

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

15 APRIL 2013

1. SHARED FIRE CONTROL FACILITY

Report of the Chief Fire Officer.

RECOMMENDED

That the Authority notes the decisions below which have been approved by the Fire Control Project Governance Board:-

- 1.1 THAT the single Shared Fire Control facility be located at Vauxhall Road in Birmingham at the current West Midlands Fire Service Headquarters site.
- 1.2 THAT a new collaborative Governance Board become the overarching strategic board for the Shared Fire Control Centre from the time that it goes live in April 2014.
- 1.3 THAT the use of a Service Level Agreement (SLA) be the legal mechanism for the contractual arrangements between the West Midlands Fire and Rescue Authority and the Stoke-on-Trent and Staffordshire Fire and Rescue Authority.
- 1.4 THAT the West Midlands Fire and Rescue Authority becomes the employing body for all personnel working within the Shared Fire Control Centre.

2. PURPOSE OF REPORT

This report is submitted to update the Authority on progress on the Shared Fire Control Project that the Service is collaborating on with Stoke-on-Trent and Staffordshire Fire and Rescue Authority.

3. **BACKGROUND**

- 3.1 At the West Midlands Fire and Rescue Authority (WMFRA) meeting held on 19 September 2011 the Authority was informed that discussions had taken place with Stoke-on-Trent and Staffordshire Fire and Rescue Authority with regard to possible collaborative work for delivering Fire Control services in the future. The Authority endorsed the principles of the joint initiative and delegated power to the Executive Committee to approve the governance arrangements for the project.
- 3.2 At the Executive Committee meeting on 10 October 2011, four Members were appointed to sit with four Members from the Stoke-on-Trent and Staffordshire Fire and Rescue Authority on a Fire Control Project Governance Board. The new Fire Control Project Governance Board was given the authority to explore and investigate the options for a shared Fire Control facility, and meets on a quarterly basis except where special meetings are required. The Executive Committee subsequently approved the terms of reference for the joint Fire Control Project Governance Board and oversees the progress on this joint initiative, receiving regular progress reports from the Project Board.
- 3.3 At that time, a meeting had taken place between the Chairs and Chief Fire Officers of both Fire Authorities to initially discuss the appropriate Governance and Project Management arrangements to ensure the necessary levels of political and strategic scrutiny and provide assurance to Members, staff and the communities it serves.
- 3.4 Members were also advised that the proposed Shared Fire Control Project with Stoke-on-Trent and Staffordshire Fire and Rescue Authority would provide resilience and efficiencies going forward. The Service was looking to maximise the Fire Control investments already made by the WMFRA, in order to deliver the improvements required in Staffordshire.

- 3.5 At the time a joint bid of £4.154m was made to the Department of Communities and Local Government (DCLG) for funding. £3.6m was subsequently allocated jointly to this Authority and Stoke-on-Trent and Staffordshire Fire and Rescue Authority for this collaborative venture.
- 3.6 An independent project manager was appointed in order to oversee the project.
- 3.7 A full communications and engagement strategy and data sharing protocol had been developed and implemented on behalf of the Governance Board for the project.
- 3.8 On 24 July 2012, the Fire Control Project Governance Board received a presentation that explored the opportunities a shared control facility would offer. This included information relating to the inclusion of activities such as prevention and protection and the potential for collaboration in other areas of both Fire Authorities.
- 3.9 It was agreed that this solution would comprise of a single site to receive 999 calls, mobilise appliances and officers, and provide incident management and support to both Fire and Rescue Services. This site would be at Vauxhall Road, which is the current West Midlands Fire Service Headquarters and Fire Control site, and would also cater for a contact centre/Home Safety Check management facility.
- 3.10 This approach would ensure the investment made within the Control Centre located at the WMFS site was fully utilised. The project team was further tasked with determining the way in which this facility would operate from two points:-
1. The Governance arrangements for the shared facility.
 2. The employment arrangements for the personnel working within the shared facility.
- 3.11 In order to ensure smooth transition to a single facility an interim solution is being implemented with an expected go live date of May 2013 although further reports on the progress of this will be put to the Fire Control Project Governance Board in due course. The interim arrangement will comprise a single Command and Control system linked between the two Services, but operated by the respective Brigades.

- 3.12 On 6 February 2013, the Fire Control Project Governance Board gave consideration to proposals for the current governance arrangements for the project. The proposals included a collaborative Governance Board becoming the governing body for all strategic decisions relating to the Shared Fire Control Centre (SFCC) when the Centre goes live in April 2014.
- 3.13 The collaborative governance board structure would ensure that both Fire Authorities had equity in decision making and would represent their respective interests and expectations. The shared governance approach would focus on innovation and best practice, sharing investment costs and service improvement strategies. It was vital that the proposed new shared governance arrangements would enhance the democratic accountability and transparency between both Fire Authorities.
- 3.14 To ensure a legally binding contract between the two Fire Authorities, discussions were held around the most appropriate contractual arrangements to utilise. The use of Service Level Agreements, a Memorandum of Understanding or a Section 16 agreement were discussed by the Board in detail.
- 3.15 Members explored further the future opportunities for joint working and determined that it would be appropriate for the new Governance Board to act as a conduit to further collaborative working between both Fire Authorities. A copy of the revised governance structure to be implemented from the time the Shared Fire Control Centre goes live is attached at Appendix 1.
- 3.16 Various options for the employment of personnel within the Shared Fire Control Centre (SFCC) were explored and it was proposed that, as the single site option had been proposed previously, the most appropriate approach would be for the WMFA to become the employing body for the SFCC.

- 3.17 Currently the Fire Control Project Governance Board has approval to explore and investigate only; however the new collaborative Governance Board would have different delegated powers. In order to ensure fluidity in decision-making, an appropriate delegation of powers mechanism is required.

The new Governance Board Members will require an initial level of control over decision making (see below):-

No	Item	Delegated Power
1	Human resources – Establishments, structures, terms and conditions	Governance Board
2	Financial Issues above £10,000	Governance Board
3	Systems procurement	Governance Board
4	Service charges	Governance Board

- 3.18 Until the formation of the new collaborative Governance Board which will commence in April 2014, with the implementation of the full solution, the progress of the project through the current Project Governance Board will continue to report back to their respective Authority to ratify key decisions.
- 3.19 The constitution of the new Governance Board will be made up of the Chief Fire Officer, Fire Authority Chair, 3 Elected Members and a legal advisor from each authority. As with the current Governance Board, the new Governance Board will meet on a quarterly basis with the option to hold “emergency meetings” as required.

4. **EQUALITY IMPACT ASSESSMENT**

During the development of the employment model an equality impact assessment will be carried out and an appropriate action plan implemented if required.

5. **LEGAL IMPLICATIONS**

- 5.1 Although there is currently a collaborative agreement in place between the two Fire Authorities, both Authorities require a legally contractual agreement with the detail agreed by both Authorities’ legal teams. This agreement needs to clearly define:-

1. The employment of staff under the Shared Fire Control Centre project and how this would work.
 2. The structure and membership of the Governance Board.
- 5.2 An alternative such as a Section 16 agreement would not be appropriate as this only details one Service covering the duties of another, whereas in this case both Authorities are working together to provide a service.
- 5.3 In respect of the employment implications, the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) are designed to protect employees who are subject to a business transfer - a service provision change, aiming to ensure that they are not treated unfairly. Personnel working within Stoke-on-Trent and Staffordshire's FRA Fire Control will be subject to TUPE as part of the move to a single employing body (WMFS). This work will be progressed by the HR work stream.

6. **FINANCIAL IMPLICATIONS**

- 6.1 The project was jointly allocated £3.6m by the Department for Communities and Local Government (DCLG) following an original bid submission of £4.154m. The spend allocation in the original bid submission to DCLG was re-profiled to reflect the shortfall.
- 6.2 The move to the interim solution has resulted in a current spend of circa. £400,000. There is a forecast spend of a further £2.5m up to the full solution. This incorporates some early redundancy costs.
- 6.3 There will be further costs relating to redundancy payments as the transition to the full solution takes place. However it is anticipated that the overall grant funding of £3.6m will cover this expenditure.
- 6.4 The overall financial impact of all aspects of the project will need to be reviewed and considered by the Fire Control Project Governance Board on an ongoing basis.

7. **TRADE UNION CONSULTATION**

FBU have a seat on Project Board and consultation is ongoing as we approve HR workstream, comprehensive consultation will take place.

BACKGROUND PAPERS

Fire Authority meeting 19 September 2011

Executive Committee 10 October 2011

Minutes of the FC Governance Board

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CHIEF FIRE OFFICER

COMMUNICATION FLOW

