



Buckinghamshire & Milton Keynes Fire Authority

Meeting and date: Executive Committee, 14 September 2022

Report title: Thames Valley Fire Control Service system contracts and hardware refresh

Lead Member: Councillor Simon Rouse (Chairman)

Report sponsor: Deputy Chief Fire Officer, Mick Osborne

Author and contact: Area Commander Simon Tuffley - Head of Prevention, Response and Resilience stuffley@bucksfire.gov.uk

Action: Decision

Recommendations:

That:

1. Oxfordshire County Council and Royal Berkshire Fire Authority be authorised to extend the Vision mobilising system maintenance and support contract for five years, from 10 April 2023 to 10 April 2028.
2. In respect of the above, the Chief Fire Officer be instructed to request that the contracting authorities negotiate pricing options including those dependent on variations to the break clause exercisable by them in the current contract.
3. Royal Berkshire Fire Authority be authorised to tender for a five-year maintenance and support contract, for the ICCS DS3000 from 10 April 2023 to 10 April 2028 (with options to extend for two years).
4. That the decision by officers to place the order for the hardware refresh of the Vision mobilising system be formally endorsed on behalf of the Authority.

Executive summary:

This report seeks approval for the future support of key Thames Valley Fire Control Service (TVFCS) systems and the requirement to refresh the mobilising system hardware to ensure TVFCS can continue to deliver a quality, robust service for the Thames Valley Fire and Rescue Services and the communities they serve.

At the TVFCS Joint Committee meeting on 11 July 2022, Members approved and noted the following recommendations, regarding the TVFCS mobilising and control room systems contracts.

- . AGREE to recommend to partnership Authorities that they authorise Oxfordshire County Council (OCC) and Royal Berkshire Fire Authority (RBFA)

extending the Vision mobilising system maintenance and support contract for five years, from 10 April 2023 to 10 April 2028.

- . NOTE the use of the annual profiled capital expenditure for 22/23 from the Renewals account to deliver the hardware refresh for the Vision system.
- . AGREE to recommend to partnership Authorities that they authorise Royal Berkshire Fire Authority to tender for a five-year maintenance and support contract, for the ICCS DS3000 from 10 April 2023 to 10 April 2028 (with options to extend for two years)

See appendix 1, agenda item 13 for the full TVFCS Joint Committee report.

Under normal circumstances, Senior Responsible Owners from each FRS are required to submit a report paper to their respective Authorities seeking approval of the recommendations from the Joint Committee, as per the requirements of the TVFCS inter-authority agreement for the prior consent from each Authority before the extension or renewal of these contracts.

Specifically relating to the recommendation to use the annual profiled capital expenditure for 22/23 from the renewals account to deliver the hardware refresh for the Vision system, awaiting the September committee meeting would have delayed placing the order for the hardware refresh into the Autumn, which is a concern for the officers and staff working in the TVFCS.

The rationale for taking an alternative approach is primarily due to the ageing hardware starting to present performance issues which are reducing the effectiveness of the TVFCS and due to the order being placed against a landscape of rising costs, and scarcity of electrical components leading to extended lead times.

Financial implications: The financial implications are set out in 3.11 – 3.13 of the Joint Committee report attached as appendix 1

Risk management: Risk implications are set out in 8.1-8.2 of the Joint Committee report attached as appendix 1

Legal implications: The 'DS3000' (ICCS) contract and the 'Vision 4' mobilising system contracts are defined in the Inter Authority Agreement as requiring the unanimous consent of the three fire and rescue authorities for its extension or renewal (per clauses 17.3, 17.5 and Schedule 6; and Schedule 5, para 1.2.15). RBFA is a party to the 'DS3000' (ICCS) contract. OCC and RBFA are parties to the 'Vision 4' mobilising system. The legal implications of terminating or extending the contract are set out in the contract and procurement teams of RBFA and OCC have been engaged to ensure that the contracting authorities comply with the relevant legislation. The DS3000 tender will be undertaken in compliance with the requisite legislation by RBFA on behalf of the partnership authorities.

Clause 25.1.2 of the Inter Authority Agreement requires the decision from each fire and rescue authority to, i.a., refresh hardware under the terms of the Vision 4 contract.

Clause 36.1 of the Inter Authority Agreement provides that no term or provision of shall be considered as waived by any participating authority unless a waiver is given in writing by a duly authorised representative of that authority.

Clause 44.1 of the contract for provision of a mobilising system and related services for the Thames Valley Fire Control Service provides that the Fire Authorities shall have the right to terminate the Contract in whole or in part at any time after the fourth anniversary of the Commencement Date on serving 12 months written notice which the Fire Authorities may serve to expire on the fourth anniversary of the Commencement Date, or any date thereafter.

Clause 44.2 of the contract for provision of a mobilising system and related services for the Thames Valley Fire Control Service provides that where the Fire Authorities exercise the right to terminate in accordance with Clause 44.1 above, neither Party shall be liable to the other for any compensation or other payments arising as a result of the termination.

Privacy and security implications: None arising from this report

Duty to collaborate: The Fire Authorities of Buckinghamshire and Milton Keynes, Oxfordshire County Council and Royal Berkshire have collaborated to deliver the TVFCS as a single joint emergency call handling, mobilising, and resource management function for all the Thames Valley.

Health and safety implications: None arising from this report.

Environmental implications: None arising from this report.

Equality, diversity, and inclusion implications: None arising from this report.

Consultation and communication: Principal consultation was between the TVFCS Joint Coordination Group members. Further communication was sent to Executive Committee Members in relation to recommendations two and four of this report.

Background papers:

<https://bucksfire.gov.uk/documents/2021/09/legal-agreement-relating-to-the-steady-state-operation-of-the-thames-valley-fire-control-service.pdf/>

TVFCS Joint Committee Annual Meeting – 11 July 2022 Item 13: TVFCS System Contracts and Hardware Refresh

<https://bucksfire.gov.uk/documents/2022/07/tvfcs-joint-committee-agenda-and-reports-110722.pdf/>

Executive Committee, 9 February 2022| Item 11 – TVFCS ICCS Contract and IAA

<https://bucksfire.gov.uk/documents/2022/01/ec-item-11-090222.pdf/>

Executive Committee, 14 September 2022| Item 9 – Thames Valley Fire Control Service system contracts and hardware refresh

Appendix	Title	Protective Marking
1	Thames Valley Fire Control Service system contracts and hardware refresh, TVFCS Joint Committee, 11 July 2022, Agenda item 13, pages 71-76	Not protectively marked

THAMES VALLEY FIRE CONTROL SERVICE



SUBJECT	THAMES VALLEY FIRE CONTROL SERVICE SYSTEM CONTRACTS AND HARDWARE REFRESH
PRESENTED TO:	TVFCS JOINT COMMITTEE
DATE OF MEETING	11 JULY 2022
LEAD OFFICER	AREA MANAGER JIM POWELL
EXEMPT INFORMATION	NONE
ACTION	DECISION

1. EXECUTIVE SUMMARY

- 1.1 This report sets out proposals for the future support of key Thames Valley Fire Control Service (TVFCS) systems and the requirement to refresh the mobilising system hardware to ensure TVFCS can continue to deliver a quality, robust service for the Thames Valley Fire and Rescue Services (TVFRS) and the communities they serve.
- 1.2 It builds on previous reports, discussions at members' workshops and accounts for a number of complicating factors in the external environment, primarily the acquisition of the service provider of the two contracts in question (SSS Public Safety Ltd, formerly known as Capita SSS Ltd) ('SSS') by NEC Software Solutions UK .
- 1.3 The Joint Coordinating Group (JCG) is recommending that the 'Vision 4' mobilising system maintenance and support contract be extended for five years and that the Integrated Communications Control System (ICCS) 'DS3000' maintenance and support contract extension is aligned with the Vision contract.
- 1.4 It also recommends that TVFCS undertakes a hardware refresh for the Vision system using the profiled annual capital expenditure from the renewals account as set out in the 2022/23 budget.

2. RECOMMENDATION

That the TVFCS Joint Committee:

- 2.1 AGREE** to recommend to partnership Authorities that they authorise Oxfordshire County Council and Royal Berkshire Fire Authority extending the Vision mobilising system maintenance and support contract for five years, from 10 April 2023 to 10 April 2028.
- 2.2 NOTE** the use of the annual profiled capital expenditure for 22/23 from the Renewals account to deliver the hardware refresh for the Vision system.
- 2.3 AGREE** to recommend to partnership Authorities that they authorise Royal Berkshire Fire Authority to tender for a five year maintenance and support contract, for the ICCS DS3000 from 10 April 2023 to 10 April 2028 (with options to extend for two years)

3. REPORT

- 3.1** Thames Valley Fire Control Service (TVFCS) utilises the 'Vision 4' mobilising system which is provided by SSS. Royal Berkshire Fire Authority ('RBFA') and Oxfordshire County Council ('OCC') entered into a contractual agreement for this provision which formally commenced when TVFCS 'went live' in April 2015.
- 3.2** The duration of the TVFCS partnership agreement (the 'agreement') covers a 15 year period from the commencement date of April 2015, expiring in April 2030. The project team delivered the current Mobilising System contract (the Vision contract) to mirror this arrangement, building in a review at seven years, creating the option for a contract break or contract extension (in single or multiple periods of twelve months, not exceeding eight years).
- 3.3** In March 2021, Capita Secure Information Solutions Limited and Capita (USA) Holdings Inc. announced their intention to sell SSS as part of a restructuring programme. This created some uncertainty for customers and, based on a recommendation from the Joint Committee in July 2021, the partnership authorities (Buckinghamshire and Milton Keynes Fire Authority, OCC and RBFA) resolved to extend the Vision Maintenance and support contract for one year whilst the sale took place.
- 3.4** In January 2022 the sale was completed to NEC Software Solutions UK Limited (NECSWS). This acquisition is subject to a Competitions and Markets Authority (CMA) investigation. This investigation is concerned with three SSS products. It does not include Vision, but does include the SSS DS3000 ICCS product.
- 3.5** Both the current Vision and DS3000 maintenance and support contract periods end in April 2023. Therefore TVFCS needs make provision beyond that date and provide certainty and stability in the medium to long term.

- 3.6 In relation to any periods of extension, the Vision contract required SSS to provide a 'system report' (the report). The report sets out expected performance levels and recommends hardware refresh options that would be necessary for TVFCS to maintain an appropriate, robust and resilient level of technological capability that will ensure the service can continue to take the software upgrades aligned to the Vision pathway. Equally, any hardware refresh would also minimise risk in relation to issues affecting system stability and reduce the likelihood of experiencing critical system failures.
- 3.7 The report was received, reviewed and challenged by the Joint Coordinating Group (JCG), consisting of a Senior Responsible Officer (SRO) from each service, technical subject matter experts from each service and the TVFCS management team and a final version was agreed in March 2021
- 3.8 The current hardware, based on a specification that was defined approximately ten years ago, is coming to end of its seventh year of operational use. The requirement to undertake a refresh programme is becoming an increasing priority to mitigate the escalating risk of poor system performance or failure as the equipment is nearing 'end of life'.
- 3.9 In considering the term of any extension, the Vision contract can be extended for a minimum of one year up to a maximum of seven years (aligning to the 2030 expiration date of the partnership agreement). As set out in past papers, an optimum extension period would provide value for money on refreshed hardware and enable the service to maintain system stability and performance, particularly in relation to the implementation of the Emergency Services Network (ESN, the replacement for the current Airwave communications system) currently planned for 2027.
- 3.10 Therefore it is proposed that the Vision contract is extended for a period of five years, April 2023 – April 2028. During this period the JCG will consider a number of internal and external factors and make recommendations on when to commission a tender project for a full system replacement, which would take circa three years to deliver. RBFA and OCC will still have the option to make further extensions to the Vision contract beyond 2028 (up to 2030) should that be advantageous based on circumstances during the extension period.
- 3.11 The decision to extend the Vision contract will enable TVFCS to commence with the hardware refresh. The pricing structure, provided by SSS in the system report, was correct as of December 2020. The actual cost is therefore now likely to be higher than the overall total (supply and fit) of the circa £400k given in the report. The Annual Capital Expenditure (Capex) profile, agreed by partnership authorities for 22/23, included a number of factors to account for likely increases in price as well as an additional contingency. The total profile identified for 22/23 is £676k.
- 3.12 The additional contingency of £88k can be accessed as per schedule 7 of the Inter-Authority Agreement which defines the level of decision making dependent on the amount required. Should this be necessary the JCG will provide relevant proposals at the December meeting.

3.13 The renewals account will stand at just over £2m for 22/23. Therefore, in using the maximum profiled Capex for 22/23, including the additional contingency, the account will stand at £1.38m at year end 22/23. This forecasting was included as part of the long term forecast set out in the 22/23 budget.

3.14 In relation to the DS3000 ICCS, the intent would be to secure a maintenance and support contract to align to a similar timeline, namely a five year contract from April 2023 – April 2028 with options to extend for a further two years (in one year increments). Whilst there is still some uncertainty around this product due to the CMA investigation, the timeline for a tender process can be designed to account for the outcomes of the investigation. An unfavourable outcome could result in changes to the DS3000 product and the JCG would need to consider the impact of this and make appropriate recommendations at the time. At this time Joint Committee members are being asked to make a decision in principle to the commencement of a tender process and the JCG will bring back further information for decision as required at a future meeting.

4. COMPLIANCE WITH THE TVFCS PARTNERSHIP AGREEMENT

4.1 This paper complies with the partnership agreement.

5. FINANCIAL IMPLICATIONS

5.1 The financial implications are set out in 3.11 – 3.13 of the report and the 22/23 budget papers.

6. LEGAL IMPLICATIONS

6.1 The ‘DS3000’ (ICCS) contract and the ‘Vision 4’ mobilising system contracts are defined in the Inter Authority Agreement as requiring the unanimous consent of the three fire and rescue authorities for its extension or renewal (per clauses 17.3, 17.5 and Schedule 6; and Schedule 5, para 1.2.15).

6.2 RBFA is a party to the ‘DS3000’ (ICCS) contract. OCC and RBFA are parties to the ‘Vision 4’ mobilising system. The legal implications of terminating or extending the contract are set out in the contract and procurement teams of RBFA and OCC have been engaged to ensure that the contracting authorities comply with the relevant legislation.

6.3 The DS3000 tender will be undertaken in compliance with the requisite legislation by RBFA on behalf of the partnership authorities.

7. EQUALITY AND DIVERSITY IMPLICATIONS

7.1 There are no equality and diversity implications identified at this time

8. RISK IMPLICATIONS

8.1 If suitable maintenance and support arrangements for TVFCS systems and appropriate provision of equipment to deliver those systems are not

secured, a number of key areas of functionality will be compromised resulting in a high risk to delivering an effective control function that may result in risk to life or property.

- 8.2 There is a risk that the CMA investigation may result in changes to the DS3000 product. By undertaking the ICCS maintenance and support tender to account for the investigation conclusion this will enable more informed decision making in relation to the future of this system. At this time this risk is perceived as low and it is unlikely any changes, should they be required, would have an immediate operational effect. A significant proportion of UK FRS use the DS3000, any CMA decision should not impact on the operational effectiveness of those services. The JCG have regular meetings with SSS and will monitor the situation closely.

9. CONTRIBUTION TO SERVICE AIMS

- 9.1 The contents of this report support the following primary objectives as set out in the TVFCS partnership agreement:
1. To satisfy the core functions of the Fire Authorities as defined in the Fire and Rescue Services Act 2004
 2. To satisfy the statutory duty of all the Fire Authorities as category one responders as defined in the Civil Contingencies Act 2004
 3. To improve the resilience of the control room function
 4. To improve performance
 5. To generate efficiencies

10. PRINCIPAL CONSULTATION

- 10.1 TVFCS Joint Coordination Group

11. BACKGROUND PAPERS

- 11.1 TVFCS mobilising requirements 12 July 2021
11.2 TVFCS budget 2022/23 16 December 2021
11.3 Capita contract novation 16 December 2021
11.4 [TVFCS Inter Authority Agreement](#)

12. APPENDICES

- 12.1 None

13. CONTACT DETAILS

- 13.1 Area Manager Jim Powell powellj@rbfrs.co.uk 07774215664