

MEETING: 22 FEBRUARY 2010

SUBJECT: REGIONAL FIRE CONTROL - UPDATE

JOINT REPORT OF THE CHIEF FIRE OFFICER, FINANCE OFFICER AND THE CLERK TO THE AUTHORITY

1 INTRODUCTION

1.1 This report provides Members with an update in respect of developments with the FiReControl project and the Regional Control Centre in the North East.

2 SELECT COMMITTEE AND NATIONAL AUDIT OFFICE

2.1 In mid December 2009 the Communities and Local Government (CLG) Parliamentary Select Committee announced that it intended to undertake a brief inquiry into the FiReControl project with specific attention being focused on the following issues:

- progress of the project so far;
- the reasons for cost and time overruns that the project has experienced; and
- what, if any, changes need to be made to the Government's plans for proceeding with the project.

2.2 As part of the inquiry, the committee invited stakeholders to submit written evidence in respect of the above issues by the 8th January 2010. This presented a very tight timescale for responses. Nevertheless a submission was made from the North East Regional Management Board in consultation with the Chief Fire Officers, which, whilst expressing continued support for the project in principle, set out some key concerns associated with delays in the project, governance and costs issues and stakeholder engagement. The North East submission, together with all of the other written submissions, is available on the Parliamentary website at <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmcomloc/memo/firecontrol/contents.htm>, or from the Chief Fire Officer.

2.3 The single, oral evidence, session took place on Monday 8th February 2010, with the following individuals being called to give evidence in two groups:

- Matt Wrack, President, Fire Brigades Union (FBU); John Bonney, President, Chief Fire Officers Association (CFOA); Cllr Brian Coleman and Cllr Fred Walker, Local Government Association (LGA).
- Roger Diggle, FiReControl Project Director, and Robin Southwell, CEO, EADS; Shahid Malik, Parliamentary Under Secretary of State, Sir Ken

Knight, Chief Fire and Rescue Advisor, Shona Dunn, Director for Fire and Resilience, Department for Communities and Local Government.

- 2.4 Members are advised that no publication date has yet been set in respect of the final report of the Communities and Local Government Parliamentary Select Committee review of the FiReControl project.
- 2.5 In addition to the Select Committee inquiry the National Audit Office (NAO) has also commenced a review covering the Communities and Local Government's management of the project, including its procurement practices. Currently there has not been a request for stakeholder evidence to be supplied. When the findings of the Select Committee inquiry and the National Audit Office review are made publicly available they will be presented to Members for their consideration.

3 FIRE SERVICE CIRCULAR 73/2009 FIRECONTROL: AGREEMENT BETWEEN LACCS/LFEPA AND COMMUNITIES AND LOCAL GOVERNMENT

- 3.1 Members are advised that Fire Service Circular 73/2009 was issued by CLG on 4th December 2009 (Attached as Appendix B). This circular outlined the broad proposals for the contractual agreements that will be required between CLG and Local Authority Controlled Companies (LACC) for the effective operation of the regional control centres and the national network. These proposals are intended to enable two strategic outcomes to be achieved, as set out below.

3.1.1 Outcome One: Providing an effective service to the public

- 3.1.2 Given that Fire and Rescue Authorities will be relying upon the LACC's to provide excellent call handling and command and control facilities it is an absolute necessity that the LACC's have the ability to deliver accordingly. To this end the Circular sets out the following elements that will be contained within the agreement and which, it is proposed, will enable the companies to fulfil their obligations:

- a 'Home' Regional Control Centre performance standard (95% of calls answered within 5 seconds);
- direct access to the national service contracts between CLG and EADS, Airwave, which will ensure that LACC's/FRA's have some direct rights of contractual enforcement;
- limits on the financial liability of partners who may need to deliver services to another part of the RCC network, for example during spate conditions.

3.2.1 Outcome Two: Delivering a resilient and supportive network

- 3.2.2 This outcome is, arguably, the key benefit that will flow from the delivery of the FiReControl project and to fulfil the expectations the following elements are deemed to be necessary:

- Establishment of a network-wide Performance Standard (98% of networked calls answered in 20 seconds);
- financial framework for the management of networked calls which will ensure compensation for any RCC answering more than its equitable share of calls from other parts of the network;
- any proposed changes to the network operation or architecture to be controlled by majority agreement;
- in an attempt to keep the agreements simple cross-referencing, rather than the inclusion, of other documents relevant to the proposed agreement will be used.

3.3 Having considered the content of the Circular, the Chief Fire Officer has, in conjunction with officers of the Authority, compiled a draft written response to the consultation which is attached at Appendix B for the consideration of Members. The deadline for responses to the Circular is the 5th March 2010.

4 PRIMARY MOBILISING AND RESOURCE MANAGEMENT SYSTEM (MARMS)

4.1 CLG have announced that the main system contractor, EADS, have appointed Intergraph as the suppliers of the MARMS, effectively terminating their existing contract with the previous MARMS sub-contractor, Ericsson.

4.2 Members will be aware that the MARMS is the critical element within the overall solution for Regional Control Centres. Without a fully functioning MARMS the operations at RCC will not be able to commence. The lack of demonstrable progress in this area during recent months has impacted in all key areas of the project nationally and regionally placing this significant aspect of the project timeline at risk.

4.3 CLG, working closely with EADS, have completed an initial impact assessment as to the potential affect on project delivery that the change to Intergraph could have and the North East Region are due to take part in a full impact assessment process during March 2010. However, until this assessment has been completed the current project timeline remains valid, with this Authority due to migrate the mobilising function to the Regional Control Centre in May 2011. This will be the subject of a further report in due course.

5 CONCERNS REGARDING EADS QUALITY ASSURANCE AND TESTING PROCESS

5.1 EADS has begun to rollout some of the peripheral components of the main system solution. The Chief Fire Officer has raised some concerns over the quality of the products provided to the Fire and Rescue Services. The main concerns are:

- Whilst EADS may have met the functional requirements as specified in the contract, some components do not fully meet the usability requirements of

the Fire and Rescue Service, which has imposed additional work burdens on the project team in the North East.

- Related to the point above, there is evidence that EADS quality assurance and testing processes are not sufficiently rigorous as several of the products delivered to the North East so far have not worked effectively first time.

5.2 These concerns have been escalated to the Local and Regional Delivery Group and, as a result of these discussions, a further escalation to the national project board occurred. A written response to the issues is expected from EADS during the first quarter of 2010.

6 BUSINESS CONTINUITY PLANNING

6.1 On behalf of the Regional Management Board a consultancy firm was appointed to conduct a business continuity and options appraisal in the case of significant delays or abandonment of the FiReControl project.

6.2 The consultants carried out a series of information gathering interviews with officers and project staff from across the North East region during January 2010 with a view to a final report being made available in March 2010.

6.3 As soon as the report is received it will be made available to Members for their consideration.

7 SUB-LETTING OF RCC BUILDING

7.1 Members will be aware of the significant annual revenue costs associated with the operation of the RCC building situated at Belmont in Durham, which are currently circa £1.8m per annum. Given these costs, and the significant overall size of the building, some tentative approaches have been made to other suitable organisations in order to ascertain whether there was an interest in some form of sub-letting arrangements being mutually beneficial.

7.2 To this end preliminary discussions have been held with Durham Constabulary and an approach has also been made by the Emergency Planning department of Government Office North East. No conclusions have yet been arrived at with regard to this subject and Members will be kept informed of any developments.

8 IN-SERVICE MANAGEMENT CONSULTATION

8.1 Members will recall that the consultation exercise on arrangements for In-Service Management closed on the 5th October 2009. Along with the Regional Project Board the Chief Fire Officer provided a response to the consultation exercise.

8.2 CLG announced on the 16 December that Peter Holland will Chair the Non-departmental Public Body (NDPB) that will oversee the management of contracts after implementation. Further nominations of candidates to represent the LGA, LACC and RCCDs are anticipated soon.

9 EQUALITY AND FAIRNESS IMPLICATIONS

9.1 There are no Equality and Diversity implications associated with the specific content of this report.

10 HEALTH AND SAFETY IMPLICATIONS

10.1 There are no Health and Safety implications in respect of this report.

11 RISK MANAGEMENT IMPLICATIONS

11.1 A risk register is maintained in respect of the project and it is updated on a regular basis. As will be apparent from the content of this report there are risks associated with the project but at present they do not threaten actual local service delivery at this stage. At this stage, risks associated with this project are kept under regular review by the Chief Fire Officer.

12 FINANCIAL IMPLICATIONS

12.1 There are potential financial implications associated with the content of this report as outlined above and the Chief Fire Officer continues to monitor the financial impact of the FiReControl project and the impact on this Authority. In mitigation of the rescheduling announcement the Minister has released additional funding to meet the resultant costs.

13 RECOMMENDATIONS

13.1 The Authority is requested to:

- a) Consider and comment upon the content of the report;
- b) Agree that, subject to any changes Members may wish to make, the Chief Fire Officer submits a response to the consultation in line with that proposed in Appendix A; and
- c) Receive further reports as appropriate.

BACKGROUND PAPERS

The under mentioned Background Papers refer to the subject matter of this report;

- Copy of Submission to Select Committee – FiReControl Project
- Fire and Rescue Service Circular 73/2009

Draft Response to the Consultation contained in Fire and Rescue Service Circular 73/2009

Consultation Question 1 - Do you agree with the range of agreements being developed, and are you clear on why these are being put in place?

It is obviously important that all parties are clear about how the arrangements for the provision of service will formally operate. However, whilst it is appreciated this Fire Service Circular is merely providing a broad overview of the first of the draft agreements; the lack of detail is of concern. It is important, therefore, that details of the draft agreements are circulated as soon as possible to constituent Fire and Rescue Authorities to enable legal advice to be taken on their content and how they will work with the rest of the contractual architecture.

Furthermore, this Authority does not believe there needs to be a different agreement put in place for the transition period. The details of the agreements should be able to accommodate all Authorities starting with the first cutover. It would be time consuming and confusing for both the LACC and Authorities if they were to go live with one set of responsibilities which were then to change at some future point, which is assumed to be steady state.

Consultation Question 2 - Do you agree with the two outcomes set out in this circular and the particular approaches set out under each outcome?

In essence, there is simply insufficient detail to allow a firm conclusion to be reached. It is obvious that all parties wish to provide an effective service to the public but the provision of simple performance standards measuring the reaction time to calls does not seem to be sufficient as this type of performance measure provides no assurances with regard to quality of service.

Overall, although there are two proposed national standards, they both measure the same activity and this does not provide enough evidence that the LACC is providing an effective service to the public. The approach taken relies entirely on call answering and does not cover any of the other important issues such as call handling and mobilisation. There is a danger that having only one area of activity measured will drive resources to be utilised in that area alone, at the expense of other important tasks. This is not a balanced approach.

With regard to the financial issues, these require further detail and debate regarding the efficacy and practical management of the financial framework for dealing with network calls, including who is to be charged what, when and why.

Consultation Question 3 - Are you content with the proposed approach to signature?

The overarching principle that currently exists is that no individual or organisation will be required to sign any Agreement until the IT solution has been properly tested and demonstrated as sustainable. Prior to the signing of any agreements therefore, there are a number of mutually dependent activities that will need to be confirmed and

implemented. However, at the moment there is also a lack of visibility of a critical path that this and other draft agreements have to traverse before final signature is possible.

Therefore, whilst it is appreciated that Fire and Rescue Authorities will not be signatories to this specific agreement, the implications that may be placed on Authorities, either directly or indirectly, as result of it, strongly implies that FRA's should be involved in the approvals process prior to formal signature.

It must not be forgotten that Local Authority Controlled Companies do not have accountability and responsibilities under the Fire and Rescue Services Act 2004 and Civil Contingencies Act for the provision of an emergency control room services to the public. Fire and Rescue Authorities do and it is important therefore that their representatives are involved in all aspects of developing the agreements, even where they are not required to append a formal signature

Consultation Question 4 - What are your views about when the provisions of the agreement should come into force?

The Authority very much favour the option that all RCC's must be in operation before the agreement comes into force, as explained above in question 3. The agreement needs to be in place and fully workable at the go-live point for the first wave regions.

Consultation Question 5 - Do you agree with the proposed approach during the transition to the RCC network?

The Authority agrees on the need for flexibility to carry on any necessary work to make sure that the final contractual framework and the IT solution can deliver what has been promised and indeed, expected, before the LACC - CLG Contract comes into force. The Authority would prefer a phased arrangement which would make LACC commitments under the final LACC - CLG Contract dependent upon the delivery of key elements by CLG and EADS at key stages during transition. Overall, it might be beneficial to wait until steady state before sanctions are applied.

Finally, the Authority believes that it is necessary to circulate a list of the Contract contents and proposed Schedules, in order to provide more information to the Authority to facilitate understanding and responses to the Circular and dialogue with our legal advisors. In essence, not releasing this information has the potential to slow down the development of a comprehensive version of the Contract, or indeed delay any acceptance until due local governance arrangements have been completed.

