

Minutes of the Executive Committee

7 August 2017 at 1000 hours
Fire Service Headquarters, Vauxhall Road, Birmingham

Present: Councillor Edwards (Chair)
Councillor Idrees (Vice Chair)
Councillors Allcock, Aston, Atwal-Singh, Barlow,
Davis, Mottram, Sealey, P Singh, T Singh

Apologies: Councillors Cartwright, P Singh,

6/17 **Minutes of the Executive Committee held on
12 June 2017**

It was noted that the Clerk was still in conversation with Wolverhampton City Council in respect of the Monitoring Officer.

Resolved that the minutes of the meeting held on 12 June, be approved as a correct record.

7/17 **Declarations of Interest**

There were no Declarations of Interest.

8/17 **Exclusion of the Press and Public**

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006 relating to the financial or business affairs of any particular person (including the authority holding that information) and information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any

labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holder under, the authority.

9/17 Coventry Fire Station

The Committee's approval was sought for the additional funding required to meet the costs for the redevelopment of Coventry Fire Station.

Following a recent tender exercise for the construction phase of the Coventry Fire Station Redevelopment, it had been identified that the overall estimate cost of the project would exceed the approved budget by approximately £475,000, the increase predominantly arising from construction price increases since the project had been approved combined with increases in demolition costs, primarily due to asbestos related issues.

The breakdown of the additional costs was provided as following

Temporary Accommodation	£65,000
Demolition	£120,000
Construction	£290,000
	<u>£475,000</u>

A number of questions were raised regarding the arrangements for the identification and removal of asbestos at Coventry Fire Station. It was confirmed that the removal and the associated work delays were the single biggest factor in the increase in demolition costs. In particular, a query was raised as to whether some of these costs could/should be passed onto the company which undertook the asbestos refurbishment and demolition survey.

An asbestos refurbishment and demolition survey was undertaken at Coventry Fire Station by a specialist asbestos surveying company prior to any demolition work starting.

The intrusive asbestos refurbishment and demolition survey was carried out in compliance with Control of Asbestos Regulations CAR 2012 (regulation 7) and Health and Safety Guidance (HSG 264). Many samples were taken which provided valuable information prior to demolition. However, there were some areas of the station that were not accessible for tests to be carried out.

Unfortunately, due to unknown encapsulation (not visible and unable to be accessed on the asbestos refurbishment and demolition survey) asbestos was found within the soffits above all 12 appliance bay doorways (behind the appliance bay doors and frames). These areas could not be accessed prior to demolition without total removal of the appliance bay doors and frames, therefore, the asbestos could only be exposed and identified as the structure was being taken down. The asbestos containing material identified was notifiable to the Health & Safety Executive which resulted in a 14 day notice prior to commencement of removal work.

This, in addition to arranging a safe method of working/removal, led to a delay and stand still period on site of three weeks [the asbestos containing material was located at height, requiring a large amount of scaffolding to both sides of the structure ensuring the area was fully enclosed and air tight prior to the removal of any material].

Taking the availability of the main contractors and the additional costs of temporary accommodation, it was the view an independent project manager that the increase in the price range was within tolerable limits since the project had originally been approved and that this would be the most cost effective solution. To retender would increase costs further.

Mr David Gardiner, Head of Facilities Management, attended the meeting to provide further specialist knowledge in respect of the asbestos and demolition and removal of the asbestos. He confirmed that a full intrusive survey had been undertaken.

Under the contractual arrangements of the asbestos refurbishment and demolition survey, any specific areas where inspection/tests could not be carried out for asbestos prior to demolition remained the client's risk (in this case the Fire Authority). Consequently, it was not considered that the Authority would be in a position to seek any costs from the specialist asbestos surveying company.

The Chair stated that it was not normal to have to approve an increase so soon after a tender had been let, but Members understood the reasons for the delay and additional costs. A further delay could increase costs further.

The Monitoring Officer stated that if there were any unforeseen delays or mistakes the Authority could potentially recover sums through liquidated damages and further information could be provided.

Members requested that if any savings could be made during the build that these would be welcomed as they wish to see the most cost effective use of resources now and in the future.

Resolved that the additional funding to meet the increased costs for the redevelopment of Coventry Fire Station be approved.

10/17 Procurement Exercise – Surface Hubs

The Committee noted the decision taken by the Chief Fire Officer in consultation with the Chair of the Fire Authority in accordance with Standing Orders Part 3, Section 17 (arrangements to act in matters of urgency) to allow the procurement for the supply and installation of Microsoft Surface Hubs (combined touch screen, user friendly tv/computers that provide interactive communication and enhanced presentation/training facilities) for all Fire Stations, Technical Engineering Workshops, Command Development Centre and the Command Support Vehicle.

The Chief Fire Officer stated that the requirement for audio visual equipment within the training rooms at each fire station had been reviewed in line with the recent adoption of O365 and the age of usability of the current technology at these locations. Extensive research and analysis led to the recommended procurement of a Microsoft surface hub for each location.

The purchase of the Hubs, not only updated the IT equipment available to support the Service Delivery Model, but also supported the Brigade's approach to high standards of training and staff availability. Microsoft had offered a discount of £35k if an order was placed before the end of June and this gave the Service an opportunity to future proof training and to provide technologically enabled facilities on stations. The Hubs would have a 3 – 5 year life span and it was recognised that the staff using the equipment would receive a non-tangible benefit and better user experience.

It was agreed that the breakdown between the hardware and software licensing costs would be provided to one member who expressed an interest in these costs.

11/17 An update on workforce planning and business continuity Arrangements to deliver The Plan 2017-20 and a balanced budget

The Committee noted the Authority's commitment to the:

- Programme of workforce reform to support the delivery of The Plan 2017-20 and the associated efficiency plan.
- Delegated authority to the Chief Fire officer (CFO) for seeking to develop and agree the delivery of a local agreement with representative bodies as an enabler to workforce reform.
- Delegated authority to the CFO to develop and implement business continuity arrangements to ensure delivery of The Plan 2017-20 within the budgetary agreements of the associated efficiency plan.

The Strategic Enabler (People Support Services) informed the Committee of the workforce planning and business continuity arrangements being made to deliver The Plan 2017-20 and a balanced budget in light of the decision of the Fire Brigades Union (FBU) to reject the pay offer made by the National Joint Council (NJC) and to withdraw support for a range of trials which have facilitated the delivery of The Plan 2017-20 and to seek the support of the Authority to continue with the strategic direction of the Service.

The Service is committed to providing an excellent service to communities and to maintain the Service Delivery Model (SDM). The service have explored and implemented a program of workforce reform to enable flexibility and agility. The alternative flexible funding has delivered wider benefits to the community providing better outcomes for the most vulnerable and to meet legislative responsibilities under the FRS Act and National Framework. And led to improved collaborative working with other local authorities as well as increased relevance as part of the Combined Authority.

The current delivery of health work, specifically non-emergency falls response, had been a key feature of the reform programme. The local engagement with health trials was a key feature and amongst the first in the country in September 2015. The Service had continued to engage with the NJC trials and this had been supported locally by the development of a Falls Improvement Group, this group consists of delivery staff, representative bodies and management who have developed shared ideas and solutions to enhance delivery and resolve health and safety issues.

As an outcome of the national pay negotiations the national FBU support for the NJC trials is planned to cease on the 24 August 2017. The local FBU have instructed their members to withdraw from the delivery of non-emergency falls response service, back home safe and well and elements of the safe and well visit that are not directly related to core prevention activities.

The Service's view is that all elements of this work are linked to vulnerability and are essential to reduce fire related risks and are committed to continue with this work. Should the trials cease, business continuity arrangements have been put in place to deliver the existing work activities and to meet current contractual agreements.

The Service will continue to have discussions with the Representative Bodies as key stakeholders in enabling this change along with staff to reach an agreement.

In order to sustain the SDM and non-emergency falls response all new entrants will have a flexible contract that includes being able to deliver health work. This addendum to their contract will enable them to deliver the wider health work.

The Service has a strong track record and evidence base for delivering public sector reform and transformation and a flexible workforce will support existing activities and any new opportunities that may arrive.

At the Policy Planning Forum held on the 12 June 2017, the Chief Fire Officer had informed the Authority of the agreed approach to be taken to plan, implement and report back on the business continuity arrangements.

Wide and broad discussions have taken place with staff who wish to volunteer to carry out business continuity arrangements and deliver the service. A dedicated team, comprising a cross-section of both support staff and service delivery staff will undertake this work. In developing business continuity arrangements, there have been ongoing engagement with the representative bodies.

The Chair asked the CFO to provide further details on the fleet availability.

The CFO explained that to assist the Service in achieving its 5 minute attendance standard, a flexible and dynamic cover tool is used to provide information on how the Service distributes its resources to fires and road traffic accidents and how this impacts on saving lives through variable fleet availability and location.

The Home Office had recently commented that it had never seen such a comprehensive tool in managing risks.

There are 41 Pump Rescue Ladders and 19 Brigade Response Vehicles. Training and maintenance also impacts on availability but currently the Service was enjoying its best availability at 99% compared to 96% previously. There is a cost factor in managing the day to day availability against risk, in order to achieve efficiency and a balanced budget.

In response to a question from the Chair, the CFO confirmed that the Service may have to pre-state one or more vehicles off the run to accommodate financial sustainability of the business continuity. The dynamic cover tool will be used to minimise moves and provide a measure of how the day to day resources are being used and effect this is having on the budget.

In response to an enquiry about the legal implications and reputational damage, the CFO confirmed that the FBU represents 80% of firefighters, 20% are not members of the FBU and other volunteers will be non operational staff and will provide the business continuity, the CFO felt confident that they would be able to deliver the service. Members were informed that they may be approached by members of the FBU lobbying them for their support.

The CFO also confirmed that through working with the Representative Bodies in an empathetic way before the trials commenced the approved, agreed and established method of responding to vulnerability was described as a prevention emergency response.

One Member asked if the Fire Service were becoming the victims of cuts to other services in respect of emergency medical response particularly in respect of red 1 cardiac arrest calls.

The Chief responded that the West Midlands Fire Service did not attend this type of incident, but other Service's were undertaking this type of work and stated that in the West Midlands area the West Midlands Ambulance Service was the only foundation trust rated as outstanding for attendance at this type of incident.

There were still benefits in engaging with this work and Adult Social Care benefit from the service delivered and this work could prevent the next accidental dwelling fire. The Service was aiming to achieve sustainable transformation plans.

The Chair summarised by stating that negotiations with the FBU were continuing regarding the pay settlement and the FBU wanted pay to be linked to Emergency Medical Response duties. There was no agreement on pay and negotiations were continuing but the support for this type of work would be withdrawn on 24 August 2017.

Business continuity arrangements and new contracts for new entrance were in place to enable the delivery of the Service Delivery Model and achieve a balance budget. Volunteers, support staff and front line firefighters would be delivering falls response through the business continuity arrangements.

The national FBU position is that there can be no local agreements met during this time. However, a resolution would allow the Service to develop a local agreement.

The Chair stated that the FBU, employers and employees had been happy to talk regarding the widening role of the firefighter but this opportunity had now been lost which was regrettable for communities and the Fire Service could be in jeopardy from the government with less firefighters and the opportunity to nationally widen the role and value of the fire fighters is decreased.

The Chair felt that the Fire Service nationally have a statement to make in respect of training, prevention and fire protection.

Members were informed that they may be asked about the change of contract for new firefighters when visiting stations.

Members would be provided with regular updates on the latest position.

The CFO thanked the Strategic Enabler (People Support Services) for her visible role with workforce reform and the ongoing work with the representative bodies.

It was noted that there was a duplication of some of the wording in paragraph 9.2 of the report.

RESOLVED that the further development of flexible funding activities to continue to meet the intentions outlined in the Authority's approved efficiency plan and to achieve a balanced budget for the period 2017-20.

The meeting concluded at 1130 hours.

Contact Officer: Julie Connor Strategic Hub West Midlands Fire Service 0121 380 6906
