionally, further work conducted following the events of 9/11, and outcomes from the fire pay dispute, showed that “regional control rooms were necessary to support resilience and would achieve major efficiencies.”
- 1.5 Following a period of extensive consultation the draft National Framework was published as the Fire and Rescue Service National Framework 2004/2005. It came into force from April 2004 and the comments relating to the provision of regional controls were reinforced. (The Framework is issued under Part 3, Paragraph 21 of the Fire and Rescue Services Act 2004).
- 1.6 The 2004/2005 Framework instructed Fire and Rescue Services, through the newly formed Regional Management Boards, that they must, amongst other specific duties:
 - Ensure the phased transition from existing control rooms to the new control centres is delivered within the overall national timetable by the end of 2007;
 - Agree with Government by November 2004 arrangements for managing and maintaining the new centres;
 - Comply with national protocols on staff roles, training and mobilising, and back up and resilience arrangements, drafts of which will be produced for consultation by December 2004.
- 1.7 As a consequence of the directive, Nottinghamshire Fire and Rescue Service, through the newly formed Regional Management Board (RMB), delegated responsibility to a specifically formed project group to deliver the East Midlands Regional Fire Control Centre. A Local Authority Control Centre Company (LACC) was formed, of which Nottinghamshire was an

equal partner, and with substantial New Burdens funding from central government, the transition from individual control centres to nine regional provisions began.

- 1.8 As a consequence of the project, Nottinghamshire Fire and Rescue Service stalled on plans to invest in its own provision in any substantial manner. With the promise of a totally new, bespoke and integrated system for the region, the decision was taken to ensure that the existing arrangements remain serviceable at the level they were at in 2004. Some minor investment would be required in a maintenance capacity. Due to TUPE implications arising from the RCC project, the Service also took the decision to refrain from including control centre staff in other Service-wide changes such as shift change. It was felt that this would be difficult given the implications of TUPE and the potential changes of employer.
- 1.9 As has previously been reported to the Fire Authority, and as is now widely known, the RCC project suffered significant delays. The original completion date of 2007 was continuously delayed and in January 2011 the new Minister for the Department of Communities and Local Government (DCLG) announced the immediate closure of the project. Whilst this announcement was not widely unexpected, the impact on individual Fire and Rescue Services across the country was significant. Like Nottinghamshire, many have only invested minimum funding in their existing provisions, and key decisions will need to be made now as to how the Service will meet its statutory obligation in future years.
- 1.10 The Government has recently undertaken its own consultation on the future of fire control services during spring 2011 and a consultation response by the Fire Authority was presented for approval at the Fire Authority meeting on 25 February 2011. This consultation document has been considered as part of the options being put forward for consideration within this paper.

2. REPORT

- 2.1 As a result of the fire control project, Nottinghamshire Fire and Rescue Service has not had any major investment in the development of its existing mobilising system since its installation in December 1995. Given that this is an ageing system its reliability and resilience will need to be addressed. Some minor investment has taken place to ensure that the provision remains fully functional, and the Authority does have a written agreement with the existing supplier that will provide continued support to the system until December 2014. It should be noted that this does not include station end equipment, which will require considerable investment over the next 12-18 months.
- 2.2 As a result of the cancellation of the RCC project, Nottinghamshire Fire and Rescue Service needs to be in a position of identifying an alternative strategy that continues to meet the provisions of the statutory duty and delivers a resilient, efficient and capable fire control service to support its operational needs. In summary the options are:

- Do nothing.
- Invest in a stand-alone upgrade of the current mobilising system or invest in a new mobilising system.
- Go into partnership with other Fire and Rescue Authorities.
- Go into partnership with other public sector authorities.
- Discharge the control function to other parties, public or private.

2.3 Each of the options available for the Service are considered in the following paragraphs, although it should be stressed that at this stage no formal options appraisals have been made. The purpose of this report is the lay out which of the options to the Fire Authority the Chief Fire Officer recommends them to consider, in full detail, to present back to them at a future date.

Option 1 – do nothing

- 2.4 Although this has to be considered as an option, the current position of the Service and the provisions it maintains rule it out.
- 2.5 The current mobilising system went live in December 1995 and the Service only has a written agreement from the provider to support the system until December 2014. There may be possibilities to extend this beyond this date, but given the age of the system this is likely to be expensive.
- 2.6 More pressing is the condition of the station end equipment where obtaining maintenance arrangements is becoming challenging.
- 2.7 It is therefore recommended that this option is not considered.

Option 2 – invest in a stand-alone upgrade of the current system or invest in a new mobilising system

- 2.8 Upgrading the existing system is potentially a viable option, although the Authority will have to consider a full replacement of the station end equipment as part of this project, and potentially some specific upgrades and changes to the mobile data terminals installed in appliances.
- 2.9 Indications from our current suppliers are that the existing system can be upgraded. No formal quotes have been discussed, but any upgrade is likely to fall out of any OJEU process. This is also likely to be fairly quick to achieve, although given the demise of the RCC project, many other Services could be taking a similar approach. This could lead to a delay in the provider being available to the Service.
- 2.10 Maintaining the system may also present a potential problem with regard to future interoperability with other Fire and Rescue Services. At present there are a number of other Services who operate a similar system to Nottinghamshire, including Derbyshire. Within the Government's recent consultation document resilience is still considered to be a key factor so appropriate 'fall back' arrangements are likely to be necessary.

- 2.11 The alternative to an upgrade could be the procurement and installation of a totally new system on the current site.
- 2.12 There are a number of alternative suppliers available to the UK Fire Service who provide mobilising systems that can match and exceed the Service's current capability.
- 2.13 Investment of this nature is likely to be well into the six figure sum region and the Service would still need to invest in its station end equipment as well, which would increase the total costs.
- 2.14 No formal figures have yet been obtained and due to the range of providers it is likely that the Service would have to go into a competitive tendering process. This may reach OJEU levels if a total package solution is sought.
- 2.15 If this option were considered, the Service would also need to consider what alternative systems are being deployed across the UK, so as to assess opportunities for full operability with other Fire and Rescue Services. In either case, the Service would also need to consider revising its staffing model. A more flexible approach to crewing the control facility and addressing peak-time activities is likely to bring additional efficiencies which would improve cost viability. This would take significant engagement and negotiation with representative bodies.
- 2.16 Although there are a number of implications with regard to either upgrading the existing system or procuring one for sole use within Nottinghamshire, it is recommended that this is an option that the Fire Authority should consider. A full and detailed business case would need to be prepared and presented back for final decision at a future meeting.

Option 3 – go into partnership with other Fire and Rescue Authorities

- 2.17 DLCCG, as part of the Comprehensive Spending Review, and through the recent consultation on the future of fire control services, has clearly indicated that Fire and Rescue Services should be considering greater collaboration in this area.
- 2.18 There are a number of ways in which this can be achieved, such as:
- Developing a common system with a view to developing full interoperability.
 - Developing a single facility arrangement to serve two or more Services.
 - Sharing of upgrade costs to an existing facility.
 - Joint capital investments in new systems.
- 2.19 Working with other Fire Authorities in any event brings a number of significant advantages, not least the issue of reduced costs, which are likely to be significant in all of the options considered. The Authority could have the benefit of:

- Shared knowledge.
- Shared capital cost.
- Shared risk.
- Use of existing facility on or off-site.
- Shared technical support and maintenance.

2.20 There is also the very significant incentive being offered by DCLG, that if Fire Authorities work together and utilise RCC legacy assets, considerable financial rewards could be forthcoming, to enable Services to upgrade their facilities to a modern standard. This approach should not be ignored.

2.21 Joint procurement may also require OJEU processes to be put in place and Nottinghamshire Fire and Rescue Service would also need to press for a full system which would include the replacement of all station end equipment. If costs to this extent could be covered, this would become a very feasible option.

2.22 As with the potential to maintain a stand-alone facility, any collaboration would require engagement with representative bodies as it could lead to amendments to staffing models currently employed.

2.23 Although there are a number of implications that would need to be considered in this approach, it is recommended that the Fire Authority explore this option. A full and detailed business case will need to be presented at a future meeting to allow the Fire Authority to consider all of the implications, before making a decision.

Option 4 – go into partnership with other public sector bodies

2.24 The most likely scenarios if the Authority were to pursue this option would be with either the Police or Ambulance Services as the emergency nature of the activities is unlikely to be conversant with other providers.

2.25 The concept of shared control centres is not new. Both Wiltshire and Gloucestershire operate a 'clover-leaf' approach, where the Services occupy the same building, but operate different mobilising approaches.

2.26 Some issues which would arise from a completely integrated approach would be:

- Diverse operational procedures and requirements.
- Differing statutory obligations.
- Different pay, working conditions and staffing models.

2.27 This list is not exhaustive but detailed analysis would need to be undertaken.

2.28 Additionally, EMAS already operates a regional facility which may not be commensurate with any approach that needs to support Nottinghamshire Fire and Rescue Service.

- 2.29 Considerations must also be given to the back-office information required by the individual Services for enabling the individual organisations to report and function. For example, incident recording systems for Fire and Rescue Services provide national data and are integrated to human resources, retained and attendance systems. All of these would have to be looked at in great detail.
- 2.30 Location would also be an option that any multi-agency approach would need to look at. It is not known whether the individual Services could accommodate others and the likely outcome would be the potential of a new build. Gloucestershire and Wiltshire used the PFi process to develop their own centres.
- 2.31 Taking all the implications of a multi-service approach into account, it is not recommended that this be pursued at this stage. The Fire Authority should not discount this as an option however, but look at other more viable and achievable options in detail, before making a decision of whether to consider this.

Option 5 – discharge the control function to other parties, public or private

- 2.32 The Fire and Rescue Services Act 2004 does allow for individual Fire Authorities to fully discharge any of its functions to another authority or person. This is covered in Section 16 of the Act.
- 2.33 The simple concept works on the premise that another body, potentially a Fire Authority, but could be other, will provide mobilising for the Service and enable the Authority to meet its statutory duty.
- 2.34 In theory this was the principle underlying the RCC project where the LACC would have taken on the duty on behalf of the constituent Authorities.
- 2.35 There are again significant implications to this, not least the availability of organisations with proven resilience and performance to be able to undertake the duty.
- 2.36 Any decision on this matter would have to be subject to wide consultation with staff and representative bodies, as well as it is likely to fall under OJEU tendering rules.
- 2.37 There would be implications with regard to staff, and TUPE would be a likely implication, whether the provision was provided from within the sector or not.
- 2.38 This option would be likely to provide some savings to the Authority, the amounts dependent on the tendering submissions, although it is certain DCLG would want assurances on resilience and reliability. The Service may also need to review how it addresses 'out-of-scope' activities which would either have to be negotiated as part of any contract, or picked up by the Service itself.

- 2.39 In considering this option it is not recommended at this stage that this be further explored. As with Option 4, it should be considered a fall-back option should the ones more suited for the Fire Service model not meet up to the business case options.

Summary

- 2.40 In summary therefore, the five potential options should be considered as follows:

Option 1 – dismissed – not viable

Option 2 – move to business case submission

Option 3 – move to business case submission

Option 4 – reserve, dependent on Options 2/3

Option 5 – reserve, dependent on Options 2/3

3. FINANCIAL IMPLICATIONS

- 3.1 The financial implications arising from this report are likely to be significant. An example of a new mobilising system, such as that recently installed by West Midlands Fire Service, is circa £400k. A simple upgrade could come in at less than £100k, although in the case of Nottinghamshire Fire and Rescue Service, costs are likely to be considerably higher due to the investment required in the station end equipment.
- 3.2 Staffing costs will also have to be a consideration due to the difficult financial climate the Service is currently operating in.
- 3.3 What is clear is that before any decision is made, the Authority must have full and detailed business case options with all of the appropriate detail over the short and long-term, before any decision can be made.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

- 4.1 All of the options are likely to include significant human resources and learning and development implications, which will need to be addressed as part of any new arrangement.
- 4.2 Any new system would require the training and development of all staff, and the long-term arrangements may well include revised working patterns to meet the efficiencies that will be required. These would all be subject to full consultation and negotiation with the representative bodies.

5. EQUALITY IMPACT ASSESSMENT

A full equality impact assessment has not been undertaken for this report, but development of any new arrangements would need to be subject to a detailed equality impact assessment.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising from this report.

7. LEGAL IMPLICATIONS

- 7.1 The Fire Authority has a legal duty under Section 7, 2(c) of the Fire and Rescue Services Act 2004 to “make arrangements for dealing with calls for help and for summoning personnel.”
- 7.2 Failure to provide and maintain sufficient arrangements to meet this obligation could lead to a legal process being undertaken.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The risk management implications are primarily laid out within the body of this report.
- 8.2 The Fire Authority is faced with an ageing mobilising system and a legal duty to provide a means for answering calls and summoning resources. Failure to address this risk could see the Fire Authority in breach of its statutory duty.
- 8.3 By accepting the need for detailed business cases on options going forward, the Authority should be in a position to take a decision on its future arrangements and make any changes whilst the current facility is still serviceable. Any delays could present risks to the Fire Authority.
- 8.4 The Authority will also need to consider the financial risks that the Authority presently faces. Any provision to replace or upgrade existing systems in any guise must be affordable in the long-term.

9. RECOMMENDATIONS

That Members task the Chief Fire Officer with providing detailed business case options in respect of Options 2 and 3, with a further report to be brought back to a future meeting of the Fire Authority.

10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Frank Swann
CHIEF FIRE OFFICER