

Report To: Fire Authority

Date: 21st May 2007

SUBJECT: Project Fireguard – Contingency Arrangements for Major Staff Absence

SUMMARY

The Fire and Rescue Services Act 2004 (FRSA 2004), and the Civil Contingencies Act 2004 (CCA 2004) place duties on Fire and Rescue Authorities (FRAs) to plan for and respond to emergencies and to maintain plans for the purpose of ensuring, so far as is reasonably practicable, that if an emergency occurs it is able to continue to perform its functions.

FRAs are, therefore, expected to play an increasing role in contingency provision, including the supply of all appliances and equipment required and the effective deployment of available personnel at all times, even those when a large number of staff may be absent through illness or industrial action.

In relation to industrial action, there is some lack of legal clarity as to what requirement this places on FRAs. However, there is one thing that is clear - it is extremely unlikely that military aid will be provided to FRAs to provide contingency cover during industrial action.

FRAs need to plan now to be able to discharge their responsibilities at such a time as a strike takes place.

CFOA and the LGA have sponsored Project Fireguard, a project to provide participating FRAs with contractual arrangements with an external service provider for contingency cover in the event of major staff absence.

The Head of Civil Contingencies and Resilience has participated in the early elements of this project but the point has now been reached where the Service needs to determine whether to sign up to the full project.

IMPLICATIONS

OPERATIONAL RISK	The provision of contingency cover at times of major staff absence will enable the Service to deliver an operational capability, albeit significantly reduced, to respond to operational incidents.
COMMUNITY RISK	It is unlikely that the contingency cover arrangements would provide any meaningful community risk reduction work.
TRAINING	The final contingency cover arrangements may place an obligation on the Service to train members of the contingency provision.

H.R	Dependent on level of managed contract, i.e. contracted out or managed within the Service.
FINANCE	<p>The project costs for MWWFRS would be in the region of £5,100. Additional travelling and subsistence costs would also be accrued.</p> <p>Final costs of the contingency cover 'package' are not known as yet, but the Authority will not be obliged to contract into the final solution.</p> <p>Procurement will be handled by Firebuy.</p>
I.T/COMMS	Members of the contingency provision may need basic training in the use of Service communications equipment.
EQUALITY & DIVERSITY	None
HEALTH & SAFETY	As Operational Risk
LEGAL	The project scope has been assessed by the Fire Lawyers' Network. Further, local, legal opinion may be required.

RECOMMENDATION:
Members are asked to consider the continued participation in Project Fireguard.

Background Papers Used In Preparation of This Report
Project Fireguard - Project Initiation Document (Version 4)

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Project Fireguard - Contingency Arrangements for Major Staff Absence

Background / Context

Every Fire and Rescue Authorities (FRA) has a duty under the Civil Contingencies Act 2004 (CCA 2004) to plan for emergencies and to maintain plans for the purpose of ensuring, so far as is reasonably practicable, that if an emergency occurs, it is able to continue to perform its functions. This legislation, therefore, places a duty on FRAs to plan to provide appliances, equipment and personnel at all times, even those when a large number of staff may be absent through illness or industrial action.

For industrial action, there is currently a lack of clarity as to what requirement this places on FRAs. The one thing that is clear is **it is extremely unlikely that military aid will be provided to support FRAs during times of industrial action.**

Project Fireguard - Overall Aim and Objectives

The Chief Fire Officers' Association (CFOA) and the Local Government Association (LGA) have sponsored Project Fireguard, a scheme to provide participating FRAs with contractual arrangements with an external service provider for contingency cover in the event of major staff absence. This will enable FRAs to discharge core operational functions without the need to request military support. The project has been set up to deliver a maximum requirement to meet the needs of the largest single FRA – which should also be able to meet the needs of an agreed multiple of smaller FRAs simultaneously calling off the contract.

Interim Arrangements

As the project will not deliver until June 2008 at the earliest, FRAs will need interim arrangements in place until the conclusion of this programme and officers within MWWFRS will continue to plan locally for major staff absence.

Resource and Financial Requirements of Project Fireguard

The costs for all the participating FRAs has been apportioned on the numbers of wholtime posts, and the projected cost for MWWFRS is £5,100, although there may be some small variation in this dependent on the actual numbers of FRAs signing up. The project costs will, in the main, be used to fund the costs of Firebuy (the procurement arm of the Fire & Rescue Service).

If MWWFRS decides to support the Project, there will be an impact on officers' time to support the Project Board; the Head of Civil Contingencies and Resilience (CCR) has been provisionally co-opted onto this board, and he, along with the County Commander for Ceredigion, will also attend the Liaison Officers' Team. There will also be the associated travelling and subsistence costs of attending monthly Project and Liaison Officers' Board meetings.

The costs of the final contingency 'package' cannot be determined at this stage, and won't be available until the award of contract with the preferred bidder in June 2008. However, there should be an indication of costs available later this year, which should allow the Authority to consider this for

inclusion in the 2008 / 09 budget calculations. There is no obligation on the Authority to participate in the final contingency cover contract and, therefore, there is no further financial burden other than the project costs and officer time / subsistence costs of supporting the project.

Continued Participation in Project Fireguard

The Head of Civil Contingencies and Resilience has participated in the early elements of this project, and has been provisionally co-opted onto the Project Board. Members are asked to consider continued participation in the Project.