

THAMES VALLEY FIRE CONTROL SERVICE



SUBJECT	TVFCS CONTRACTS
PRESENTED TO:	TVFCS JOINT COMMITTEE
DATE OF MEETING	14 DECEMBER 2023
LEAD OFFICER	AREA MANAGER JIM POWELL
EXEMPT INFORMATION	NONE
ACTION	FOR DECISION

1. EXECUTIVE SUMMARY

- 1.1 Thames Valley Fire Control Service (TVFCS) contracts are governed by clause 17 of the Inter-Authority Agreement (the '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.
- 1.2 This paper sets out a retrospective matter relating to a TVFCS contract that requires Joint Committee approval pursuant to Clause 17. In particular a contract for an ancillary video monitoring system used in the control room.
- 1.3 The budget requirement for the contract was scheduled and approved by members as part of the 23/24 budget however, due to the timing of Joint Committee meetings the operational imperative to undertake the work this paper has been brought to members after contract award at the next available opportunity.

2. RECOMMENDATION

- 2.1 To **NOTE** the contract between Royal Berkshire Fire Authority (RBFA) and Whitwam Ltd for the supply and support of a video monitoring solution in the control room from 1st September 2023 until 1st September 2028. The contract will run for a minimum period of 5 years, with optional extension periods to 10th April 2030 at a cost of £72,351.28.

3. REPORT

Whitwam Contract

- 3.1 As part of the 23/24 TVFCS budget members agreed the Annual Capital Expenditure (Capex) Profile (the 'profile'). This profile enables expenditure against the renewals account for replacement of hardware and systems in the control room.
- 3.2 The 23/24 profile contained 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.
- 3.3 The solution would need to be installed as soon as practicable following completion of the Vision hardware refresh in September 2023 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 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.
- 3.4 A tender process was undertaken in Q1/Q2 23/24 and the contract was awarded to Whitwam Ltd. The process was compliant with RBFA contract regulations but did not align to the requirements of Clause 17 of the Inter-Authority Agreement. This relates to clause 17.3 which states that "...a new TVFCS contract...shall be a Fire Authority decision..."
- 3.5 In order to comply with the 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.

- 3.6 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 reasonably practicable timeframe and therefore bring the decision to the next available Joint Committee meeting (the December meeting) for ratification.
- 3.7 The contract spend of £72, 351.28 covers delivery, installation and a 12 month warranty. The contract also includes a 'call off' element for tech support which covers the lifespan of the contract. It is expected that, should it be required, the cost any tech support provision, from year 2 onwards, could be met through re-profiling existing revenue budget.

4. COMPLIANCE WITH THE TVFCS PARTNERSHIP AGREEMENT

- 4.1 This report complies with the TVFCS Inter Authority Agreement.

5. FINANCIAL IMPLICATIONS

- 5.1 The maintenance and support aspects of both contracts are paid from the TVFCS Revenue Account and the current contract value will remain the same.

6. LEGAL IMPLICATIONS

- 6.1 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) [...]"
- 6.2 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) [...]"

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 There are no equality and diversity implications identified at this time.

8. RISK IMPLICATIONS

- 8.1 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 23/24 Capex Profile which was agreed by members. The contract is compliant with both Public Contract Regulations 2015 and RBFA (lead Authority) contract regulations.

- 8.2 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 in Authority.

9. CONTRIBUTION TO SERVICE AIMS

- 9.1 As stated in the TVFCS IAA schedule 2: 'Primary objectives':
- 9.2 To satisfy the core functions of the Fire Authorities as defined in the Fire and Rescue Services Act 2004
- 9.3 To satisfy the statutory duty of all the Fire Authorities as category one responders as defined in the Civil Contingencies Act 2004
- 9.4 To improve the resilience of the control room function
- 9.5 To ensure TVFCS is integral in delivering the outputs demanded of the Fire Authorities' Integrated Risk Management Plans (IRMPs).

10. PRINCIPAL CONSULTATION

- 10.1 Joint Coordinating Group
- 10.2 Monitoring Officer RBFA/BMKFA

11. BACKGROUND PAPERS

- 11.1 [Minutes of the meeting of TVFCS Joint Committee 11 July 2022 \[Minute 12\]](#)
- 11.2 [Minutes of the meeting of TVFCS Joint Committee 15 December 2022 \[Minute 7\]](#)

12. APPENDICES

- 12.1 None

13. CONTACT DETAILS

- 13.1 Jim Powell powellj@rbfrs.co.uk 07774215664