

GREATER LONDON AUTHORITY

REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD178

Provision of PPE at Real-Fire Training Venues

Executive summary:

This report requests the approval of the Deputy Mayor for Fire and Resilience to authorise the London Fire Commissioner (LFC) to commit to revenue expenditure of £1,232,190 over a five-year period for the provision of personal protective equipment (PPE) at training venues.

London Fire Brigade's (LFB's) operational staff are required to attend a mandatory two-day breathing apparatus and real-fire training carbonaceous course every year, at which they must have two full sets of clean PPE. The provision of PPE at training locations will reduce the manual handling and transport difficulties currently experienced by LFB personnel attending these venues. It will also assist LFB in its commitment to supporting the health and safety of its personnel and their wellbeing. The current arrangements do not allow for the safe transportation of this equipment; as a result, the requisite PPE is not always available, and the course cannot always be completed.

Providing the PPE at training venues will not only reduce the fines levied by LFB's training provider for non-completion of the training course, but it will also have a positive impact on the environment due to the reduction in CO2 levels produced by individuals having to use their personal vehicles to transport their own PPE.

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the LFC to seek the prior approval of the Deputy Mayor before "[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...".

Decision:

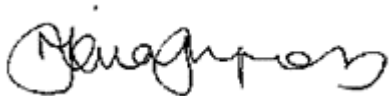
That the Deputy Mayor for Fire and Resilience authorises the London Fire Commissioner to commit revenue expenditure of £1,232,190 over a five-year period for the provision of personal protective equipment at training venues.

Deputy Mayor for Fire and Resilience

I confirm that I do not have any disclosable pecuniary interests in the proposed decision.

The above request has my approval.

Signature:



Date:

10 February 2023

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE DEPUTY MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. Report LFC-0724y to the London Fire Commissioner (LFC) requests the Deputy Mayor to authorise the LFC to commit expenditure of £1,232,190 over a five-year period for the provision of personal protective equipment (PPE) at training venues.
- 1.2. All operational station-based personnel, up to the rank of Station Officer, are required to complete a risk-critical, two-day breathing apparatus (BA) refresher course, and a real-fire training carbonaceous course, each year; and are required to take a clean, full set of PPE, as well as an additional uniform set comprising coat, trousers, gloves and a fire hood, to the training venue. A full set of PPE contains a helmet, a fire hood (which is worn under the helmet to protect the neck), coat, trousers, gloves, boots, personal radio and a torch. They are also required to bring a half mask, a personal issue face mask (if issued), a towel, a change of clothes and washing items.
- 1.3. In 2020 the Fire Brigades Union (FBU) commissioned a report, carried out by the University of Central Lancashire, titled “Minimising firefighters’ examining exposure to toxic fire effluents”. A further review was undertaken by Bureau Veritas in February 2021, on behalf of the LFC, evaluating contaminant levels found on fire gear and subsequent transfer when reusing it after a smoke exercise. The FBU and LFB agreed that best practice, following any carbonaceous training or attendance at a carbonaceous incident, was to ensure PPE is removed, bagged up, stored correctly and returned to Bristol Uniforms for servicing, before wearing again. These changes meant that, though only one set of PPE was previously required for the two-day course, from now on two clean sets would be required.
- 1.4. Currently, the PPE is transported by the individual in a wheeled holdall, primarily designed to move one set of PPE for standby duties (where an individual is required to go somewhere other than their base location for cover). However, the requirement for two clean sets of PPE has resulted in a health and safety risk: carrying two sets in this holdall creates a manual-handling problem, making individuals unable to transport their kit safely and fairly on public transport during the rush hours.
- 1.5. LFB’s training provider for this course is Babcock Training Ltd. The Babcock training venues that offer the real-fire BA training are located at Park Royal; Beckton; and, occasionally, the Fire Service College at Moreton-in-Marsh. “Real fire” training gives the attendee a lifelike scenario in a carbonaceous fire situation, so full PPE is required. The carbonaceous element that provides the lifelike feel/heat of the fire contains contaminants that have been found to be harmful to the wearer; therefore, following each real-fire training day, the PPE is sent to Bristol Uniforms for servicing.
- 1.6. In 2018, Bristol Uniforms was awarded the contract to provide LFB with PPE. The Bristol Uniforms contract includes collecting “contaminated” uniform from fire stations post-fire incident, and replenishing the station reserve stock (SRS). In 2019 a decision was made, at a joint meeting with the LFC and staff representative bodies, for Bristol Uniforms to collect contaminated PPE from all training venues mentioned above. This followed University of Central Lancashire report into exposure to fire contaminants and the safe transportation of them back to station.
- 1.7. A review has been undertaken into the implications of individuals transporting the required PPE safely and fairly. As Bristol Uniforms already collect the PPE from the training venues, following a BA training course, it would be cost-effective for them to also deliver the PPE.
- 1.8. In order to maintain the high standard of service delivery of PPE to fire stations, and to facilitate the delivery of PPE to real-fire training venues, Bristol Uniform will need to add a volume of additional PPE stock. This will avoid removing PPE stock from operations; enable the maintenance of fire station stock levels; and avoid incurring key performance indicator penalties associated with the contract. Originally Bristol Uniforms quoted a cost of over £400,000 per annum to deliver PPE to

real-fire training venues. This figure has been negotiated down to £246,438 per annum, and includes adding 360 extra sets of PPE into the servicing cycle.

- 1.9. There are around 300 training courses per year; all operational personnel are required to attend on an annual basis. The cost in 2022-23 to LFB, where firefighters have been unable to complete the training due to incorrect or insufficient PPE, is approximately £3,785.

Travelling to venues

- 1.10. Personnel are required to be at the training venue by 9am on both days of the course. In most circumstances, and depending on where the attendee lives, this means travelling through London during rush hour. Previous incidents have occurred where an attendee has been refused entry onto the Docklands Light Railway, by Transport for London, due to the size of the wheeled holdall and the inconvenience to other travellers.
- 1.11. Personnel have the option of driving to the training venue. However, the parking facilities at Park Royal are no longer available to training personnel. Parking may be available in nearby streets, but the Ultra Low Emission Zone and Congestion Charge fees, as well as any parking fees, will be reimbursed to the individual attending. There is no parking at the Beckton facility; however, an agreement was made with a local shopping centre to allow individuals to park on this nearby site. This agreement is currently under review.
- 1.12. Using Bristol Uniforms to transport the PPE will reduce the number of personnel who usually drive to the venue for ease of transporting their PPE. This will have a positive impact on the number of cars being driven to the venue, and will enable the use of public transport.

2. Objectives and expected outcomes

- 2.1. The addition of 360 sets of PPE will add a greater volume of PPE stock to LFB's Bristol contract. This will mitigate the impact of the new contaminants policy, and enable further guidance to operational personnel on how to mitigate the health risk of contaminants on PPE; an increase in the frequency of PPE being serviced is anticipated. Further work will be conducted on the long-term impact of the new contaminants policy for the remaining five years of the Bristol contract.
- 2.2. This option would be an ongoing cost until the end of the contract, currently due in October 2026 (it has the option of a one-year extension, which would take the remaining term to five years). It is the preferred option due to the equalities impact on health and wellbeing, as well as the safety risk to the personnel attending the courses when transporting their PPE.
- 2.3. Having a contract in place for the safe removal of contaminated PPE would avoid unnecessary exposure to potential contaminants if it were transported by public transport or in a private car.

3. Equality comments

- 3.1. The LFC and the Deputy Mayor for Fire and Resilience (the Deputy Mayor) are required to have due regard to the Public Sector Equality Duty (section 149 of the Equality Act 2010) when taking decisions. This in broad terms involves understanding the potential impact of policy and decisions on different people, taking this into account and then evidencing how decisions were reached.
- 3.2. It is important to note that consideration of the Public Sector Equality Duty is not a one-off task. The duty must be fulfilled before taking a decision, at the time of taking a decision, and after the decision has been taken.
- 3.3. The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (but only in respect of the requirements to have due regard to the

need to eliminate discrimination), race (ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, and sexual orientation.

- 3.4. The Public Sector Equality Duty requires decision-takers, in the exercise of all their functions, to have due regard to the need to:
- eliminate discrimination, harassment and victimisation and other prohibited conduct
 - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it
 - foster good relations between people who share a relevant protected characteristic and persons who do not share it.
- 3.5. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.6. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 3.7. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- tackle prejudice
 - promote understanding.
- 3.8. The Equalities Impact Assessment (EIA) completed on 1 March 2022 outlines that, if this decision is implemented, there will be a low equalities impact on personnel required to attend these training courses. The EIA found that by using Bristol Uniforms to transport PPE to training venues, all operational personnel will be treated equally and fairly, and will have the same options available to them. No member of personnel will be treated unfairly. However, if this decision is not implemented, there will be health and safety, and manual-handling risks impacting all members of personnel.

4. Other considerations

- 4.1. The representative bodies for LFB staff have been fully involved with this project. The project was raised at the LFC's Brigade Joint Committee for Health and Safety at Work, and from this meeting a working group was created. The working group includes representatives from all relevant departments within LFB, as well as members of the FBU and the Fire Officers Association. If the proposal in this report is implemented, it is agreed that it will have a positive impact of all members of the workforce.
- 4.2. Following their visits to fire stations, the Commissioner and the principal officer have fed back that this is an issue that causes frustration for operational personnel. The resolution proposed in this

paper represents an opportunity to demonstrate that senior management have listened and responded to personnel comments.

Sustainability comments

- 4.3. Bristol Uniforms already collects from Beckton and Park Royal training centres three times a week each. The proposed changes to PPE delivery will not increase the number of deliveries, and will therefore have no negative impact on emissions. The PPE that is being manufactured for the training courses will be washed and reused solely for training use. For this reason, operational PPE will be used less regularly, so the life of these items should be extended. Using Bristol Uniforms to deliver PPE to training venues will allow training personnel to use public transport. This therefore reduces the petrol/diesel consumption, and minimises the number of cars on the road. It is anticipated that, as a result of the proposals, more staff will travel to training venues using public transport. However, in order to evidence the impact of the change, staff will record their means of transport to the training venues using the feedback forms that are completed following the relevant training courses. There are no negative sustainability impacts resulting from this report.

Procurement comments

- 4.4. The Bristol contract was originally let in October 2018 as a call-off from the Kent FRS framework for an eight-year term (plus one year), with five years in total currently remaining. The provision of additional PPE at training venues will be implemented from December 2022, and will continue to be delivered until expiry of the contract in October 2027. The anticipated cost in year one is £246,438 with indexation applied annually from June 2023, which is capped at 2 per cent, until the contract expires.
- 4.5. The original scope of the contract was for firefighting personnel (approximately 4,980 at the time) to have access to two sets of PPE with the stock managed by Bristol using the SRS locker system. The allocated PPE is not personal-issue; therefore there are fewer than the required two sets per person in circulation.
- 4.6. Following the report into the exposure of contaminants to firefighting personnel, the number of times the PPE is serviced has now been increased. Adding PPE to the existing stock levels will increase the life of the current stock, and reduce the number of appliances taken off the run due to a lack of available PPE.

Conflicts of interest

- 4.7. There are no conflicts of interest to declare from those involved in the drafting or clearance of this decision.

5. Financial comments

- 5.1. This report recommends that revenue expenditure of up to £1,232,190 over five years (£246,438 per annum), plus annual inflation increases, is agreed for the provision of PPE at real-fire training venues from 2023-24. Due to the timeframes for manufacturing the PPE, it is not anticipated that there will be any expenditure in 2022-23.
- 5.2. Annual ongoing growth of £246,438 has been included as part of the 2023-24 budget process. The budget has now been submitted to the Mayor. This increased the £11m current budget gap for 2023-24 – though a balanced budget has been submitted by making additional savings.
- 5.3. With regard to non-pay inflation: all LFC contractual inflationary increases are reviewed on an annual basis. The LFC budgets for non-pay inflation on an item-by-item basis, and the LFC will review those assumptions as part of its budget process for 2023-24. If inflation rates are above current assumptions, a resulting budget increase will need to be submitted as part of the LFC's annual submission to the Mayor's GLA Group budget process; and/or the contract will need to be reviewed

to assess whether it is possible to reduce the annual cost via a reduction in service. If inflationary increases lead to in-year financial pressures, this will be reported as part of regular financial reporting and addressed via the Budget Flexibility Reserve, which has a forecast balance of £17.1m as at the end of the 2022-23 financial year.

6. Legal comments

- 6.1. Under section 9 of the Policing and Crime Act 2017, the LFC is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the LFC specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
- 6.2. By direction dated 1 April 2018, the Mayor set out those matters, for which the LFC would require the prior approval of either the Mayor or the Deputy Mayor.
- 6.3. Paragraph (b) of Part 2 of that direction requires the LFC to seek the prior approval of the Deputy Mayor before “[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...”. The decision to vary the Bristol Uniforms contract for the provision of additional PPE (at a value that exceeds £150,000) will accordingly require prior approval from the Deputy Mayor.
- 6.4. The statutory basis for the actions proposed in this report is provided by sections 7 and 5A of the Fire and Rescue Services Act 2004 (FRSA 2004). Section 7 (2)(a) FRSA 2004 states that the LFC has the power to secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for firefighting. Section 5A FRSA 2004 allows the LFC to procure personnel, services and equipment they consider appropriate for purposes incidental, or indirectly incidental, to their functional purposes.
- 6.5. It is noted that the provision of additional PPE, to be delivered to and collected from training venues, will ensure the LFC’s compliance with the Health and Safety at Work Act 1974 Section 2(2)(b).
- 6.6. Furthermore, modification to existing Bristol Uniforms contract is in compliance with the Public Contracts Regulations 2015. The costs for this modification are not considered to be so substantial as to require a new procurement to be conducted; regulation 72 of the Public Contracts Regulations 2015 is therefore to be relied upon.
- 6.7. These comments have been adopted from those provided by the LFC’s General Counsel department in report LFC-0724y to the LFC.

Appendices and supporting papers:

Report LFC-0724y – Provision of PPE at Real-Fire Training Venues

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer

Richard Berry has drafted this report with input from the LFC and in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service

Niran Mothada has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Fire and Resilience for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓


Corporate Investment Board

A summary of this decision was reviewed by the Corporate Investment Board on 6 February 2023.

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

10 February 2023