

Executive Decision Making by an Officer with Delegated Powers

Decision to be taken by: Chief Fire Officer Wayne Bowcock

Pursuant to an Authorisation from: Cabinet 10 October 2018 - Replacement and Refresh of Firefighting Personal Protective Equipment

Report title: The award of contract under the Kent Framework to Bristol Uniforms to supply firefighter Personal Protective Equipment (PPE).

The decision	In consultation with the Lead Cabinet Member and Kent Fire and Rescue Service, to award the contract for procurement of firefighting PPE to include helmets, tunics and leggings to Bristol Uniforms under the Kent Framework.
Background documents	GCC Cabinet Paper - Replacement and Refresh of Firefighting Personal Protective Equipment (10/10/2018). <u>Cabinet Report link</u>
Reasons for the decision	Replacement of firefighter PPE is required as the items reach the end of their useable lifespan. It has been identified that the best approach is to include replacement of these items within a single call off contract under a collaborative supplier framework.
Resource implications	Resources required to achieve delivery of the plan: The full cost of procurement is covered by an existing GCC capital funding award (£600k) for replacement PPE.
Who has been consulted?	Lead Cabinet Member for Public Protection, Parking and Libraries Provision of replacement PPE under the Kent Framework was subject to consultation with firefighters from 23 separate fire and rescue services. GFRS firefighters – soft market testing. GCC Commercial Services – Contract and procurement advice.
What were their comments?	
<p>The Cabinet Member for Public Protection, Parking and Libraries gave approval to progress with the award of contract (option 3), based on prior authorisation having been given by GCC Cabinet to enter into a competitively procured framework agreement with Bristol Uniforms PLC, (the sole supplier thereunder, for the supply of firefighting Personal Protective Equipment'</p> <p>GCC Commercial Services view is that it makes eminent sense to award a single contract for supply of PPE to include helmets, tunics and leggings under an existing framework that provides value for money and compliance for procurement of goods, services and works.</p> <p>PPE supplied under the Kent Framework has been specifically designed and developed taking into account feedback on comfort, durability, suitability for purpose etc. from user trials across 23 FRS.</p>	

GFRS firefighters were asked to undertake 'soft market' appraisal of the helmet provision; their thoughts and comments were taken in to account with support received for the helmet offered within the context of the Framework.

Background/Context

GCC Cabinet were presented with a full Cabinet Report in October 2018 with the decision being made to '*Authorise the Acting Chief Fire Officer, in consultation with the Lead Cabinet Member and Kent Fire and Rescue Service, to enter into a competitively procured framework agreement with Bristol Uniforms PLC, (the sole supplier thereunder, for the supply of firefighting Personal Protective Equipment*'.

The Service has a duty to ensure that the appropriate personal protective equipment is provided and maintained to ensure fire-fighter safety; this includes provision of a helmet, tunics and leggings that conforms to current industry safety standards.

Gloucestershire Fire and Rescue Service has had PPE managed by either Lion or Bristol for in excess of 15 years. Both of these firms were contracted to provide, clean and repair (the latter herein referred to as 'care') firefighting PPE used by operational staff. GFRS 'bought out' of the Bristol contract in 2017 in a bid to realise savings of £100k per annum; this means that the Service own the PPE with an interim Service Level Agreement put in place with Bristol Uniforms for the 'care' element only.

An outline business case was submitted to GCC for replacement of firefighter PPE to include helmets, tunics and leggings with the associated capital bid for £600k approved and funds made available and sufficient in monetary terms to procure all items required.

The PPE is required to offer protection for operational crews; all items are sized to individuals and be easily adjustable (where applicable), in order to fit the diverse workforce employed by the Service.

There are circa 420 operational staff within GFRS at any one time.

Alternative options considered and why they were rejected

Option 1. Continue with the current arrangements.

This would mean that GFRS firefighters are being expected to operate utilising PPE that is nearing end of useable life and the Service continuing with an 'interim' SLA.

Rejected: The expected life-span for firefighting PPE is circa 10 years; all items are nearing this point from date of original manufacture and require replacement. The cost of the 'care' element i.e. maintenance and repairs is increasing beyond the point at which it could be considered to be economically viable to continue and the 'interim' SLA is not viewed as commercially acceptable within current procurement rules.

Option 2. Procurement of firefighter PPE from alternative suppliers.

An alternative option would be to source and procure firefighter PPE from alternative suppliers.

Rejected: This would have required significant input for no viable gain and would have meant that GFRS were not following good practice in accessing a supply framework that had already been put in place specifically for this purpose.

In addition, the timescales required to undertake the whole procurement process as a stand-alone entity would not have achieved replacement of firefighter PPE in sufficient time.

Furthermore, additional work would be required to produce 'in house' equipment notes and risk assessments before any chosen suppliers provision could be introduced in to service.

Option 3. Procure firefighter PPE within a single supply contract under the Kent Framework.

Recommended: Procurement of firefighter PPE to include helmets, tunics and leggings via the Kent Framework is the simplest solution in terms of contractual arrangements and legal compliance.

It will also allow access to separately contracted 'care' arrangements that have been clearly proven over time.

All documentation required for introduction in to service i.e. equipment note and risk assessments have already been produced as an integral element of the work required to achieve the Kent Framework.


Risk Analysis. Purchasing firefighter PPE as part of the Kent framework will ensure that the main items of PPE, (fire helmet, tunic and leggings), will all come under a single supplier framework that is legally compliant.

Bristol Uniforms as the potential supplier have been assessed for financial stability under the terms of due diligence and are therefore considered to be a stable supply partner for GFRS.

Equalities considerations.

A full equality impact assessment has been completed during development of the national framework. All suppliers of PPE provide a fitted service for both males and females and an extensive sizing profile for all body shapes and sizes takes account of individual needs. The full range of items have been purchased by a number of different Fire and Rescue Services, all of which, like GFRS have an increasingly diverse workforce.

There are therefore no further concerns or considerations in terms of equality.

Has a Due Regard Statement been completed? Yes	
Has any conflict of interest been declared by any Cabinet Member consulted on the decision?	No.
If any conflict of interest declared, was a dispensation granted by the Audit and Governance Committee of the Council?	Date of dispensation: N/A
Does this decision report form or any supporting papers provided contain confidential or exempt information?	Yes/No
Does this decision need to be published on the GCC website?	Yes/No
<p>In coming to this decision I have given due and full regard to the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 ("the Act") by reference to the law itself and also the relevant Due Regard Statement, which was prepared in accordance with the requirements of the Act.</p> <p>Having fully considered all available information, I have decided to reject any alternative options and take the recommended decision(s), for the reasons set out in this report.</p> <p>Signed: </p> <p>(Chief Fire Officer Wayne Bowcock)</p>	
Date: 2/4/19.	
<p>Contact details for further information:</p> <p>Officer: Area Manager Clive Webber</p> <p>Position: Head of Technical Services</p> <p>Tel: 01452 888777</p> <p>Email: clive.webber@glosfire.gov.uk</p>	

Due Regard Statement

Please use this statement to evidence how 'due regard to' the three aims of the public sector equality duty has been made (section 149 of the Equality Act 2010) during the development of the 'policy'.¹

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT:
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

Name of the 'policy':	Gloucestershire Fire and Rescue Service –Procurement of firefighter PPE to include helmets, tunics and leggings under the Kent Framework.
Person(s) responsible for completing this statement	Area Manager Clive Webber
Briefly describe the activity being considered including aims and expected outcomes	<p>Gloucestershire Fire and Rescue Service have utilised current firefighter PPE provision for almost 10 years. Existing provision is reaching the end of its useable life and needs to be replaced.</p> <p>Extensive testing and research has been carried out by Kent FRS in order to develop a procurement framework that is both fit for purpose and legally compliant. The chosen supply partner for the framework is Bristol Uniforms.</p> <p>The proposed PPE provision is of a modern design and utilises the latest innovations in technology and safety in order to meet industry standards.</p>

¹ For 'policy': any new and existing policy, strategy, services, functions, work programme, project, practice and activity. This includes decisions about budgets, procurement, commissioning or de-commissioning services, service design and implementation.

Documenting use of sufficient information

Please document below the data and information sources that you have used to understand the needs, participation and experiences of each protected group. Evidence must be gathered as the policy is developed and used to inform decisions.

Service user data

Service user data is an important source of evidence and should be collated as part of routine monitoring of in- house or external services. If service user data is not available record 'not known' and use the action plan to identify what improvement actions will be used to gather data going forward.

[Service user diversity reports](#) are available on our website and give an indication of service user participation across commissioning areas, for example adult residential services and youth services. It does not include participation data at individual service level.

Needs analysis

[Gloucestershire population demographics](#) data is available to understand the representation of different protected groups across the county and help with needs analysis. Data like this may also be useful for benchmarking to identify under or over representation of a service by any of the protected groups. For example, a service is open to all residents and from monitoring you know that 2% of service users are disabled: However, demographic data indicate that 16.7% of Gloucestershire residents report having a disability or long term limiting illness. This finding can be used to explore if there are barriers to participation by residents with disabilities and how this can be addressed as part of the development of your 'policy'.

Data gaps

You may find that you have more information about some of the protected groups for example, gender, age, disability and less about others, for example, sexual orientation and religion and/or belief. If data is not available and you intend to start collating data about a protected characteristic please use the action plan to outline how this data will be collated. You can find equality monitoring guidance on our [website](#) including an equality monitoring template.

If you have no plans to start collating data about a protected characteristic please state the rational why.

<p>Who is responsible for delivering the service?</p>	<p>Provision of firefighter PPE to include tunics, leggings and helmets will be undertaken by Bristol Uniforms within the context of the Kent Framework.</p> <p>PPE enables Gloucestershire Fire and Rescue Service operational staff to respond to emergencies in a safe and effective manner supporting public and community safety.</p>
<p>Service user data/Needs analysis information</p>	
<p>Age</p>	<p>56.4% of Gloucestershire's population are between 20 and 64.</p>
<p>Disability</p>	<p>7.8% of 16-49 year olds are registered as having a disability.</p>
<p>Sex</p>	<p>51% of the population of Gloucestershire are female.</p>
<p>Race (including Gypsy & Traveller)</p>	<p>7.7% of Gloucestershire's population were born from outside the UK.</p>
<p>Gender reassignment</p>	<p>There are no official figures available for Gender reassignment in Gloucestershire's population, National figures indicate that figures could be between 3000, and 5000 people.</p>
<p>Marriage & civil partnership</p>	<p>50.2% of the population of Gloucestershire are married, 9.5% are divorced and 30.5% are single and have never married who are married or in a civil partnership.</p>
<p>Pregnancy & maternity</p>	<p>There are approximately 6000 live births in Gloucestershire per year.</p>

Religion or Belief	63.5% of the population identify as being Christian, 26.7% identify as having no belief.
Sexual Orientation	There are no official figures about regarding sexual orientation percentages in Gloucestershire, using National statistics there are approximately 10000 people who identify as LGB.

Other information

All categories of service user to include those with protected characteristics, are to some degree at risk of being involved in instances of fire and other emergencies. It is however generally accepted that it is the growing element of older citizens (65+) that are more likely to be affected especially by instances of fire.

Gloucestershire Fire and Rescue Service respond to calls for assistance across all categories of service user to include those with protected characteristics and in no way differentiate between them or de-bar them from equality of access to the service they pay for and are entitled to.

Provision of new firefighter PPE to include tunics, leggings and helmets is designed to ensure that operational firefighters can continue to provide this service equipped with the most suitable PPE to enable them to undertake their role irrespective of the type of incident or the nature of those involved.

Workforce data

Please document details of GCC staff only if they will be affected by the proposed activity. This could include GCC staff transferring under TUPE to a new service provider, relocating, employment at risk. [GCC Workforce diversity reports](#) are available on our website.

If the proposed activity does not affect GCC staff, please state 'Not affected below'.

Total number of GCC staff affected	420 operational staff (Gloucestershire Fire and Rescue service only).
Age	The PPE selected has been chosen as it is on the framework. To be part of this requires rigorous testing and adherence to ensure that it is inclusive to all irrespective of age.
Disability	Staff notifying as having a disability equate to less than 5% of the workforce.
Sex	The PPE is currently used by other fire and rescue services all of which, due to the modern nature of the industry, have an increasingly diverse workforce. The PPE is worn by both male and female with no issues reported and is therefore viewed as suitable for the 16.92% of the workforce that are female within GFRS.
Race (including Gypsy & Traveller)	The PPE has been adopted by a number of Fire and Rescue Services across the world and is therefore worn by a wide range of individuals from different races. In GFRS the current percentage of personnel of a different race is 2.25% of the workforce.

Gender reassignment	There are no notified instances of gender reassignment currently within the workforce. However the PPE is fitted for both male and female body forms and would therefore not compromise or de-bar individuals under this characteristic in the future.
Marriage & civil partnership	No recognised impact.
Pregnancy & maternity	In GFRS the pregnancy and maternity policy stipulates that once a person is aware that they are pregnant, they are removed from operational duties so as not to put themselves or their child at risk. It is therefore unlikely that a pregnant person will have the requirement to wear PPE.
Religion or Belief	The PPE has been checked and the helmets are fully adjustable; this ensures that there is no issue where staff wear head gear or have particular hairstyles as an integral element of their religion or belief.
Sexual Orientation	The PPE is fitted for both male and female body forms and would therefore not compromise or de-bar individuals under this characteristic in the future.

Consultation and engagement

List all types of consultation that has taken place during the development of this activity. Include on-line consultations, events, meetings with stakeholders, community events, employee consultation exercises etc

Service users	Not applicable – there has been no reason to consult with Service users, as sourcing and purchasing of this equipment helps GFRS to deliver its mission statement and does not affect the service they receive in any way, shape or form.
Workforce	Workforce consultation has taken place throughout development of the Kent Farmwork with input being given by firefighters that have helped shape the framework and enable selection of the most suitable supply partner. It is widely recognised and understood that the provision of PPE is integral to the role of a firefighter helping them to stay safe and respond to emergencies; it is therefore a legal requirement within the context of health and safety in the workplace.

Partners	Other Fire and Rescue Services were consulted throughout development of the Kent Framework and helped shape the provision of PPE selected for use by their staff.
External providers of services	GCC were consulted to ensure that the procurement process was robust and transparent. Bristol Uniforms were consulted as the proposed PPE suppliers.

Equality analysis: Summary of what the evidence shows and how has it been used

This section will allow you to outline how the evidence has been used to show 'due regard' to the three aims of the general equality duty. It is important that this consideration is thorough and based on sufficient information. Consideration should be relevant and proportionate.

- Eliminate discrimination
- Advance equality of opportunity
- Promote good relations.

Protected group	Challenge or opportunity considered and what we did
Age(A)	To ensure that there was no discrimination on age, a selection of staff from a range of fire and rescue services were utilised for the user trials. The PPE is now in use within a number of FRS with no issues being reported.
Disability (D)	A gap analysis was conducted to ensure that the PPE could be used by individuals who have a disability that does not exclude them from operational firefighting duties. This would have been part of the work carried out prior to the acceptance on the Kent framework.
Sex (S)	The selected PPE is part of a robust procurement framework. It is widely available to a number of different Fire and Rescue Services both nationally and internationally. Work has been carried out to ensure that the PPE is fit for purpose and is suitable regardless of gender.
Race (including Gypsy & Traveller)(R))	There is no foreseen impact on individuals of different Races with this PPE – they have been used by numerous different Fire and Rescue Services who employ a range of individuals from a variety of different backgrounds.
Gender	As the PPE is supplied in fittings suitable for both male and female body types there is unlikely to be any

reassignment(GR)	impact on individuals who have under gone gender reassignment.
Marriage & civil partnership (MCP)	There is no foreseen impact on married, non-married individuals or those in a civil partnership.
Pregnancy & maternity (PM)	There is no foreseen impact on individuals who are pregnant or who are on maternity. GFRS has a policy that staff who are pregnant are removed from operational duties to reduce the risk to themselves and their unborn child.
Religion and/or Belief (RAOB)	This aspect of the protected characteristics has been covered as part of the assessment when putting together the procurement framework. GFRS have previously consulted with individuals who wear head gear in the observance of their religion and no issues have arisen.
Sexual Orientation(SO)	There are no foreseen impacts regarding the sexual orientation of individuals who would be required to wear the PPE as part of their operational role.

Strengthening actions: Planning for further improvements

Please outline here what actions are required for further improvements to address challenges or opportunities, for example:

- Arrangements for continued/new engagement with stakeholders, staff, service users
- Plans to close data gaps across any of the protected characteristics through reviewed contract management arrangements
- Identify other plans already underway to address the challenges or opportunities identified in this statement
- Share findings with partner organisations.

If none, state 'none' below.

Action Plan

Action	Who is accountable	Time frame
NONE	N/A	N/A

Monitoring and Review

Please indicate what processes/actions will be put in place to keep this 'activity' under review. For example will progress be monitored/ reported to a board, scrutiny committee, project board etc


The suitability of provision of firefighting PPE will be constantly monitored by the Technical Services Team with Gloucestershire Fire and Rescue Service.

This will be undertaken through review of Operational Performance Assessments where issues regarding PPE may be highlighted during use on incidents or through the Health and Safety Improvement Group where issues are raised through recording platforms for accidents and injuries or where specific reports can be made by health and safety representatives on behalf of staff members.

Sign off and Scrutiny

By signing this statement off as complete you are confirming that 'you' have examined sufficient information across all the protected groups and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity.

Senior level sign off:



Date:

5/3/19.

I am in agreement that sufficient information and analysis has been used to inform the development of this 'activity' and that any proposed improvement actions are appropriate and I confirm that I as the decision maker have been able to show due regard to the needs set out in section 149 of the Equality Act 2010.

Name of relevant Director/Head of Service: Chief Fire Officer Wayne Bowcock

Signed by relevant Director/Head of Service:



Date:

5/3/19.