



Buckinghamshire & Milton Keynes Fire Authority

Meeting and date: Executive Committee, 8 February 2024

Report title: Thames Valley Fire Control Service (TVFCS) Contracts

Lead Member: Councillor Simon Rouse (Chairman)

Report sponsor: Assistant Chief Fire Officer, Simon Tuffley

Author and contact: Assistant Chief Fire Officer, Simon Tuffley

Action: Decision

Recommendations:

1. Royal Berkshire Fire Authority (RBFA) be authorised to progress a variation of the maintenance and support contract, including the ICCS hardware refresh, between Royal Berkshire Fire Authority and SSS Public Safety Ltd in line with the latest estimated value of the new contract value of £1,240,977 (subject to annual inflationary uplifts).
2. RBFA be authorised to extend the contract between RBFA and Securitas Security Services (UK) Ltd for contingency call handling services for one year from 30th April 2024 to 30th April 2025, being the final extension option of the current contract.
3. That the decision by RBFA to extend the contract between RBFA and Whitwam Ltd for the supply and support of a video monitoring solution in the TVFCS control room from 1 September 2023 until 1 September 2028 (with options to extend to 10 April 2030) be ratified.

Executive summary:

The Thames Valley Fire Control Service (TVFCS) budget for 2024/25, was presented to the TVFCS Joint Committee on 14 December 2023, setting out a range of recommendations, including contract arrangements relating to recommendation one and two of this report, that require respective Authority's approval pursuant to Clause 17 of the TVFCS Inter-Authority Agreement (see background papers).

The full recommendations and supporting report for the 2023/24 budget are attached as Appendix 1, which comprises two reports prepared for the TVFCS Joint Committee meeting on 14 December 2023.

This report also sets out a retrospective matter relating to a TVFCS contract that requires Joint Committee, and respective Fire Authorities approval. Specifically, this report relates to awarding a contract for an ancillary video monitoring system used within the TVFCS control room. This report is attached at Appendix 1, item 9, pages 27-30.

All TVFCS contracts are governed by clause 17 of the TVFCS Inter-Authority Agreement. The stipulations within this clause differ from and are supplementary to standing Fire Authority Contract Regulations. The clause sets out actions to be taken for new contracts or contract variations.

Under normal circumstances, Senior Responsible Owners from each FRS are required to submit a report paper to their respective Authorities seeking approval of the recommendations from the Joint Committee, as per the requirements of the TVFCS inter-authority agreement for the prior consent from each Authority before the extension or renewal of these contracts.

However, due to the timing of TVFCS Joint Committee meetings and the operational imperative to undertake the work, in respect of recommendation three, this paper has been brought to Members after contract award at the next available opportunity.

The 2023/24 capital expenditure (Capex) profile previously approved by Members, included provision for replacement of a video monitoring system; an ancillary system that is an essential element of the safe systems of work employed in the control room that ensures 999 calls and operator responses can be monitored and assured, enabling staff to provide immediate support and advice during call taking and mobilisation. It is also used as a key training aid for recruits and staff in development.

The solution needed to be installed as soon as practicable following completion of the Vision hardware refresh in September 2023 (See background papers), as the old video monitoring system would no longer function with the new hardware. Therefore, the contract would need to be in place from September 2023 onwards to allow for the necessary engagement and planning to deliver the solution in a suitable timeframe and manage the risk associated with not having a video monitoring solution in place.

A tender process was undertaken by RBFRS in Q1/Q2 2023/24, and the contract was awarded to Whitwam Ltd. The process was compliant with Royal Berkshire Fire Authority's contract regulations but did not align to the requirements of Clause 17 of the TVFCS Inter-Authority Agreement. This relates to clause 17.3 which states that "...a new TVFCS contract...shall be a Fire Authority decision..."

To comply with the Inter-Authority Agreement, contract award would have been delayed until the next available Joint Committee meeting in December 2023 and then the next available and appropriate Authority meeting for each partner, circa February 2024. This would have created around a six-month delay in beginning the installation process for the new solution.

In this case, the agreement created a challenge to operational flexibility and management of risk, and it was decided to award the contract to enable delivery of the solution in a reasonably practicable timeframe and therefore bring the decision to the next available Joint Committee meeting (the December meeting) for ratification.

The contract value of £72,351.28 covers delivery, installation and a 12-month warranty. The contract also includes a 'call off' element for technical support which covers the lifespan of the contract. It is expected that, should it be required, the cost any technical support provision, from year two onwards, could be met through re-profiling existing revenue budget.

Financial implications:

The maintenance and support aspects of both contracts are paid from the TVFCS revenue account, and the current contract value will remain the same.

Risk management:

There is a low risk associated with the Whitwam contract as the Joint Committee was not sighted on the final contract pursuant to Clause 17 of the Inter Authority Agreement. However, the Committee were made aware of the intent to enter into a contract via the 2023/24 Capex Profile which was agreed by Members.

The contract is compliant with both Public Contract Regulations 2015 and RBFA (lead Authority) contract regulations.

This highlights the potential for future risk, either of contravening the agreement, due to the constraints of the agreement balanced against operational requirements, or creating delays in achieving objectives, incurring opportunity cost, pending the need for multiple sign off points at the Joint Committee and each Authority.

Legal implications:

TVFCS Inter Authority Agreement (IAA), "Clause 17.5. No material variation shall be made to a TVFCS Contract without the prior agreement of the Fire Authorities (not to be unreasonably withheld or delayed) [...]"

The IAA also states "Clause 17.3. [...] A Fire Authority, on its own account or jointly with another, shall not enter into a new TVFCS Contract without the agreement of the Fire Authorities (not to be unreasonably withheld or delayed) [...]."

Privacy and security implications:

None arising directly from this report. The report is not protectively marked.

Duty to collaborate:

The Fire Authorities of Buckinghamshire and Milton Keynes, Oxfordshire County Council and Royal Berkshire have collaborated to deliver the TVFCS as a single joint emergency call handling, mobilising, and resource management function for all the Thames Valley.

Health and safety implications:

None arising directly from this report.

Environmental implications:

None arising directly from this report.

Equality, diversity, and inclusion implications:

None arising directly from this report.

Consultation and communication:

Principal consultation was between the TVFCS Joint Coordination Group members and the TVFCS Joint Committee.

Background papers:

- a) <https://bucksfire.gov.uk/documents/2021/09/legal-agreement-relating-to-the-steady-state-operation-of-the-thames-valley-fire-control-service.pdf/>
- b) [\(Public Pack\)Agenda Document for BMKFA Executive Committee, 14/09/2022 10:00 \(bucksfire.gov.uk\) item 9](#)

Appendix	Title	Protective Marking
1a and 1b	Items 8 and 9 of the Agenda for Thames Valley Fire Control Joint Committee on Thursday, 14 December 2023, 2.00 pm Oxfordshire County Council	Not protectively marked