

Delegated decision report

DECISION UNDER DELEGATED POWERS

**DECISION CANNOT BE TAKEN BEFORE WEDNESDAY, 27
APRIL 2011**

Title	TRANSFER OF FIRE CONTROL TO SURREY FIRE AND RESCUE SERVICE
Report Author	REPORT TO THE CABINET MEMBER FOR FIRE AND COMMUNITY SAFETY

PURPOSE

1. The purpose of this report is to seek approval for the transfer of the Isle of Wight Fire and Rescue Control Centre to Surrey Fire and Rescue Service.

OUTCOMES

2. Ensuring the safety of firefighters and the community is paramount to this fire authority. This includes the service having a resilient, effective and efficient control function. The recommended option in this report will support the ongoing modernisation of the Isle of Wight Fire and Rescue Service, improve resilience and efficiency and realise significant ongoing revenue savings. The increased resilience offered as a result of the proposed transfer to Surrey Fire Control, alongside the advanced technology which will be employed, will decrease risk to the community and improve the safety of the Island.

BACKGROUND

3. The Full Council meeting of 22 September 2011 resolved that an in-principle decision was made to combine the Isle of Wight's fire control centre with that of another authority in order to deliver a cost effective service and improve resilience. Officers were tasked with progressing the necessary arrangements to implement this proposal, subject to a final Cabinet Member delegated decision. This has led to the development of a comprehensive business case to better understand the feasibility of a transfer and the associated benefits and risks. The comprehensive business case is attached as Appendix A – Fire Control Transfer Business Case. The conclusion of the business case is that the transfer of the control centre function would be beneficial to residents, the Fire and Rescue Service and the Isle of Wight Council as the fire authority.
4. The termination of the government's Regional Fire Control Centre (FiRe) project and the impact of the spending cuts on fire services are forcing many fire and rescue authorities to consider the future provision of their fire control. There is much discussion nationally amongst fire services concerning mergers and transfers based on regional and/or technological grounds. However, these discussions are generally at an early stage and are unlikely to proceed to implementation until 2012/13 for many fire and rescue services.

The background work undertaken to date by the Isle of Wight Fire and Rescue Service on the proposed transfer of its control centre places it at the forefront of these changes nationally.

5. In announcing the termination of the FiRe project, the Department for Communities and Local Government (DCLG) recognised that fire and rescue authorities would need to review their control centre arrangements and that any revised arrangements would need to be based on the principles of localism, ensuring public safety, building up national resilience and delivering value for taxpayers' money.
6. In addition to the above, the Department for Communities and Local Government has launched a consultation on the future of fire and rescue control services in England. As part of the consultation DCLG has made it clear that, whilst the government has no intention of imposing a solution on fire authorities, its preferred option is to encourage fire and rescue authorities to work together to improve resilience and achieve efficiency savings thus releasing additional funding for the technological enhancement of control services. Under this scenario it is proposed that central government would offer financial support to fire and rescue authorities to encourage greater collaboration through sharing control services.
7. The proposed transfer of the Isle of Wight Fire Control to Surrey Fire and Rescue Service aligns clearly with the principles outlined above. The transfer will improve resilience and deliver better value for money through the significant efficiency savings that will be generated.
8. The Isle of Wight Fire Control Centre currently takes out of hours calls on behalf of the Highways department. The vast majority of these calls are non-emergency related. It is intended to review the highways out of hours service and that should there be a requirement to continue to provide this service, this will be negotiated with Wightcare. The necessary arrangements will be in place prior to the transfer of the fire control centre to Surrey Fire and Rescue Service. Current indications are that Wightcare will be able to provide this service at a reduced cost.

STRATEGIC CONTEXT

9. The Fire Control Transfer Project contributes to the Council's strategic priorities and those of the Fire and Rescue Service in the following ways:

A safe and well kept Island – A more resilient and technologically advanced Fire Control will allow faster location of incidents, better command and control, and will improve the response times to incidents. These improvements will enhance the safety of the Island for residents, businesses and visitors.

CONSULTATION

10. The transfer of Fire Control has been subject to consultation with the Fire Brigades' Union, the senior management team of the Fire and Rescue Service and Fire Control staff.
11. Surrey County Council, as the fire authority, and Surrey Fire and Rescue Service support the proposed transfer. Surrey Fire and Rescue Service have been involved throughout in developing and finalising the business case for the proposed transfer.

FINANCIAL / BUDGET IMPLICATIONS

12. The transfer of Fire Control will incur transitional costs of £208,500, but will generate ongoing annual savings of £250,000 that will be partially realised in 2011/2012 and fully realised in subsequent years. An investment appraisal is included in the detailed business case (see pages 16 to 18 and Annexe D of the Fire Control Transfer Business Case).
13. As this is an ongoing process, the financial implications have altered slightly since the production of the full business case. The transitional costs of £208,500 include potential redundancy and pension costs with the balance relating to data cleansing, transfer of equipment and data, testing when in place and administration costs. The Isle of Wight Council will meet the transitional costs on the basis of this being an invest to save approach with the initial investment being repaid within the first two years of the transfer. The transitional costs consist of:

Redundancy and Pension costs	£114,000
Data cleansing, transfer of equipment, etc	£69,500
Contingency	£25,000*

* The contingency figures allows for the possibility that the cut over date is delayed.

£24,500 of the above costs will be charged to capital as they relate to purchase and installation of equipment.

14. There are also project management costs associated with this project, however these are included within the Fire and Rescue Service base budgets and as such are not additional costs to be incurred as a result of the project.
15. The Council's medium term financial strategy includes savings of £125,000 in 2011/12 related to the transfer of fire control and a full year effect of £250,000 in 2012/13 and ongoing. The current intended "cut over" date for the fire control centre is 30 September 2011. Should this date be achieved the £125,000 saving for 2011/12 will be realised. As shown in the note above, a contingency of £25,000 is included in the transitional costs in the event of the cut over date being delayed.
16. As stated in paragraph six above, the government is currently consulting on the future of fire controls in England and has stated that its preferred option is for fire authorities to work collaboratively and to consider merging services to improve resilience and reduce costs. In the event that services do merge, there will be a saving to government through the reduction in the number of control rooms which require Firelink installation, thereby reducing the Firelink bill. Part of these savings could be offered to fire and rescue authorities that require support with restructuring costs. As set out in the business case (page 18 – Supplementary Funding), were the government to pursue this option there is the possibility of funding to assist with the transitional costs. This could be in the region of £20,000 to assist with the physical transfer costs and there is also the possibility of funding for redundancy payments. These figures have not been taken into account in establishing the business case, however we will continue to press for this funding to be provided by government in order to assist with the transitional costs and reduce the direct costs to the Isle of Wight Council.

LEGAL IMPLICATIONS

17. The recommendations contained within this report comply with the legislative requirements set out within the Fire and Rescue Services Act 2004. Section 16(1) of the Fire Act provides that a fire and rescue authority (in this case Isle of Wight Fire and Rescue Service) may enter into arrangements with either another fire and rescue authority, or any other person, for the discharge of one/all of the function(s) listed in that Act.
18. The transfer of the fire control function from Isle of Wight to Surrey would fall within the definition of a service provision change under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) however regulation 3(5) of TUPE specifically excludes the 'administrative reorganisation of public administrative authorities or the transfer of administrative functions between public administrations'
19. If Surrey Fire and Rescue Service take over the Island's fire control centre, this will be a 'TUPE like' situation, as the transfer will be from one public authority to another. The Cabinet Office's Statement of Practice 'Staff Transfers in the Public Sector' guarantees TUPE-equivalent treatment for the employees so transferred.
20. This means that TUPE will need to be carefully complied with in relation to advising and consulting with existing staff to ensure transfer to Surrey Fire and Rescue Service on their existing terms and conditions.

EQUALITY AND DIVERSITY

21. An equality impact assessment has been undertaken and is attached to the report as an appendix. Staff within the control centre will be affected by the transfer of the service to Surrey Fire and Rescue Service. This impact will be mitigated by careful management of the changes, keeping staff informed and group and individual consultation. The equality impact assessment will be used to address any of the equality and diversity issues identified and will continue to be monitored to ensure compliance with the Equality Act 2010 and HR employment policies.

OPTIONS

22. The following options have been identified:
 - Option 1 – To transfer Fire Control to Surrey Fire and Rescue Service
 - Option 2 – To retain Fire Control within the Isle of Wight Fire and Rescue Service
23. Additional discounted options are contained in the appended business case.

RISK MANAGEMENT

24. The enduring provision of the control function by Surrey Fire and Rescue Service does not put the community at any greater risk, or create additional risk to professional Firefighters in carrying out their remit.
25. The increased resilience and advanced technology of Surrey Fire Control will decrease risk to the community and improve the safety of the Island.

26. There is a risk of breach of contract, constructive and /or unfair dismissal claims if the employment issues regarding TUPE are not dealt with correctly.
27. Separately, there are risks created by the transfer process, which are summarised in the project risk log. The overall assessment of these risks is that the number of high and medium risks is acceptable and manageable.

EVALUATION

28. Option 1 - This option transfer's control to a more resilient and technically advanced service, which will facilitate effective command and control of fire service vehicles and people. It has the additional benefit of delivering significant annual savings of £250,000 which have been factored into the council's medium term financial strategy.
29. Option 2 – Retention of control under the current arrangements is only a realistic option if the council are willing to accept the current revenue costs associated with doing so and the risks posed by the limited resilience that the existing arrangement provides. In addition to this the ageing technology supporting fire control on the Island will need replacement in the short to medium term at significant cost, which when combined with a continuing decline in call volumes offers an increasingly expensive unit cost per call.

RECOMMENDATION

30. Option 1 – To transfer Fire Control to Surrey Fire and Rescue Service.

APPENDICES ATTACHED

31. [APPENDIX A](#) - Fire Control Transfer Business Case
32. [APPENDIX B](#) – Equality Impact Assessment

BACKGROUND PAPERS

33. Report to 22 September 2010 Full Council: Second Budget Review – 2010/11
<http://www.iwight.com/council/committees/mod-council/22-9-10/Paper%20B.pdf>

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Decision

Signed

Date
