

Replacement and refresh of firefighting Personal Protective Equipment

AGENDA NO: 8

Cabinet Date	10 October 2018
Public Protections, Parking and Libraries	Cllr Dave Norman
Key Decision	Yes
Background Documents	<ul style="list-style-type: none"> • Health and Safety at Work Act 1974 • Fire Simulation and Cardiovascular Health in Firefighters
Location/Contact for inspection of Background Documents	<p>https://www.legislation.gov.uk/ukpga/1974/37</p> <p>Contact: Andy Hermiston, Acting Chief Fire Officer Tel: 01452 888777 Email: dave.pike@glosfire.gov.uk</p>
Main Consultees	<p>National Fire Chiefs Council (NFCC) national procurement group.</p> <p>Kent Fire and Rescue Service Collaboration Group.</p>
Planned Dates	Implementation over 2 financial years 2018/19-2019/20. The planned contract commencement date is January 2019.
Divisional Councillor	All
Officer	<p>Andy Hermiston- Acting Chief Fire Officer</p> <p>Tel: 01452 888777</p> <p>andy.hermiston@glosfire.gov.uk</p>
Purpose of Report	To seek approval to award a framework agreement (procured pursuant to a competitive procurement process carried out by Kent Fire and Rescue Service (FRS), to Bristol Uniform PLC for the supply of firefighting Personal Protective Equipment (PPE), tunic and leggings on a purchase only basis, using existing capital funding highlighted in 2018/19 and 2019/20 (£300k 2018/19 and £300k 2019/20)
Recommendations	That Cabinet authorises the Acting Chief Fire Officer, in consultation with the Lead Cabinet Member and Kent Fire and Rescue Service, to enter into a competitively procured two-year framework agreement with Bristol Uniforms PLC (the sole supplier thereunder) for the supply of firefighting Personal Protective Equipment.

Reasons for recommendations	The proposed award decision is recommended on the basis that it will be consistent with national guidelines by the National Fire Chiefs Council and will consolidate and standardise clothing solutions, aggregate supply and demand on a national level, and leverage volumes to enable savings and reduce third party spend across the sector.
Resource Implications	£600,000 of existing capital funding budget will be used to purchase the required PPE over the term of the proposed framework agreement (that is, the next two financial years 2019/20 and 2020/21).

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1.0 Background

Gloucestershire Fire and Rescue Service (the Service), on behalf of Gloucestershire County Council (GCC) in its capacity as the Fire Authority, has a legal duty to ensure that appropriate personal protective equipment is provided and maintained to ensure fire-fighter safety.

At present EU and British laws puts a responsibility on any employer to provide protective personal equipment (PPE) that must be fit for purpose. The usage and maintenance of PPE such as washing and repair reduces the life of any garment and the number of washes a garment can have before it is classed as not fit for purpose will depend on manufacture and quality of the product. Helmets, gloves and boots have a limited life-span and require replacing as per manufacture instructions at predetermined intervals such as every 10 years for fire helmets.

As the present PPE provision comes to the end of its useful life, replacement needs to be sourced and purchased to meet all the requirements of a fire fighters role. GFRS currently employs over 320 operational fire fighters at different levels in the organisation.

1.1 Investment and Best Value

This project is part of the county council capital investment program and supports Gloucestershire Fire and Rescue Service not only in meeting its statutory obligations under the Health and Safety at Work Act 1974 but also the Management of Health and Safety at Work Regulations 1999 in the provision of protective work wear. The program will have a positive impact on the organisations Safer Firefighter Program (SFP) and our community safety agenda. The county council has agreed capital funding of £600k over two years to support this project. This investment in new technologies will enhance firefighter safety and will result in firefighters in Gloucestershire being equipped with the most up to date PPE making them safer, more able to perform their role and present a professional image of the Service to the communities of Gloucestershire. Extensive research has been carried out both locally and nationally to ensure that the Service leverages value for money from the project through efficiencies of scale and scope in the provision of this vital PPE for the counties firefighters.

1.2 Collaboration

Fire and rescue authorities must at all times demonstrate delivery of efficiency and value for money - they need to work together to share resources, knowledge and best practice.

The National Fire Chiefs Council have sought opportunities to consolidate and standardise the clothing solutions, aggregating supply and demand on a national level, and leveraging volumes to enable savings and reduce third party spend across the sector.

The main drivers for this have been:

- Lower overall costs through committed volumes to market
- A more competitive market through smarter engagement and communication of our intentions and plans
- Improved quality and continuous improvement
- Standardisation of kit/colour scheme
- Drive greater competition from suppliers who have historically dominated the market share in the supply of clothing to the Fire and Rescue sector.

This collaborative approach has resulted in the development of a Single Supplier Framework from which, fire and rescue services (FRS), can “call-off”. This framework provides FRS’ with an option to either lease PPE with a total care package, similar to what GFRS had in place from 2010 to 2017, or a purchase only option, which would need a separate arrangement for cleaning, servicing and maintenance.

The framework was awarded to a single supplier in June 2017. This followed a rigorous tender process undertaken over a two-year period, which included technical assessments, cost negotiations and practical user trials (with over 50 Fire fighters taking part in extensive evaluations at the Fire Service College).

The Framework provides set costs with a discount applied for each 10,000 firefighters added to the Framework. As at 1 April 2018, the framework has reached its maximum discount level for the purchase only option with prices viewed as very competitive.

To date, 29 Fire and Rescue Services have signed up to access the agreement, with 15 now live, or about to go live with this offering, including the Scottish Fire and Rescue Service, London Fire Brigade and Hereford and Worcestershire Fire and Rescue Service.

1.2 Consultation

GFRS have been part of the Collaborative PPE Technical Group since inception. More recently, the Service have engaged with other PPE suppliers to the UKFRS, and counterparts in other Services. Our own staff have been involved in the trials for the national framework.

Extensive research has been completed into other areas in connection with the provision of PPE including NFCC and the Centre for Applied Science and Technology (CAST) in relation to smoke contamination.

Following consultation with staff and other fire and rescue services in relation to provision, cleaning and repair of PPE, there is clear evidence that the current system of providing one set of PPE to fire fighters and having reserve stocks on station does not work well. The system is labour intensive to manage and fire fighters are at risk of not taking the right size, if the one they require is not available. This puts the Service at risk due to PPE not fitting as it was provided, which is not acceptable.

1.3 Key Considerations

New technologies in the way the clothing is constructed and the materials they are made of are developing rapidly and as such for fire fighter health and safety to be optimised the clothing needs to be renewed on a regular basis.

New technology also makes the clothing lighter and removes moisture away from the skin reducing heat stress for fire fighters. Garments are made to allow movement and enable fire fighters to perform a range of additional tasks e.g. road traffic collisions (RTC's).

1.4 Allocation

Assumptions have been made concerning the provision of new PPE, which has led to an estimated demand for 820 sets of tunics and leggings with allocation set out below:

Role	Item	Quantity
Station Manager and Above	Tunic and Leggings	X 1
Fire Fighter- Watch Manager	Tunic and Leggings	X 2
Severn Park Trainers	Tunic and Leggings	X 4

1.5 Cost

A discount structure has been negotiated into the Framework that gives discounted price points depending upon the numbers signed up to the agreement. In essence, the more Services take up the offer, the cheaper the offering. Indicative costings provided for Gloucestershire at this time are;

PBI Titan Structural Tunic and leggings £560.00 per set Total £459,200

2.0 Options

It is viewed that there are two available options at this time:

- Purchase from the Collaborative Framework with Bristol Uniforms
- Maintain existing PPE provision and continue to explore the current market for other supply options.

Whichever option is chosen, all PPE must be fully compliant with EN 469:2005 and have been rigorously tested to conform to the industry standards.

2.1 The Framework Option

Purchase from the Collaborative Framework with Bristol Uniforms is the preferred option for the following reasons:

- It is a direct call off contract saving time and resources through tendering
- It is priced competitively
- It is legally compliant
- It offers the latest innovations/technical specifications and high quality PPE

Plus:

- The contractor has an excellent and proven track record of providing a high quality managed service to FRS's across the UK.

This is the simplest and easiest option. It uplifts current provision, based upon a robust evaluation process providing up to date PPE proven in extensive trials and a legally compliant tender process.

Advantages

- The framework is a direct call off and will save time and resources in tendering as the tender process is fully compliant with tendering rules and regulations.
- The framework offers the latest high quality and innovations/technical spec PPE.
- Bristol Uniforms PLC has an excellent record of providing a high quality managed service to FRS's.
- It would be a relatively simple process to move to the new structural fire kit under the proposed Collaborative Framework Agreement.
- The reporting structure under the proposed framework agreement will provide additional information available to GFRS, to include an Equality and Diversity Statement, Full Risk Assessment, Equipment Manuals, Standard Test Procedures and a seat on the National Technical Group.
- Clear collaboration on a national level showing saving through aggregated spend.

Disadvantages

- If most UK FRS's move to the framework agreement procured by Kent FRA, this could by default create a monopoly position for Bristol Uniforms PLC. However, there are other European suppliers that would come into the market if there was an opportunity to win this business.

2.2 Explore the current market for other supply options.

Whilst an available option, exploration of the current market for other supply options is not favoured as a lot of time and resource will be required to undertake this exercise and it is highly unlikely there will be any benefit in doing so, plus the potential costs could be significantly higher. This is basically due to the purchase volume GFRS would require as a stand-alone buyer.

Advantages

- Other Services operate outside of the Collaborative Framework. This could provide opportunities for GFRS to join with other partners in the procurement process, thereby demonstrating collaboration
- The Framework has led to the unsuccessful suppliers losing a large part of their market share. It can be assumed that the competition would be fierce if GFRS went out to market, and we should therefore expect favourable rates and conditions from suppliers keen to regain a foothold in the marketplace
- Possibly get a better price and get the latest PPE innovation, although both are highly unlikely.

Disadvantages

These benefits would however be outweighed by certain disadvantages.

- Maintaining existing PPE provision is a short-term option only. It relies on maintaining the current relationship with Bristol Uniforms, and the ability of the company to deliver old technology subject to Service needs
- Evaluation and procurement processes for alternative suppliers would need to be OJEU compliant and require further assistance from relevant stakeholders at GCC
- Management time to conduct additional field trials and manage contractual and legal aspects would be much greater
- A resolute defence of "going it alone" and not engaging in the collaborative arrangements led by Kent Fire and Rescue Service and the South East Partnership would be required. Clear savings over above the collaborative frame work would also need to be demonstrated.

3.0 Risk Assessment

The drive nationally has been towards collaboration, both between Fire and Rescue Services and wider blue light organisations. A decision to move away from an agreed Collaborative Framework could be seen as a bold move and may be viewed with criticism politically. This is particularly pertinent in the face of external scrutiny as GFRS move towards an HMICFRS inspection.

The collaborative framework would offer “safety in numbers”. With many Services across the Country taking up this option, the sourcing of materials and availability of garments should be good. However, this does not come without risk; the monopoly on provision of PPE by one provider stifles competition, innovation and limits choice within the commercial environment, in addition to becoming a single point of failure.

There is a risk due to the number of Services taking up the collaborative framework that Bristol Uniform may be unable to maintain their business model and could become unstable as have Capita and Carillion in the recent past. As part of the tendering process full financial checks have been completed and clauses have been imbedded in the contract.

Ultimately, the most significant risk in not achieving successful procurement for replacement fire-fighting PPE is a legal one. The Authority as ‘the employer’ has a duty to maintain the health and safety of those that they employ and the provision of suitable PPE underpins this duty.

4.0 Officer Advice

- 4.1 The preferred option has been reviewed by officers in Commercial and Legal Services as well as GFRS.

5.0 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.

6.0 Consultation feedback

See Paragraph 1.2 above

7.0 Performance Management/Follow-up

Part of the ongoing performance management for the supply of PPE contract will be a routine monthly review with a quality check at the end of the first year.

Internal Local Performance Indicators (LPI's), will be developed to track and monitor progress with reporting by exception to both GFRS Senior Leadership Team (SLT) and the Lead Cabinet Member for Fire, Planning and Infrastructure.

Report Title	Replacement and refresh of firefighting Personal Protective Equipment (“PPE”)
Statutory Authority	Statutory duties and functions under: <ul style="list-style-type: none"> • Health and Safety at Work Act 1974 • Fire and Rescue Services Act 2004.
Relevant County Council policy	N/A
Resource Implications	£600,000 of existing capital funding budget will be used to purchase the required PPE over the term of the proposed framework agreement (that is, the next two financial years 2019/20 and 2020/21).
Sustainability checklist:	
Partnerships	The National Framework project has been a great example of joint working, demonstrating how Fire and Rescue Services can work together to provide high quality protective clothing and equipment for our firefighters and give the best value to taxpayers.
Decision Making and Involvement	The Framework has been created and endorsed by the NFCC on the basis that it would deliver standardisation and economies of scale to Fire and Rescue Services requiring PPE.
Economy and Employment	Procurement of PPE through the national framework will secure employment in this country and support the UK economy.
Caring for people Social Value	Provision of suitable PPE demonstrates that both GCC and GFRS view themselves as ‘caring’ employers. This also enables firefighters to continue to support all those in our communities including those considered to be the most vulnerable during times of most need i.e. in emergency situations.
Built Environment Natural Environment’ including Ecology (Biodiversity)	Provision of suitable firefighting PPE enables GFRS staff to help save and protect the built and natural environments both within the county and further afield during large scale or wide area emergencies.
Education and Information	N/A
Tackling Climate Change	Carbon Emissions Implications? Neutral Vulnerable to climate change? No
Due Regard Statement	Has a Due Regard Statement been completed? No - see Section 5 of the report for more detail.
Human rights Implications	No
Consultation Arrangements	Ongoing - GFRS Staff; Fire Brigade Union; Health and Safety working groups; Kent Collaboration, GCC Finance, Legal and Commercial Services.