



BEDFORDSHIRE FIRE AND RESCUE AUTHORITY

Members of Fire and Rescue Authority.

Bedford Borough Councillors: C Atkins, J Gambold and M Headley

Central Bedfordshire Councillors: R Berry, J Chatterley, P Duckett, D McVicar and I Shingler

Luton Borough Councillors: K Choudhry, D Franks, K Malik and Y Waheed

A meeting of **Fire and Rescue Authority** will be held at **Lecture Theatre, Dunstable Community Fire Station, Brewers Hill Road, Dunstable LU6 1AA** on **Wednesday, 6 November 2019** starting at **10.00 am**.

John Atkinson
Secretary/Monitoring Officer

A G E N D A

Item	Subject	Lead	Purpose of Discussion
1.	Apologies	Secretary/ Monitoring Officer	
2.	Declarations of Disclosable Pecuniary and Other Interests	Chair	Members are requested to disclose the existence and nature of any disclosable pecuniary interest and any other interests as required by the Fire Authority's Code of Conduct (see note below).

Item	Subject	Lead	Purpose of Discussion
3.	Communications	Chair	
4.	Minutes	Chair	To confirm the Minutes of the meeting held on 7 October 2019 (Pages 5 - 14)
5.	Public Participation	Chair	To receive any questions put to the Authority under the Public Participation Scheme
6.	Audit and Standards Committee 15 October 2019	Cllr Headley	To consider a report (Pages 15 - 24)
7.	HMICFRS Update Report	ACO	To consider a report (Pages 25 - 34)
8.	National Benchmarking Overview	DCFO	Presentation
9.	Public Sector Equality Duty Report	HPP	To consider a report (Pages 35 - 78)
10.	Procurement Policy and Contract Procedures	ACO	To consider a report (Pages 79 - 128)
11.	Work Programme	CFO	To consider a report (Pages 129 - 134)

Next Meeting

10.00 am on 12 December 2019 at Lecture Theatre, Dunstable Community Fire Station, Brewers Hill Road, Dunstable LU6 1AA

Item

Subject

Lead

Purpose of Discussion

DECLARATIONS OF INTEREST

From 1 July 2012 new regulations were introduced on Disclosable Pecuniary Interests (DPIs). The interests are set out in the Schedule to the Code of Conduct adopted by the Fire Authority on 28 June 2012. Members are statutorily required to notify the Monitoring Officer (MO) of any such interest which they, or a spouse or civil partner or a person they live with as such, have where they know of the interest.

A Member must make a verbal declaration of the existence and nature of any Disclosable Pecuniary Interest and any other interest as defined in paragraph 7 of the Fire Authority's Code of Conduct at any meeting of the Fire Authority, a Committee (or Sub-Committee) at which the Member is present and, in the case of a DPI, withdraw from participating in the meeting where an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

This page is intentionally left blank

MINUTES OF FIRE AND RESCUE AUTHORITY MEETING HELD ON 7 OCTOBER 2019

Present: Councillors C Atkins, J Chatterley (Chairman), J Gambold, M Headley, D McVicar, K Malik, I Shingler and Y Waheed

CFO P Fuller, DCFO A Hopkinson, ACO G Chambers and Mr J Atkinson

Mr S Ashby, a representative of the Home Office, was also present

19-20/FRA/39 Apologies

Apologies for absence were received from Councillors Berry, Choudhury and Franks. Councillor Atkins apologised as she had to leave the meeting at 10.30am.

19-20/FRA/40 Declarations of Disclosable Pecuniary and Other Interests

There were no declarations of disclosable pecuniary and other interests.

19-20/FRA/41 Communications

LGA Fire Commission

The Chair reported on the LGA Fire Commission meeting that he had attended with the Chief Fire Officer. The new independent Chair of the Fire Standards Board, Ms Suzanne McCarthy, had given a presentation and had informed the Commission of the Board's intention to produce more national standards that would then be implemented and monitored by individual Fire and Rescue Services and Authorities.

HMICFRS update

A meeting with the Inspectorate had been attended by the Chair and Deputy Chief Fire Officer. The Inspectorate was currently designing "Phase 2" of the inspection regime and was seeking the views of Fire and Rescue Services on the first phase of inspections in order to develop future inspections in a more collaborative way.

Awards Evening

The Service Awards Evening had been held on 26 September 2019. The Chair commented on the number of inspirational stories and celebrated the achievements of the Service's firefighters and support staff.

The Chair suggested that the Authority may wish to invite members of staff to its meetings to speak about their achievements.

Members Development Day, 29 October 2019

The Assistant Chief Officer advised that a draft agenda for the Members Development Day to be held on 29 October 2019 would be circulated to Members by the end of the week and requested that Members notify him of any additional items that they wished to include on the agenda.

CFA Conference, 10 October 2019

The Chair advised that Councillors Berry, Duckett, Headley and McVicar were attending the Conference as day delegates, with Councillor Waheed attending the pre-conference dinner the night before and staying over for the Conference.

Recruitment Vehicle

The Chief Fire Officer reminded Members that there was an opportunity to view the new recruitment vehicle following the meeting.

Home Office Liaison

The Chief Fire Officer introduced Mr Sam Ashby of the Home Office's Fire and Policing Directorate. The Home Office was seeking to liaise more closely with Fire and Rescue Services outside of major metropolitan areas. Mr Ashby would be performing this role in Bedfordshire and would act as a single point of contact for the Service/Authority with the Home Office.

Mr Ashby advised that he would also be performing this role with Bedfordshire Police.

A discussion around the "stay put" policy and the Grenfell Inquiry ensued. Mr Ashby advised that the results of the report would be released at the end of the month. It was unlikely that the Home Office would express a view on an operational matter.

The Chief Fire Officer reiterated that the "stay put" policy worked well in Bedfordshire as the Service had extensive knowledge of all the high rise buildings in the County and undertook regular training in those environments to ensure incident commanders are able to quickly identify

when a building is not behaving as intended and adapt their firefighting tactics accordingly including switching from “stay put” to part or full evacuation.

What3Words

The Chair circulated leaflets explaining how to use the What3Words app that Fire Control are now using to assist in locating emergency callers.

LGA Fire Leadership Essentials Programme

Councillor Malik reported on the LGA Fire Leadership Essentials Programme that she had attended with Councillor Berry. She had found this very informative, particularly in learning how other Authorities utilised different ways of working. There had also been an inspirational address from Dr Sabrina Cohen-Hatton, the Chief Fire Officer of West Sussex Fire and Rescue Service.

19-20/FRA/42 Minutes

RESOLVED:

That the Minutes of the meeting held on 4 September 2019 be confirmed as a true record, subject to the inclusion of J Atkinson as one of those present.

19-20/FRA/43 Public Participation

Members noted that no questions had been received in accordance with the public participation scheme approved at the meeting of the Fire and Rescue Authority held on 5 April 2000 (Minute 99/fa/94 refers).

19-20/FRA/44 2019/20 Budget Monitoring

The Assistant Chief Officer introduced his report which provided the forecast year end budget monitoring position as at 31 August 2019.

In relation to the non-salary budgets, three overspends were forecast in the areas overseen by Head of Response (£15,000), Head of Governance and Asset Management (£35,000) and Head of Information Communications Technology (£45,000), with an underspend in the Assistant Chief Officer’s area of £34,000. A salary year-end underspend of £460,000 was forecast in relation to whole-time firefighters. The underspend was largely the result of a pension grant of £1.7 million being awarded to the Service and a larger pay award being budgeted for.

The discrepancy between the budget requirement set by Members and the figures detailed in the report was due to budget manager earmarked reserves that had been carried forward from the previous year.

The Assistant Chief Officer reported that, subject to the approval of Members, a number of projects in the Capital Programme were due to be slipped into 2020/21 within the technical and fleet management area. The total amount of these schemes was £1.143 million.

Members were advised that there had been a saving of £54,000 in relation to the server hardware renewal following the completion of the project.

The following medium term savings and efficiencies were RAG rated as amber or red: saving following procurement of new firefighter PPE contract, savings from Blue Light Installations, procurement, Management Information System (MIS) and control income generation.

In response to a number of questions asked, the Assistant Chief Officer advised that he would include a greater level of detail about the areas forecasting an overspend or underspend in the next budget monitoring report.

A specific request was made for details on the salary budget for wholetime firefighters to be circulated to Members following the meeting.

RESOLVED:

1. That the forecast outturns for revenue and capital be acknowledged.
2. That the capital slippage requests into 2020/21 be agreed as identified in Table 3 of the report.
3. That the comments in paragraph 2.3.7 of the report regarding the reconciliation work being undertaken regarding the firefighter pension schemes be noted.
4. That the comments in paragraph 2.3.8 of the report regarding the potential cost of recruits in year be noted.
5. That the saving in paragraph 3.3.2 regarding the Server hardware renewal capital project which slipped into 2019/20 but has now completed be noted.

19-20/FRA/45 Mid-Year Treasury Update

The Assistant Chief Officer submitted the mid-year treasury update as at 30 September 2019.

There was low spending on capital expenditure at this point in the year. The Authority currently held £9.987 million of debt, all of which were long term loans. The current level of investment was approximately £12 million.

The Assistant Chief Officer confirmed that the capital expenditure set out in the report did not include the slippage agreed under the previous agenda item and an additional amount of £75,000 for the Wi Fi refresh.

In response to the presentation of the level of external debt, the Assistant Chief Officer advised that he would liaise with Link Asset Services, the Authority's treasury management advisors, to ensure that this was presented in a more meaningful way in the future.

In relation to risks around Brexit, the Assistant Chief Officer reported that he had met with Link Asset Services the previous week and had been assured that the Authority held a diverse portfolio. The Authority held a wide range of investments in the UK, Europe and around the world with a variety of investment periods. He advised that he would circulate a list of the Authority's investments to all Members following the meeting for information.

The Assistant Chief Officer reported that he would be investigating ethical investments in the near future. As a general rule, these did not provide as great a return or provide the same level of security as traditional investments.

RESOLVED:

That the report be received.

19-20/FRA/46 Collaboration Working Group

The Deputy Chief Fire Officer presented an update on progress with key collaboration initiatives between the Service, Bedfordshire Police and East of England Ambulance Service as managed through the Blue Light Collaboration Strategic Board.

Following the change in the senior leadership team at Bedfordshire Police, the DCFO and ACO had held a positive meeting with the new Deputy Chief Constable (DCC) and ACO from Beds Police and there is a renewed energy to drive collaboration projects forward. The intention was to fund a strategic post to drive some of the projects forward and identify new opportunities for collaboration and efficiency savings. This would be part funded by the Service and would provide a great development opportunity for managers. This would replace the post previously proposed to support the Joint Headquarters project.

The development of a joint Headquarters was making progress.

Work to enable the Police to move into Toddington Community Fire Station and the Ambulance Service to move into Dunstable Community Fire Station was also progressing. This would bring the total number of fire stations jointly used with the Police to 6 and those jointly used with the ambulance service to 5. The Service's partners would be paying for the refurbishment costs and the Service would also receive rental income.

The Deputy Chief Fire Officer was meeting with the East of England Ambulance Service to discuss how this Service could support them to improve their performance.

He reported on plans with Bedfordshire Police to provide video live streaming from the incident ground. This would enable Control Rooms to establish a link with callers by sending a text message and would also allow Officers to live stream from their phones via an app.

The Service continued to work with the Police so that the Service could provide response driver training for Police Officers. It was noted that there was high demand for this service.

An individual had been seconded, for a 6 month period, from Bedfordshire Police as the Interim Communications and Engagement Manager. Other opportunities continued to be explored with the police in this area, such as improving the resilience of out of hours on-call arrangements.

The Chief Fire Officer reported that the Deputy Chief Fire Officer had been successful in his application to undertake the most senior leadership development programme in policing in the United Kingdom; the Strategic Command Course (SCC) in early 2020. He is the first DCFO to secure a place on the course and the second fire officer to secure a place on the course, the other being a serving Chief Fire Officer. The course presents a unique opportunity to engage in a demanding and stretching lateral development programme providing significant benefits for the Service and the DCFO.

Members expressed some concern around how the DCFO's absence may impact the Service but the CFO gave assurances that appropriate backfill arrangements are being developed as part of wider succession planning and development considerations. It was suggested these could be discussed further at the forthcoming Member Development Day.

RESOLVED:

That the content of the report and the continued efforts to pursue collaboration with the Service's blue light partners be acknowledged.

19-20/FRA/47 Work Programme

Members received an updated work programme for 2019/20.

The Assistant Chief Officer advised that Members would receive a list of reports that would have been submitted to meetings of the Policy and Challenge Groups at the Member Development Day for potential inclusion on the work programme.

In response to a comment about a planning application considered by Central Bedfordshire Council, the Chief Fire Officer advised that he would speak to Councillor Shingler about this outside of the meeting.

RESOLVED:

That the work programme for 2019/20 be received and the 'cyclical' Agenda Items for each meeting in 2019/20 be noted.

19-20/FRA/48 Business Continuity

RESOLVED:

That, pursuant to Sections 100A(2) and 100A(4) of the Local Government Act 1972, the public be excluded from the discussion of the following item on the grounds that the matters to be discussed involve the likely disclosure of exempt information as defined in Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act (as amended):

Item: Business Continuity

The meeting ended at 11.42 am

This page is intentionally left blank

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

For Publication

Bedfordshire Fire and Rescue Authority
6 November 2019
Item No. 6

REPORT AUTHOR: COUNCILLOR M HEADLEY
SUBJECT: AUDIT AND STANDARDS COMMITTEE

For further information on this Report contact: Nicky Upton
Democratic and Regulatory Services Supervisor
Tel No: 01234 845149

Background Papers: None

Implications (tick ✓):

LEGAL			FINANCIAL	
HUMAN RESOURCES			EQUALITY IMPACT	
ENVIRONMENTAL			POLICY	
CORPORATE RISK	Known	✓	OTHER (please specify)	
	New			

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To report on the meeting of the Audit and Standards Committee held on 15 October 2019.

RECOMMENDATIONS:

That the submitted minutes of the meeting held on 15 October be received.

1. Introduction

- 1.1 The draft minutes of the meeting of the Audit and Standards Committee held on 15 October 2019 are appended for Members' consideration.
- 1.2 The Audit and Standards Committee made no recommendations to the Fire Authority.

**COUNCILLOR M HEADLEY
CHAIR OF AUDIT AND STANDARDS COMMITTEE**

MINUTES OF AUDIT AND STANDARDS COMMITTEE MEETING HELD ON 15 OCTOBER 2019

Present: Councillors M Headley (Chair), P Duckett, R Berry, K Choudhry, J Gambold and I Shingler
ACO G Chambers, Mr J Atkinson, GC I McLaren and Mr J Harrison
Mr N Young and Ms E Johns, Ernst & Young
Mrs S Rowlett, RSM

19-20/ASC/16 Apologies

16.1 There were no apologies.

19-20/ASC/17 Declarations of Disclosable Pecuniary and Other Interests

17.1 There were no declarations of interest.

19-20/ASC/18 Communications

18.1 The Committee received the most recent Emergency Services Sector briefing from RSM.

18.2 In relation to the questions on preparedness for the implementation of the Emergency Services Network, the Assistant Chief Officer assured the Committee that the risks associated with the delay of the project had been flagged as a result of the uncertainty around the delivery of the network. An earmarked reserve of £200,000 had been set aside to cover costs associated with this.

18.3 He confirmed that he would speak with the Service's Head of ICT to ascertain whether there were any contract implications of the extension of the Airwave contract and whether there were contingency plans if the ESN technology failed.

18.4 In relation to the Fire and Rescue service inspections, the Committee was reminded that Members had been provided with the inspection findings and the resulting Service action plan to address areas for improvement. An update on progress against these actions would be submitted to a future meeting of the Fire and Rescue Authority.

- 18.5 The Assistant Chief Officer confirmed that a link to the Local Government Association's 'Fire authority Members guide' for new Members had been circulated to all Members of the Authority. This could be recirculated if required.
- 18.6 The Committee was advised that benchmarking statistics would be presented to the next meeting of the Fire and Rescue Authority.

RESOLVED:

That the communication be received.

19-20/ASC/19 Minutes

RESOLVED:

That the Minutes of the meeting held on 10 July 2019 be confirmed and signed as a true record, subject to the inclusion of Councillor Berry's apologies.

19-20/ASC/20 Public Participation

- 20.1 There were no members of the public present.

19-20/ASC/21 External Audit, Audit Results Report, Opinion and Value for Money

- 21.1 Members received the external Audit Results Report from Ernst & Young (EY). Mr N Harris introduced Ms E Johns, who had acted as the audit manager during the audit of the statement of accounts.
- 21.2 Mr Harris reported on the circumstances that had led to the delay of the audit. These included the resource constraints he had advised of at the previous Committee meeting, as well as the increasing complexity of a number of local authority audits as a result of pension liabilities, asset valuations and increasing commercial activity.
- 21.3 He expressed concerns about the viability of the current financial reporting and auditing of local authorities and referred to Sir Tony Redmond's review of local authority financial reporting and external audit, which was currently seeking views. He volunteered to share EY's view on this issue with the Committee and recommended that the Authority submit its own views.
- 21.4 The Chair expressed his concern and disappointment over the delay of the audit and queried what measures EY had put in place to ensure that this did not happen next year.
- 21.5 Mr Harris commented that the changes that EY would like to see to the sector to address sustainability issues, such as the reintroduction of a regulating body to provide oversight and consistency, would not come into effect immediately. However, the

immediate resourcing issues had been resolved and planning schedules for next year were being developed in consultation with the relevant local authorities. The plan for next year would be submitted to the Committee in due course.

- 21.6 In relation to the audit itself, the recent judgements arising from the McCloud anti-age discrimination case had led to adjustments to the level of pension liability reported by the Service. The Service had been very proactive in responding to the judgement, commissioning actuarial advice from the Government Actuary's Department (GAD) and making the required adjustments which were now reflected in the Annual Statement of Accounts.
- 21.7 Mr Harris reported on changes to the materiality. The overall materiality assessment was £723,000, with a performance materiality of £542,250 and the threshold for reporting misstatements of £35,150.
- 21.8 There were no adjusted differences to bring to the Committee's attention and the value for money arrangements had been assessed as appropriate.
- 21.9 Mr Harris referred to the other reporting issues that summarised the investigation undertaken by the Committee in relation to the Chief Fire Officer's pension benefits. No queries had been raised on the accounts in relation to this issue. Mr Harris reported that he had not yet prepared an estimate of the fee for the additional work he had undertaken in relation to the investigation and he would be liaising with the Assistant Chief Officer in this respect.
- 21.10 In relation to the valuation of land and buildings, the auditors had provided challenge to Officers to ensure that the assumptions made were reasonable. The use of buildings by other emergency services was appropriate in the light of the duty to collaborate.
- 21.11 Mr Harris reported that the likely result of the audit was one of an unqualified audit opinion and an unqualified value for money conclusion.
- 21.12 The report also set out how EY used data analytics in its work and Mr Harris advised that this would increase in future.
- 21.13 There were no issues of independence to report.

RESOLVED:

1. That the external Audit Results Report for 2018/19 be received.
2. That the Treasurer and Chair be delegated authority to consider and agree any non-material changes to the accounts arising from the remaining audit work on behalf of the Committee.
3. That the Assistant Chief Officer make submissions addressing the Committee's concerns about the sustainability of the local authority audit regime to the Redmond review of local authority financial reporting and external audit on behalf of the Authority and link in through the Fire Finance Network on any industry wide response.

19-20/ASC/22 Post Audit 2018/19 Statement of Accounts and Letter of Representation

- 22.1 The Assistant Chief Officer submitted the 2018/19 Statement of Accounts, including the Annual Governance Statement, to the Committee for approval. If agreed, the letter of representation would be signed following the meeting.
- 22.2 The Committee was advised that no requests for information on the accounts had been received from members of the public.
- 22.3 Mr J Harrison, the Service's Chief Accountant, reported on the adjustments to the pension liability relating to the Fire Fighter's Pension Scheme following consideration of the McCloud judgement. The increase in overall liability had increased by £12.68 million from £346.18 million to £358.86 million. It was noted that this cost was born by the Government and not the Service.
- 22.4 The work of Mr Harrison and his team in preparing for the audit was recognised.

RESOLVED:

1. That the current version of the 2018/19 Statement of Accounts and Annual Governance Statement that have now been externally audited be approved.
2. That the Treasurer, in consultation with the Chair, be delegated authority to make any final amendments.
3. That the letter of representation be approved.

19-20/ASC/23 Internal Audit Progress Report

- 23.1 Mrs S Rowlett of RSM introduced a report on the progress made against the internal audit plan for 2019/20.
- 23.2 The final audit reports on Property – Statutory Compliance and Operational Business Continuity were submitted with the report. Both had received negative opinions of partial assurance. The audit of Property- Statutory Compliance had looked at 10 areas and identified areas of improvement in the three areas of gas heating, legionella and PAT testing. The Operational Business Continuity audit had found that many of the plans were out of date.
- 23.3 She reported on two changes to the audit plan that had been requested since the last Committee meeting. The Key Financial Controls audit had been postponed due to the delay in the completion of the external audit. The Environmental Review and Community Risk Management Plan audits had been delayed as there had been a change in the management structure in those areas.
- 23.4 The Chair expressed disappointment that two negative opinions had been issued in such important areas.

23.5 The Assistant Chief Officer expressed confidence that the actions identified would largely be completed by the follow-up audit. It was recognised that, if this was not the case, it could impact negatively on the end of year audit opinion.

RESOLVED:

1. That the internal audit progress report for 2019/20 and the two completed audit reports be received.
2. That it be noted that the Committee is satisfied with the proposed mitigating actions to address the areas of improvement identified in the audit reports.

19-20/ASC/24 Audit and Governance Action Plan Monitoring - Exception Report and Summary Analysis

24.1 The Assistant Chief Officer provided Members with a summary statistical analysis of actions arising from internal audit reports over the last three financial years to date and from the Authority's current Annual Governance Statement, together with exception reports on actions currently in progress, progress to date on current action plans and proposals to extend the original timing for completion.

24.2 As there were a number of extension requests, the Chair proposed that the Committee consider them individually.

24.3 There were four extension requests relating to the audit of Risk Management that had been completed in February 2019. The original completion dates for these actions was May 2019; the requested extension was to February 2020, as the Committee was advised that the Service was seeking a new risk management software solution. The current provider, ABRISKA, was not able to provide training to managers until December 2019 and this would be at an additional cost. It was recognised that as this was an ICT issue, the first extension, relating to the population of fields for mitigating controls, assurances against controls and gaps in controls/assurances was approved.

24.4 The second extension request relating to an action arising from the Risk Management audit, on the definition of inherent, residual and target risks, was not approved as the Service already had working definitions of inherent and residual risks.

24.5 The third extension request, relating to the provision of risk management training, was approved. The fourth extension request, to update the Risk Procedure to include the minimum frequency at which risks will be reviewed was not approved, as the Service already reviewed risks on a set basis, either quarterly or annually dependent on whether the risk was being treated or tolerated.

24.6 The extension request relating to stock control from July 2019 to February 2020 was subject to the upgrade of Microsoft Dynamics. This had not yet been completed as it had been affected by the delay of the external audit of the accounts. This extension was agreed as the delay was outside of the Service's control.

24.7 The final two extension requests related to actions arising from the audit of Procurement completed in April 2019 from June 2019 to November 2019. These would be completed following the approval of a new Procurement Policy which was being submitted for adoption to the next Authority meeting on 6 November. These extension requests were approved.

RESOLVED:

1. That progress made to date against action plans be acknowledged.
2. That the requests for extensions to completion dates be endorsed, with the exception of the two extensions requested for the actions relating to the use of standard risk management definitions and the update of the Risk Procedure to include the minimum frequency at which risks will be reviewed arising from the Risk Management audit.
3. That the full Risk Management audit be postponed from February to March 2020 to enable the actions from the previous audit to be completed.

19-20/ASC/25 Review of Work Programme 2019/20

25.1 The Committee considered its updated work programme for 2019/20.

25.2 The Assistant Chief Officer advised that a report on the Review of the Abatement Policy had been deferred as the Local Government Association (LGA) was currently undertaking its own review to produce a list of Frequently Asked Questions in order to establish a consistent approach across Fire and Rescue Services on abatement. He would liaise with the LGA on progress in relation to this. It was suggested that the report be deferred to the Committee's meeting in March 2020.

RESOLVED:

1. That the Committee's Work Programme for 2019/20 be received.
2. That the Review of the Abatement Policy be deferred to the Committee's March 2020 meeting.

19-20/ASC/26 Corporate Risk Register (Full)

RESOLVED:

That, pursuant to Sections 100A(2) and 100A(4) of the Local Government Act 1972, the public be excluded from the discussion of the following item on the grounds that the matters to be discussed involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act (as amended):

Item: Review of Corporate Risk Register

The meeting ended at 11.31 am

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

REPORT AUTHOR: ASSISTANT CHIEF OFFICER – FINANCE AND CORPORATE SERVICES

SUBJECT: HMICFRS UPDATE

For further information on this report contact: Thomas Warner
Service Improvement Manager
thomas.warner@bedsfire.gov.uk

Background Papers: None

Implications (tick ✓):

LEGAL		FINANCIAL	
HUMAN RESOURCES		EQUALITY IMPACT	
ENVIRONMENTAL		POLICY	
CORPORATE RISK	Known	OTHER (please specify)	
	New		

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To update Members on the progress made against the HMICFRS Action Plan.

RECOMMENDATION:

That Members acknowledge the progress made against the action plan.

1. Background

- 1.1 In July 2017 Her Majesty's Inspectorate of Constabulary (HMIC) gained the statutory responsibility of the inspection of Fire and Rescue Services in England and Wales and became Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). This was the first time that Fire and Rescue Services have had an inspectorate in over a decade.
- 1.2 HMICFRS initial inspection of the 45 Fire and Rescue Services in England was split in to 3 tranches. Bedfordshire Fire and Rescue Service (BFRS) was inspected in Tranche 1 with the main fieldwork carried out during August 2018. All Fire and Rescue Services have now been inspected and the Tranche 3 reports being due in December 2019, along with a 'State of the Nation' report reflecting on the first full round of inspections.
- 1.3 The inspection framework is built around 3 key questions:
 1. How **effective** is the Fire and Rescue Service at keeping people safe and secure from fire and other risks?
 2. How **efficient** is the Fire and Rescue Service at keeping people safe and secure from fire and other risks?
 3. How well does the Fire and Rescue Service look after its **people**?

No overall grading is given for the Service as a whole. Separate grading's are given for the 3 key inspection areas. BFRS was graded as 'Good' for effectiveness and as Requires Improvement for efficiency and people.

- 1.4 In addition to commenting on a number of strengths and achievements by the Service. HMICFRS identified 23 areas for improvement (AFI) within the report. These AFI's were developed into an action plan to drive Service improvement.

2. Progress against the action plan

2.1 The following AFI's are completed:

Action #	Core Area	Diagnostic	Area for Improvement	Actions Taken
9	Effectiveness	Responding to fires and other emergencies	The Service should ensure it has an effective system for staff to use learning and debriefs to improve operational response and incident command.	The Operational Debrief Working Group action plan has been made more evident on the intranet by having it linked to the homepage of SharePoint. A new operations focused newsletter the 'Red Bulletin' was launched in June 2019 following staff engagement. This presents operational learning in both print and electronic formats. Publication will be quarterly.
10	Effectiveness	Responding to National Risks	The Service should ensure it understands national and cross-border risks and is well prepared to meet such risks.	This action relates to a comment from HMICFRS regarding Marauding Terrorist Attack (MTA) call handling. E-learning has been delivered to control staff and Prompt cards have been developed for 'Run Hide Tell' to support Joint Operational Procedure (JOPs) implementation, which are available to control in the mobilising system and on laminated sheets. Instructions are also on the mobilising system for mobilising and communications, which extends to mobilising of Specialist Assets for responding.

2.2 Many of the areas of improvement have influenced the 2019/20 Community Risk Management Plan (CRMP) action plan. The following AFI's are now being progressed in their entirety through the CRMP and therefore no actions are required within the HMICFRS action plan:

Action #	Core Area	Diagnostic	Area for Improvement
14	Efficiency	Making best use of resources	The Service should ensure its workforce's time is used efficiently and effectively. This relates specifically to the use of wholetime and fire control resources, and the potential use of on-call staff in the strategic reserve system.
21	People	Ensuring fairness and promoting diversity	The Service should assure itself that it has effective grievance procedures.

2.3 BFRS has led on the establishment of an NFCC Eastern Region HMICFRS Forum. This group met for the first time in September and is seeking to implement a peer assurance process in early 2020. Another method of assurance for the Service is the Staff survey; the 2019 survey is currently open. The following actions are complete subject to the completion of assurance work:

Action #	Core Area	Diagnostic	Area for Improvement	Actions Taken
8	Effectiveness	Responding to fires and other emergencies	The Service should ensure staff know how to command fire Service assets assertively, effectively and safely at incidents.	Level 1 incident command e-learning package has been reviewed and level 1 incident commanders have completed the course. Active monitoring forms reviewed and updated. The Service have recently been accredited by Skills For Justice for the delivery of Level 1 Incident Command, a programme has been developed for the delivery of these courses.
11	Effectiveness	Responding to National Risks	The Service should ensure operational staff have good access to cross-border risk information.	All Services are now providing their risk information to BFRS. Internal Communication Campaign has been delivered to highlight that over the border risk information is available on the mobile data terminals.
12	Effectiveness	Responding to National Risks	The Service should arrange a programme of over-the-border exercises, sharing the learning from these exercises.	The Station Plan template has been updated to include a section on over the border exercises.
20	People	Ensuring fairness and promoting diversity	To identify and tackle barriers to equality of opportunity, and make its workforce more representative, the Service should ensure diversity and inclusion are well-understood and become important values of the Service, led by chief officers.	Internal communications delivered on the benefits of diversity. A review of training materials has been completed.

2.4 The Service continues to progress the other Areas for Improvement. The progress made so far is summarised below:

Action #	Core Area	Diagnostic	Area for Improvement	Actions Taken
1	Effectiveness	Understanding the risk from fire and other emergencies	The Service needs to improve how it engages with the local community to build up a comprehensive risk profile	<p>A Community Risk Analysis (CRA) was developed to inform the 2019 – 2023 Community Risk Management Plan. Consultation with the community was conducted and concluded in march 2019. FRA approved plan at full meeting on 28/03/19.</p> <p>The Services Mosaic profiling data has been integrated in to the Safe & Well Database. This allows managers to run reports detailing the number of visits to each Mosaic Group. Additionally equality monitoring and other key data can now also be reported on in the same way which provides enhanced ability to analyse and evaluate delivery of Service.</p>
2	Effectiveness	Preventing fires and other risks	The Service should ensure it targets its prevention work at people most at risk.	<p>Operational personnel have been provided with information on Mosaic Group 1 (less affluent social renters) and Group 3 (transient young singles) addresses for targeted activity. Alongside Group 2 (elderly singles reliant on state support) (already being targeted), these are the most at risk households in our community. This informs the Service target for S&W activity in year.</p> <p>Development work has been completed on Beds Fire Alert that enables crews to use the new smart phones on the fire appliance to identify the nearest target addresses.</p>
3	Effectiveness	Preventing fires and other risks	The Service should ensure staff carry out prevention work competently. This includes understanding how home fire safety checks help keep people safe. The Service should ensure staff understand how to identify vulnerability and safeguard	<p>A round of sample monitoring of Safe and Well delivery by operational personnel against a checklist of quality criteria has taken place. Findings were reported in May 2019. This provided significant assurance that operational crews are delivering S&W visits competently and are identifying vulnerabilities and making referrals where appropriate. A range of development needs have been identified which will be addressed in the supervisory manager training sessions</p>

			vulnerable people.	scheduled for October 2019.
4	Effectiveness	Preventing fires and other risks	The Service should evaluate its prevention work, so it understands the benefits better	A round of sample monitoring of S&W delivery by operational personnel against a checklist of quality criteria has taken place.
5	Effectiveness	Protecting the public through fire regulation	The Service should ensure it makes better use of its specialist resources in implementing its risk-based inspection programme.	The Service is continuing its work to implement a new Protection Data management system.
6	Effectiveness	Protecting the public through fire regulation	The Service should assure itself that its enforcement plan prioritises the highest risks and includes proportionate activity to reduce risk. It should also include appropriate monitoring and evaluation.	Preliminary work has begun to research Risk Based Inspection Programmes (RBIP) in use by other FRS. Regional Collaboration in this area Suffolk FRS have been assigned as lead for RBIP.
7	Effectiveness	Protecting the public through fire regulation	The Service should assure itself that its operational staff carry out fire safety audits competently.	<ol style="list-style-type: none"> 1. Review and improve quality assurance process for fire safety audit.(CRMP 10) <p>An active monitoring quality assurance form has been formulated with a procedure on capturing information from the audit process. This is in the process of being trialled by FSIO's and feedback attained to adapt the process and formulate a service policy is in progress. It is anticipated that the completion of the QA process will be Q4 2019</p> <ol style="list-style-type: none"> 2. Review operational training for fire safety audit with consideration to national guidance outcomes from Hackitt review (CRMP 14) <p>A review of training has been undertaken with updates in guidance on properties of 3-5 floors, Learnpro updates on conformation of evacuation strategy and the stay put policy and external cladding.</p>

13	Efficiency	Making best use of resources	The Service should ensure it is making best use of its transformation reserve to improve how the Service works.	The £250k Transformation Reserve in 2019/20 has been fully allocated to a number of initiatives, such as ICT and system developments. The £250k Transformation funding has also been budgeted across the medium term to drive forward transformational initiatives. £1m Transformation funding has been directly allocated towards the new Mobilising System.
15	Efficiency	Making best use of resources	The Service should ensure it effectively monitors, reviews and evaluates the benefits and outcomes of any initiatives. This should include collaboration.	The Service has established an NFCC Eastern Region HMICFRS Forum and is engaging with regional colleagues to identify best practice in evaluation.
16	Efficiency	Making the fire and rescue Service affordable now and in the future	The Service needs to secure an affordable way of managing the risk of fire and other risks now and in future. Its future budget gap is increasing, but it has no plans to address and reduce it other than to use reserves. This is not sustainable.	<p>The current Medium Term Financial Plan balances the next six financial years, so to 2024/25. The 2020/21 financial settlement is key, as with the Spending Review, Business Rates Retention and Formula Review, much could change with our financial assumptions and forecasts. The action will be addressed each year at the budget setting time, as well as in year, for example via Budget Monitoring.</p> <p>Due to a one year settlement for 2020/21, there will be a delay until 2021/22 when the Authority will hopefully be informed of a medium term funding position. The one year settlement does not assist with medium term financial planning. The savings/efficiencies will still be reviewed, with new items introduced, including the forthcoming Operation Response Review, as well as Collaborative initiatives, some of which that will generate new income.</p>
17	Efficiency	Making the fire and rescue Service affordable now and in the future	The Service needs to make better use of technology to improve bureaucratic frontline working practices that rely on paper-based processes.	A draft Digital and Data Strategy has been released for CMT to critique. The final version of the strategy will be presented to CMT in November for final approval. Within the strategy is a statement advising our move to Microsoft Office 365 to unlock the digital tools necessary to transform our key paper based processes to e-forms with automated workflows.

18	People	Promoting the right values and culture	The Service should ensure its values and behaviours are understood and demonstrated at all levels of the organisation.	<p>The Service has continued to deliver the Moving Forward Together plan.</p> <p>Following consultation with staff the new Services values are in the process of being finalised.</p> <p>BFRS has begun to adopt the NFCC Leadership Framework. The process of embedding this framework into our processes is included in our CMRP 2019 – 23 Action Plan.</p>
19	People	Getting the right people with the right skills	The Service should assure itself that its requirement for competent on-call staff who join as wholetime to complete a probationary training course is value for money and the best use of resources.	Candidates successful at the WT FF selection 2018/19, that were current On-Call FF, have not attended the Fire Service College for foundation training or enter the L3 apprenticeship. A skills gap analysis was undertaken to determine training and development need. This provides efficiencies, recognises prior experience and delivers new Whole Time firefighters earlier. Training commenced in July 2019.
22	People	Managing performance and developing leaders	The Service should put in place an open and fair process to identify, develop and support high-potential staff and aspiring leaders.	<p>FRS is working with regional FRS colleagues to consider further opportunities for identifying and supporting high-potential staff.</p> <p>The Service has committed to extra resources for Workforce planning job description.</p>

23	People	Managing performance and developing leaders	The Service should ensure its selection, development and promotion of staff is open, transparent and fair.	<p>The Service is working towards the implementation of the NFCC Leadership Framework.</p> <p>The forthcoming Group Manager promotion process utilises the Framework and candidates will be assessed against the four levels of leadership, based on personal behaviours and values.</p> <p>The revised structure for selection, development and promotion is overseen by a moderation panel that will ensure consistency, and provide openness and transparency throughout. Regardless of how far each candidate reaches within the process all will be offered constructive feedback and a development pathway.</p>
----	---------------	---	--	---

3 Conclusion and Recommendation

- 3.1 The Service has made considerable progress against the 23 Areas of Improvement identified by HMICFRS. The Service will continue to progress the actions with progress monitored through the HMICFRS Report Action Plan and the CRMP Action Plan.
- 3.2 The Service will review the 'State of the Nation' report due to be published by HMICFRS in December following completion of the first round of inspections with a view to update and amend the action plan if necessary to address any relevant national issues identified
- 3.3 It is recommended that Members acknowledge the progress made against the action plan.

GAVIN CHAMBERS
ASSISTANT CHIEF OFFICER – FINANCE AND CORPORATE SERVICES

For Publication

Bedfordshire Fire and Rescue Authority
11 November 2019
Item No. 9

REPORT AUTHOR: DIVERSITY ADVISER

SUBJECT: PUBLIC SECTOR EQUALITY DUTY REPORT

For further information on this Report contact: Robert Jones Diversity Adviser Tel No: 01234 225115

Background Papers: None

Implications (tick ✓):

LEGAL		✓	FINANCIAL	
HUMAN RESOURCES			EQUALITY IMPACT	✓
ENVIRONMENTAL			POLICY	
CORPORATE RISK	Known	✓	OTHER (please specify)	
	New			

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To provide Fire and Rescue Authority Members with the Public Sector Equality Duty Report (2018/19) for Members' consideration.

RECOMMENDATION:

That the submitted report be approved.

1 Introduction

- 1.1 The Public Sector Equality Duty (PSED) Report for 2018/19 supports the Service in demonstrating action against the requirements of the Public Sector Equality Duty.
- 1.2 The 2018/19 PSED report is set out in a similar format to the 2017/18 PSED report, split into two sections, with section one focusing on the Workforce and section two on the Services we provide.
- 1.3 Public authorities are required to publish information to demonstrate their compliance with the Equality Duty.
- 1.4 The specific duties are not particularly prescriptive about the information that needs to be published, but it must include information relating to the people who share relevant protected characteristics who are;
 - The employee of the listed body (for authorities with 150 staff or more)
 - People affected by its policies and practices (for example Service Users)

The information must be published in a manner that is accessible to the public. As per previous years the document will be available on the Services website

- 1.5 Section 1 of the report, provides an overview of our equality and diversity employment monitoring data as at 31 March 2019. It covers age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The data relates only to those who are directly employed by Bedfordshire Fire and Rescue Service, it excludes agency staff.
- 1.6 Section 2, focuses on the main types of incidents that we respond to, how the Service is able to measure customer satisfaction against our work and reports on the annual number of complaints and compliments received.
- 1.7 The information contained in this report forms part of the Service's continuing dialogue in demonstrating our compliancy with the Public Sector Equality Duty.

2. Implications

- 2.1 In developing and publishing this report the Service provides firm assurance that we remain committed to furthering the equality and diversity agenda for the foreseeable future.
- 2.2 The Annual PSED Report constitutes part of our on-going dialogue for demonstrating compliance against the Public Sector Equality Duty and may be used as evidence along with the report on the Single Equality Scheme which is published on the Service website.

ROBERT JONES
DIVERSITY ADVISER

This page is intentionally left blank



Bedfordshire Fire and Rescue Service



Public Sector Equality Duty
7th Annual Report
2019

Table of Contents

Bedfordshire Fire and Rescue Service.....	3
Our Mission, Aims and Priorities	5
The People we serve.....	6
Executive Summary.....	8
Section 1: Workforce.....	9
Starters.....	10
Leavers.....	10
Job Applications, Recruitment and Promotions.....	11
Grievances.....	12
Family Leave	12
Gender Pay Gap.....	13
Section 2: Services we provide	14
Main Types of Incidents.....	15
Non-Fire Incidents	15
Fire Safety Audits	15
Safe and Well Visits.....	16
Referrals Received by Household classification	18
Referrals made as a result of the Safe and Well Visits.....	18
Equipment Installed.....	19

Customer Satisfaction	19
After the Incident (Domestic).....	20
After the Incident (Non Domestic)	20
Fire Safety Audit	20
Safe and Well Surveys.....	21
Station Open Days.....	23
Home Safety Centre.....	23
Complaints and Compliments	24
Summary.....	25
Workforce Profile	30
Workforce Profile by Pay Band.....	31
Job Applications – Support Staff	32
Job Applications – Uniformed Staff.....	33
Promotions - All Staff.....	36
External Training – FRST 35s.....	37

Bedfordshire Fire and Rescue Service

Bedfordshire Fire and Rescue Service (BFRS), as a public body, is subject to the Public Sector Equality Duty (PSED), which is made up of a general equality duty supported by specific duties as outlined within the Equality Act (2010).

The general equality duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
3. Foster good relations between people who share a protected characteristic and people who do not share it.

Public authorities covered by the specific duties must publish information to demonstrate their compliance with the general equality duty. All listed bodies had to do this for the first time by 31 January 2012, and then at least annually from the first date of publication.

This includes information relating to people who share a relevant protected characteristic who are:

- the employees of the listed body (for authorities with 150 staff or more)
- people affected by its policies and practices (for example, service users)

Protected characteristics include:

Age / Sex / Race / Disability / Religion/belief / Sexual orientation / Marriage/civil partnerships / Pregnancy & maternity and Gender reassignment.

Cover photo: Wholetime Firefighters Recruitment Campaign Poster 2018

Introduction

This report provides information about our workforce and the services we deliver, and demonstrates our compliance with the requirements of the Equality Act (2010).

It is an annual reflection covering the period 1 April 2018 to 31 March 2019, charting the progress made since our first PSED report was published in January 2012.

The Service's Equality Objectives for 2016 to 2020 have progressed well and are captured within our Single Equality Scheme Action Plan.

This report provides information on:

- The work that we have done to further the aims of the PSED;
- The profile of communities across Bedfordshire and how this information helps target our work to reduce risks across all communities and to address areas of under-representation across our workforce;
- The workforce, providing an overview from an equalities perspective and seeks to improve the working environment for people who currently work for the Service and for those seeking or aspiring to join us; and
- The services that BFRS provide; this is the work which impacts directly on the communities across Bedfordshire and which seeks to ensure equitable outcomes for those who have or may need to access our services.

Copies of previous reports can be found on our website at www.bedsfire.gov.uk

Our Mission, Aims and Priorities

Our Mission is simply to **provide outstanding fire and rescue services** that help make Bedfordshire safer, and we are committed to doing everything we can to achieve this within the resources we have available to us.

Delivering on our mission means focussing on the following six aims:

1. PREVENTING fires and other emergencies from happening;
2. PROTECTING people and property when fires happen;
3. RESPONDING to fires and other emergencies promptly and effectively;
4. EMPOWERING our people as we work together to make Bedfordshire safer;
5. UTILITISING our assets and resources efficiently and effectively; and
6. MAXIMISING use of data and digital solutions to drive improvements.

Knowing about the communities across Bedfordshire and having an understanding how issues around diversity and other factors such as social isolation, health, disability and poverty can impact on risk is essential for the Service to achieve these objectives.

To this end we work closely with partner organisations and groups to address specific safety concerns and to protect communities and business from fire.

Partnership working and having a workforce drawn from the communities who have local knowledge and understanding is fundamental to the Service understanding risks and enables us to better help all sections of our communities to protect themselves, now and in the future.

We focus our resources on achieving these aims, and use them to develop and deliver the key priorities we set out through our Annual Action Plan.

We use Key Performance Indicators (KPIs) to measure how we are performing against our priorities, report on a quarterly basis to the FRA and publish an Annual Performance Report.


The People we serve

According to the Office for National Statistics (ONS) 2018 Mid-Year estimates (MYEs) published on 26th June 2019, the mid-2018 population of Bedfordshire was 669,338. The last three year MYEs for unitary areas are:

Area	2018 MYEs	2017 MYEs	2016 MYEs
Bedford Borough	171,623	169,912	168,814
Central Bedfordshire	283,606	280,030	276,731
Luton	214,109	214,658	215,914
Total	669,338	664,600	661,459

Our Practice

- Our workforce monitoring data is part of the information we collate, monitor and publish to enable equality considerations to be embedded within our policies and practices, and meet our responsibilities under the Public Sector Equality Duty.
- The Service publishes its equality objectives separately within the Single Equality Scheme (SES). The current SES 2016 – 2020, can be found on the Service’s website www.bedsfire.gov.uk.
- The Service published its 4 year People Strategy in 2018 which, for the first time, includes our Inclusion Strategy.
- We have a well-established Equality Assessment process where all policies and changes to services are assessed for their potential impact against groups protected by the Equality Act (2010) known as ‘Protected Characteristics’.
- An Equality Handbook is provided to all staff which compliments equality related training and knowledge assessments, additional equality related training includes Towards Cultural Competence and Unconscious Bias.

- We conduct a biennial staff survey of all our employees to develop a clear understanding of both the type of culture we have and use this, when triangulated with other evidence, to inform how we collectively improve our organisation.
- BFRS is committed to ensuring the wellbeing of all its employees and provides an in-house Occupational Health and Fitness provision and an Employee Assistance Programme.
- Understanding the value of a healthy work-life balance, Bedfordshire Fire and Rescue Service offer employees the opportunity to request flexible working hours, homeworking, part-time, job-share and compressed/staggered/ annualised hours. Non-operational staff (where appropriate) work on a flexitime system between the hours of 8am and 6pm.
- Our commitment to equality and diversity, is driven by senior management, demonstrated by our staff and supported by our Diversity Advisor; progress is monitored by Fire Authority members.
- In 2018 the Service was reassessed and awarded the status of being a Disability Confident organisation in recognition of our approach to disability.
- The Service is affiliated to the Asian Fire Service Association (AFSA), Women in the Fire Service (WFS), Stonewall and the Employers Network for Equality and Inclusion (ENEI).
- As an employer with more than 250 employees, we annually publish and report on our gender pay gap.
- On 17 May 2018 (IDAHOTB Day), the Service launched  a networking group for LGBTQ, Friends and Allies. The group aims to provide advice and guidance to the Service around LGBTQ+ specific issues; advise on best practice; provide support for LGBTQ+ members of staff; Increase the visibility of openly LGBTQ+ employees and assist in fostering an open and inclusive community within the Service.

Executive Summary

As at 31 March 2019, Bedfordshire Fire and Rescue Service (BFRS) employed 565 people, of which 37 of these held multiple positions within the Service which brings the overall number of positions to 602. 54 employees left during 2018/19 and there were 68 new appointments.

- Total firefighter strength as of the 31/03/19 at BFRS is 428 FTE. This is higher than the previous 417 on 31/03/18.
- During the financial year 2018/19, 54 posts were left: 37% Wholetime, 26% On Call, 37% Support and 0% Control. 68.5% were resignations, 31.5% were retirements and 5.6% were other reasons.
- As at 31 March 2019, 462 male staff were employed, out of which, 85.5% (395) were firefighters. By comparison, 22.9% of the 140 female employees were firefighters.
- 6.0% of our wholetime and 9.5% of our 'on-call' firefighters are female. The percentage of female wholetime staff is on par with the National FRS and Non-Met average while the percentage of female retained staff is almost double the national average.
- 2.7% of staff described themselves as having a disability which has gradually increased from previous years from 2.5% during 2017/18 and 2.4% during 2016/17. The number of staff not declaring their disability status has increased from 6.3% (2017/18) to 6.5%.
- The workforce data shows 48.2% have declared a religion/belief, this continues a trend of decline from 49.3%. This coincides with a gradual increase of those declaring no religion, 35.7% (2018/19) from 32.8% (2016/17).
- 6.6% of our workforce declared they are from an ethnic minority group which is a 0.7% decrease from the previous year.
- 23.4% of our workforce were aged <34, compared to 23.0% the previous year; 13.3% were aged >55 compared to 13.4% the previous year.
- 3.3% of our workforce declared they are lesbian, gay or bi-sexual; this is a slight increase from the previous year.
- No employee has identified themselves as transgender.

BFRS's workforce profile as at 31 March 2019 is provided in the appendix.

Section 1: Workforce

Age

99.8% of our wholetime staff are under the age of 55 and 99.2% of retained staff.

	16-24	25-35	36-45	46-55	56+
BFRS: Wholetime (31/03/19)	1%	28%	39.9%	30.9%	0%
England: Wholetime (31/03/18)	1.27%	18.45%	37.7%	40.3%	2.2%
Non – Metropolitan: Wholetime (31/03/18)	1.3%	16.5%	36.8%	42.6%	2.6%
BFRS: Retained (31/03/19)	9.4%	32.6%	29.7%	27.5%	0.7%
England: Retained (31/03/18)	7.2%	33.3%	27.1%	26%	6.3%
Non – Metropolitan: Retained (31/03/18)	7.37%	33.3%	27.2%	25.7%	6.3%

Source: [Fire statistics data tables - GOV.UK](#) 31/03/18

Gender

23.6% of all staff at BFRS were women, very little change from previous years. Female representation at senior levels has reduced from 12.5% to 11.1% as a result of one leaver.

The table below illustrates that BFRS, had more female staff when compared to National FRSs, Non-Met average, particularly of those working in support, control and RDS.

	WT FF	Ret	Total FF	Control	Support	All Staff
BFRS (31/03/19)	6%	9.4%	7.1%	86.4%	61.2%	23.6%
England (31/03/18)	6.1%	4.9%	5.7%	75.5%	52.8%	15.9%
Non – Metropolitan (31/03/18)	5.7%	4.8%	5.3%	74.4%	52.5%	15.2%

Source: [Fire statistics data tables - GOV.UK](#) 31/03/18

Ethnicity

As of the 31/03/19, Black, Asian and Minority Ethnic (BAME) employees represented 5.9% of Operational (6.1% wholetime and 5.4% on-call), 8.3% Control and 8.7% of support staff, which is an improvement in all employee groups apart from support.

When we compare our data against National FRSs and Non-Met average as at 31/03/2018, we see that our percentage of BAME wholetime staff is on par with the figure for England and higher than the Non-Met average. Overall BAME staff account for 5.6% of all staff is higher than both England and Non-Met areas. It should be noted that whilst these comparisons are useful, BFRS is committed to reflecting our local communities rather than aligning alongside other Fire and Rescue Services.

	WT FF	Ret FF	Total FF	Control	Support	All Staff
BFRS (31/03/19)	5.2%	1.7%	4.1%	4.5%	10.2%	5.6%
England (31/03/18)	5.5%	1.3%	4.1%	3.2%	7.8%	4.7%
Non – Metropolitan (31/03/18)	2.4%	1.2%	1.8%	2.2%	3.6%	2.17%

Source: [Fire statistics data tables - GOV.UK](#) 31/03/2018

Starters

During 2018/19, 68 employees joined Bedfordshire Fire and Rescue Service (compared with 81 in 2017/18). Comparing the data there was a decrease in females joining the Service from 29.6% (2017/18) to 20.3%. The percentage of people from BAME communities joining the Service in 2018/19 fell from 6.2 to 5.9%. However, the number of not declaring their ethnicity also increased to 10.3% from 6.2%.

Leavers

During 2018/19, 54 employees left the Service (compared with 61 in 2017/18). The majority of staff who left the Service were aged between 45-54 and 55-64 (25.9% each), compared with 45-54 (32.8%) and 55-64 (27.9%) of those leaving in 2017/18. There has been a decrease in the percentage of people leaving aged 55-64 (25.9%) and 65+ (1.9%) in 2018/19 compared with the previous year but an increase in leavers aged 16-24 (7.4%) and 35-44 (22.2%) compared with 16-24 (3.3%) and 35-44 (16.4%) in 2017/18.

There was an increase in female leavers, 24.1%, compared with 21.7% (2017/18) and the number of leavers from BAME background rose from 4.9% in 2017/18 to 11.1% in 2018/19.

The Service conducts exit interviews to gather the reason(s) people are choosing to leave. This identifies any patterns, ensuring data is provided to enable research to correct any areas that can be improved.

Job Applications, Recruitment and Promotions

Recruitment to BFRS is through fair and open competition based on merit, with individuals assessed for their ability to demonstrate the required competences, knowledge and skills for the role.

BFRS is committed to ensure that all recruitment is free from unfair and unlawful discrimination. Reasonable adjustments for disabled people are made at all stages of the recruitment process, as required.

As part of the changes to the two tick accreditation awarded to employers who demonstrate they are committed to the employment, retention, training and career development of people with a disability, BFRS undertook a Disability Confident self-assessment which led to being re-awarded a Disability Confident Organisation in 2018.

In 2018/19 we saw an increase in the number of people aged 25-34 applying for support posts with BFRS and an increase in the number of female applicants over the last 3 years from 40.5% in 2015/16 to 55.8% in 2016/17 and 60.2% in 2017/18. However, we have seen a decline in the number of applicants from a BAME background of 11.8% compared with 14.7% in 2016/17 and 20.2% the previous year.

632 suitable applications were received for the 2018/19 whole time Firefighter recruitment campaign from which, 12.8% were female and 18.8% BAME.

There were only minor improvements to the diversity of applicants at appointment stage. To understand the reasons for this, the Service conducted a comprehensive Equality Assessment review on the recruitment process in 2017/18, which has led to a number of recommendations being taken forward to this campaign.

Grievances

4 new grievances were formally submitted by 4 employees during 2018/19; this compares to the 8 grievances raised by 5 employees the previous year. An additional 4 grievances were concluded in 2018/2019 that were initiated in 2017/18.

Of the grievances concluded in 2018/19, 7 were not upheld, 1 was partially upheld. Of these, 1 person declared as BAME, all were male.

Family Leave

As part of Bedfordshire Fire and Rescue Service's commitment to diversity, we support employee's balance between home and work through offering flexible employment policies and provide enhanced pay and leave for adoption, maternity and paternity.

During 2018/19, 2 women started Maternity Leave and 3 woman returned. No female staff have left the Service immediately following maternity leave. There were 21 staff who took and returned from paternity leave. No staff have taken Shared Parental Leave.

Year	Staff starting Maternity Leave	Staff returning to work from Maternity Leave	Staff on Paternity Leave	Staff returning to work from Paternity Leave
18/19	2	3	21	21
17/18	2	1	18	18
16/17	3	2	Not available	Not available

Gender Pay Gap

The Service has three sets of employee groups whose terms and conditions of employment are nationally negotiated through relevant joint councils that contain representatives from the employers' side and recognised trade unions.

The Service has clear policies and pay structure in place to pay employees equally regardless of gender. The gender pay gap is a reflection of the lack of women in operational firefighting and senior roles. This is illustrated by the distribution of women in the pay quartiles, with more than half of the women in the lower pay quartile.

Hourly Wages Pay Gap	31 March 2018	31 March 2017
Comparison between median hourly	Women earn 95p for every £1 that men	Women earn 92p for every £1 that men
The median hourly wage	5.3% lower than men's	8.2% lower than men's
The mean hourly wage	10.6% lower than men's	11.6% lower than men's

Proportion of Women in each Pay Quarter	31 March 2018	31 March 2017
Top quarter	23%	19%
Upper middle quarter	12%	14%
Lower middle quarter	8%	4%
Lower quarter	53%	54%

Section 2: Services we provide

Our approach is driven by our Community Risk Management Plan (CRMP) drawn up on the back of a detailed Community Risk Analysis 2018. The CRMP sets out how we intend to deliver our mission of providing outstanding fire and rescue services by further improving:

- How we assess and analyse the risks faced by the communities we serve;
- The effectiveness of our prevention, protection and emergency response service;
- How effectively we deploy our assets and resources to mitigate community risk; and
- How we value, support and invest in our best asset, our staff.

Following an inspection of our Service during the summer of 2018, we were delighted that Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) judged us to be good at 'effectively keeping people safe and secure' within our local communities. We also welcomed the areas for improvement identified within their report, which we are currently acting upon to drive and direct continued improvement across the service.

The Service uses a number of tools to help us develop our understanding of how and where to direct our services to greatest effect. Some of these tools are complex – allowing us to understand, assess and model risks using a number of factors, including the use of predictive electronic modelling tools and data, using our knowledge of incidents we have attended recently and historically, types of building; their construction and use, the environment and information provided by partners and other agencies e.g. road collision statistics.

We are also able to assess the potential risk associated with new developments, changes in the local economy and demographic change e.g. an increasingly aged population and understand how behaviours and lifestyles can impact on risk within more vulnerable sections of our communities.

Using these tools appropriately supports the professional judgment and experience of our fire officers, firefighters, fire safety and community safety teams enabling us to make well-considered and informed decisions about the delivery of our services.

Main Types of Incidents

There has been a reduction in the overall number of incidents that we have attended in 2018/19 when compared with the previous year. Although there has been a slight increase in the number of fires and false alarms, the numbers of specialist services has continued to reduce.

Type of Incident	2018/19	2017/18	2016/17
Fires	2,129	2,086	2,072
False Alarms	2,407	2,352	2,723
Special Services	1,436	1,587	1,685
Total number of Incidents	5,972	6,025	6,480

Non-Fire Incidents

Type of Non-Fire Incident	18/19	17/18	16/17
Road Traffic Collisions	471	473	454
Effecting entry/exit	266	312	360
Flooding	64	10	75
Good Intention False Alarm	623	709	636
Lift Release	25	60	100

For 2018/19 there has been a decrease in road traffic collisions, good intention false alarms, effecting entry/exit incidents and significantly lift releases. Flooding incidents significantly increased.

Fire Safety Audits

Year	No. of Fire Safety Audits	of which Satisfactory	of which Unsatisfactory
18/19	920	880	40
17/18	1321	1210	111
16/17	1244	1071	173

Enforcement Notices

The Service has a pro-active approach to increase awareness of fire safety within local businesses. This approach has led to a significant decrease in the number of enforcement and prohibition notices being served and we are pleased to report that for 2018/19 there were no prohibition notices served under Article 31 or prosecutions for offences under Article 32.

Year	No. of alteration notices served under Article 29	No. of enforcement notices served under Article 30	No. of prohibition notices served under Article 31	No. of prosecutions for offences under Article 32	No. of premises satisfactory following enforcement action
18/19	2	1	0	0	8
17/18	0	1	2	0	15
16/17	1	2	5	0	30

Safe and Well Visits

Year	Total number of HFRC's and Safe and Well Visits	of which were completed by partners
18/19	5616	584
17/18	3086	768
16/17	4504	763

Safe and Well delivery to the elderly

Safe and Well Visit are targeted at vulnerable people, including the elderly and captures some or all of the following areas:

- Crime prevention advice
- A Falls Risk Assessment
- Discussion about smoking cessation
- Discussion about alcohol and referral to support services, if required, along with a detailed fire safety inspection.

Type of visit	18/19	17/18	16/17
Safe and Well visits	5616	3084	4504
of which: Elderly (65+)	2827	889	1107

People who receive Safe and Well Visits are considered vulnerable due to their age and other factors. We know that the risk of injury from fire is linked to:-

- Alcohol and drugs
- Mobility
- Learning difficulties

Referrals Received by Household classification

Due to recent changes to the way the addresses are entered into the database we are now able use mosaic group information (a household classification system). The data shows 19.5% referrals were from a group we do not target.

Rank of fire risk	Mosaic Group	No. Households	% of total	No. Visits	% Households
2	2 - High risk elderly	11905	5%	948	7.96%
3	1 - Less affluent social renters	13912	5%	827	5.94%
7	4 - Independent affluent seniors	21843	8%	969	4.44%
4	6 - Rural families	28457	11%	483	1.70%
1	3 - Transient young singles	19423	7%	329	1.69%
5	5- Young urban families	52542	20%	874	1.66%
6	7 - Affluent suburban families	112481	43%	1108	0.99%
	Grand Total	260563		5538	2.13%

Referral Pathway	Number
Falls Prevention	108
Smoking Cessation	18
Alcohol Services	10
Bedfordshire Police Bobby Van Scheme (The service is available for people over the age of 65, the vulnerable or those that are disabled. The Bobby Team will attend your home and carry out a survey, identifying any areas which may be vulnerable to crime. Where appropriate, our staff will improve your security with locks, door chains and viewers)	49
Other agencies (Sensory Team, Garden Works, Older Peoples Team, CAB, Social Services)	131
Landlord Letter	10
Safeguarding	33

Referrals made as a result of the Safe and Well Visits

A total of 359 referrals were made to other services as a result of our Safe and well visits. It is important for the Service to maintain these referral pathways as just a single referral can have a significant impact on the overall health and welfare of an individual and significantly reduce their fire risk.

Equipment Installed

Year	Smoke Alarms	Carbon Monoxide Alarms	Impaired Hearing Alarms	Arson Letter Bags
2018/19	2,725	563	1,015	159
2017/18	1,853	212	306	154

Of all Safe and Well visits delivered 22.5% properties did not have a smoke alarm installed prior to the visit.

Smoke Alarms already in Property	Total
0	1265
1	1607
2	1854
3>	412
Not recorded	478
Total	5616

Customer Satisfaction

During 2018/19 quarterly satisfaction surveys were undertaken to establish the levels of satisfaction in the following service areas:

- Attending an incident at a domestic property;
- Attending an incident at a non-domestic property;
- Conducting a Safe and Well visit;
- Conducting a Fire Safety Audit.

During 2018/19 we received a total of 1,803 completed surveys, compared to 1,506 in 2017/18. Of the 1,682 people who responded to the question “*How satisfied were you with our overall service?*” 1,579 (94%) agreed they were very or fairly satisfied with the service they had received with almost all of the remainder saying they were fairly satisfied (6 were “fairly dissatisfied” and one was “very dissatisfied”).

Conducted Surveys	Surveys Issued	Surveys Returned	Rate of Return	Rate of Return	Rate of Return
	18/19	18/19	18/19	17/18	16/17
After the Incident	740	362	49%	53%	40%
After the Incident (Non-Domestic)	117	56	48%	59%	50%
Fire Safety Audits	865	455	53%	56%	42%
Safe and Well Visits	3,269	930	28%	56%	49%
Total	4,991	1,803	36%	55.2%	45%

After the Incident (Domestic)

A total of 362 completed surveys were received back during the year (up from 351 in 2017/18). All 261 who replied to the question “How satisfied were you with our overall service?” were either very or fairly satisfied with the service they received.

After the Incident (Non Domestic)

117 surveys were issued by post and 56 completed surveys were returned. The 56 companies said they were either very or fairly satisfied with the service they received.

Fire Safety Audit

A total of 862 Fire Safety Audit surveys were issued throughout the year with a return rate of 455 (52.7%). 377 responders said they were either very or fairly satisfied with their fire safety audit, only two were “fairly dissatisfied”.

Age

50.9% of surveys returned stated that the respondent was aged 40-59; 20.8% were aged 25-39; 20.6% were aged 60-74, 2.3% were aged 16-24 and 0.5% were aged 75 and over.

Religion/Beliefs

321 people answered this question, from the people who answered the majority 175 (54.5%) stated that they were Christian, 125 (38.9%) replied with none, 9 (2.8%) Islam, 7 (2.2%) Hindu, 4 (1.2%) other and 1 (0.3%) was Sikh.

Ethnicity

370 people declared their ethnicity from which 312 (84.6%) described themselves as White British/Irish, 15 (4.1%) Asian/British Asian, 15 (4.1%) Black/Black British, 9 (1.1%) Chinese and 3 (0.8%) for both Eastern European and other Asian.

Gender

Of the 342 respondents who replied to this question, 204 (59.6%) were male and 138 (40.4%) female.

Sexual Orientation

Of the 375 people who answered this question, 349 (93.1%) identified as Heterosexual and 26 (6.9%) preferred not to say.

Disability

328 reported no adverse health factors. 19 (4.8%) had limited mobility; 12 (3.0%) had a visual-impairment or were blind; 11 (2.8%) had a cognitive disability, 10 (2.5%) had Dyslexia, 8 (2.0%) had manual dexterity difficulties, 5 (1.3%) had a hearing impairment or were deaf; 5 (1.3%) suffered from mental illness and 1 (0.3%) had Alzheimer's/dementia.

Safe and Well Surveys

3,269 surveys were handed out to people following a safe and well visit, with a return rate of 925 (28%); this was an increase from 632 in 2017/18. 99% of those who responded to on their overall satisfaction levels, stated they were either very or fairly satisfied with their safe and well visit.

Age

59.4% of surveys returned stated that the respondent was aged 75 and over; 24.7% were aged 60-74; 11.6% were aged 40-59, 4.0% were aged 25-39 and 0.4% were aged 16-24.

Religion/Beliefs

732 people answered this question, from the people who answered the majority 454 (62.8%) stated that they were Christian, 191 (26.4%) replied with none, 41 (5.7%) stated other, 25 (3.5%) Islam, 8 (1.1%) Hindu and 4 (0.6%) Sikh.

Ethnicity

749 people declared their ethnicity from which 644 (86.0%) described themselves as White British/Irish, 37 (4.9%) Asian/British Asian, 31 (4.1%) Black/Black British, 8 (1.1%) other Asian, 7 (0.9%) for each Dual heritage, Eastern European and other, 5 (0.7%) other European and 3 (0.4%) Chinese.

Gender

Of the 742 respondents who replied to this question, 342 (46.1%) were male and 400 (53.9%) female.

Sexual Orientation

Of the 721 people who answered this question, 639 (88.6%) identified as Heterosexual; 47 (6.5%) LGBT+ and 35 (4.9%) preferred not to say.

Disability

356 had limited mobility; 294 had a hearing impairment or were deaf; 74 had a visual-impairment or were blind; 60 had Alzheimer's/dementia; 42 had manual dexterity difficulties; 30 suffered from mental illness; 12 had a speech impairment; 10 had Dyslexia, 7 had a cognitive disability and 119 had a different health issues. 277 reported no adverse health factors.

Station Open Days

A popular approach that the Service has adopted are the station open days where local communities come onto each fire station, take part in demonstrations, receive fire safety messages through a variety of interactive sessions such as seeing the effects of putting water on a cooking fire, have a go firefighting sessions for children, road safety messages and practical demonstrations from our firefighters.

The station open days continue to be popular, averaging over 100 families at each event. Evaluation forms have been introduced to measure the interest of these events across all communities, identify the most effective ways to inform people and so that we can continually improve the experience for those attending.

Home Safety Centre

The Home Safety Centre enables visitors to participate safely in realistic situations illustrating everyday hazards and learn how to prevent them. Typical range of visitors are Carers, Care Home Staff, Health Visitors, Children Centres, Cubs, Beavers, Brownies, Falcon Cubs, reflecting people of all ages from children aged 6 years to those aged 60 and above.

- The number of visitors who completed an evaluation form in 2018/19 was 144 compared to 229 in 2017/18.
- The majority of those visiting the centre were female (76.4%), which reflects the fact that the majority of carers, care home staff and health visitors are female, but highlights that the Service need to actively target men within these professions.
- The highest number of visitors was from the 25-34 age groups which has not changed from the previous year. Just under half the visitors (48.9%) were from a BAME ethnicity, unfortunately this is decrease from the previous year (51.5%).
- There was a significant drop in those declaring disability 4.9% (2018/19) form 15.7% (2017/18).

Protected Characteristic	31/03/2019	31/03/2018	31/03/2017
>16	0.7%	0.4%	Not captured
16-24	3.5%	14.0%	Not captured
25-35	38.5%	36.2%	Not captured
35-44	17.5%	18.3%	Not captured
45-54	15.4%	11.8%	Not captured
55-64	20.3%	13.5%	Not captured
65+	3.5%	3.9%	Not captured
Not declared age	0.7%	1.7%	Not captured
Male	18.8%	31.0%	37.0%
Female	76.4%	65.1%	53.7%
Not declared gender	4.9%	3.9%	9.3%
Black and Ethnic Minority	48.9%	51.5%	37.4%
White	51.1%	46.7%	61.0%
Not declared ethnicity	0.0%	1.7%	1.6%
Disabled	4.9%	15.7%	Not captured
Non-disabled	91.0%	82.5%	Not captured
Not declared disability	4.2%	1.7%	Not captured

18/19 n = 144 17/18 n = 229 16/17 n = 356

Demographic data is not included on evaluation forms for children under 18 whom attended as part of their club, school or scout/cadet group.

Complaints and Compliments

The Service received 58 compliments from members of the public by letter and email during the year, compared to 49 in 2017/18 and 61 in 2016/17. The Service received 19 complaints, compared to 8 in 2017/18 and 14 in 2016/17. Currently the Service does not capture any equality information about the person making a complaint or compliment, so we are not able to report on this.

Summary

The data captured within this report is used to inform and support activities to address the duties within the PSED. Evidence of where this data is used includes:

- Strategic Assessment
- Positive Action Plan
- People Strategy
- Community Risk Management Plan
- Community Safety Plan
- Equality objectives (SES)
- Inclusive Fire Service Action Plan
- Community Risk Report

To promote recruitment, the Service has identified a number of specific actions within the Positive Action (recruitment) Plan; such as raising the profile of our work and providing under-represented communities with details of recruitment opportunities, entry requirements and details of any planned targeted events, such as firefighter “have a go” days. Additionally a dedicated on call Firefighter Working Group was established to consider attraction and retention from within communities to this role. Three posts supported this area of work and wholetime recruitment during 2018/19.

Actions which consider:

- ensuring robust safety and referral arrangements for particular at risk groups are in place;
- reviewing arrangements in regard to the provision of our fire investigation function; and
- Reviewing data sharing agreements with partners are captured within The Services Community Safety Action Plan

Actions focusing on:

- Measuring performance against equality frameworks;
- Public access and recruitment;
- Equality and diversity training;
- Equality monitoring equality in commissioning and procurement; and
- Improving standards and develop new partnerships are captured within the Service's Equality Objectives (2016-2020).

National interest and notable practices are shared through our involvement within the NFCC Equality and Diversity & Inclusion Professionals Group. The Service also engages through the East of England Regional Equality, Diversity and Inclusion Group, which brings together Equality and Diversity Advisors from across the Service.

As a result of the Equality Analysis of the previous Wholetime Recruitment Process, significant changes were introduced to the 2018/19 campaign and led to enhanced investment in positive action. We repeated the 'Have a Go Days' events which were introduced in the 2017/18 campaign. These gave people an opportunity to try out tasks expected of our firefighters, such as climbing a ladder, carrying hoses and equipment, wearing protective clothing and equipment etc.

This report identifies that:-

- Our recruitment processes continue to improve our organisations diversity and we compare favourably against national averages. It is recognised this is a continuing process and our learning and focus, supported with improvements in local Positive Action and application of national guidance, can only add value towards this improvement.
- Although the number of staff leavers for this reporting year has fallen any post that we subsequently recruit too present opportunities to further improve the diversity within the Service, as we look to recruit the best candidates from across our communities.
- While recognising that surveys from Safe and Well visits are difficult to obtain, consideration needs to be given to how the Service can increase the number of returns from across all demographic groups but in particular amongst people from Black, Asian and Minority Ethnic groups.

- Plans are in place to ensure that the demographic data in respect to Fire Safety Audits, Home Fire Safety Checks and Safe and Well visits are collected for each visit.
- After the Incident satisfaction surveys (domestic and non-domestic) will include demographic data for future reports.
- The progress made on reducing the percentages of staff not declaring their demographic data needs to be maintained.
- This report will be made available as the Service's Intranet 'SharePoint' so that all staff have access to the information and can be used to inform local level discussions and activities.
- This report will be made available to the public on the Service's website, which includes facilities for translation, read aloud and increasing the size of the information contained.

Appendix

Our reporting categories are captured on the Service's workforce database (ITRENT) which allows for people to self-classify based on their:

Age

Staff members are placed into one of six age groups:

- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+
- Prefer not to say

Gender

This is currently recorded as male or female.

Gender Reassignment

Staff members were asked whether they defined themselves as Trans.

Disability

Staff members are asked whether they consider themselves to be disabled under the definitions of the Equality Act 2010:

Section 6(1) of the Equality Act 2010 states that a person has a disability if:

- a) that person has a physical or mental impairment, and
- b) the impairment has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Religion or Belief

- No religion
- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Any other religion
- Prefer not to say

Sexual Orientation

- Heterosexual
- Gay woman/lesbian
- Gay man
- Bisexual
- Other
- Prefer not to say

Ethnicity

White British

- English/Welsh/Scottish/Irish/Northern Irish/British

BAME:

Dual Heritage

- White and Black Caribbean
- White and Black African
- White and Asian
- Any other mixed/multiple ethnic background
- Arab
- Any other ethnic group
- Any other white background
- Gypsy/traveller

Asian/Asian British

- Indian
- Pakistani
- Bangladeshi
- Chinese
- Any other Asian background

Black/African/Caribbean/Black British

- African
- Caribbean
- Any other Black/African/Caribbean background

Other Ethnic Groups

Workforce Profile

Protected Characteristic	31/03/2019	31/03/2018	31/03/2017
Age			
16-24	2.7%	3.2%	2.4%*
25-34	20.9%	20.3%	20.7%*
35-44	32.7%	32.7%	30.1%*
45-54	31.1%	31.9%	33.4%*
55-64	11.3%	11.0%	12.9%*
65+	1.3%	0.8%	0.5%*
Disability			
Disabled	2.7%	2.5%	2.4%*
Non-disabled	90.7%	91.1%	93.1%*
Not declared	6.6%	6.3%	4.5%*
Gender			
Male	76.7%	76.4%	77.0%*
Female	23.3%	23.6%	23.0%*
Gender reassignment			
Not declared	100.0%	100.0%	100.0%*
Ethnicity			
Black and Ethnic Minority	6.6%	7.3%	7.1%*
White	89.0%	89.3%	89.5%*
Not declared	4.3%	3.4%	3.4%*
Religion or belief			
Religion or belief	48.2%	49.3%	50.8%*
No Religion or Belief	35.7%	35.1%	32.8%*
Not declared	16.0%	15.6%	16.3%*
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	3.3%	3.2%	2.4%*
Heterosexual	81.6%	81.5%	82.4%*
Not declared	15.0%	15.3%	15.2%*

18/19 n = 602 17/18 n = 590 16/17 n = 551*

* Please note these figures count heads not posts. Figures from 17/18 are posts and some employees hold multiple contracts.

Workforce Profile by Pay Band

Protected Characteristic	Support: Apprentice - Grade 13	Support: Grade 14 - 18	Uniformed: Fire-fighter, Crew Manager & Watch Manager	Uniformed: Station Manager & Group Manager	Senior Management Tier	31/03/2019 BFRS Profile
Age						
16-24	2.2%	0.0%	3.3%	0.0%	0.0%	2.7%
25-34	16.3%	11.3%	24.6%	0.0%	0.0%	20.9%
35-44	13.0%	18.9%	40.3%	12.5%	0.0%	32.7%
45-54	29.3%	32.1%	28.4%	75.0%	77.8%	31.1%
55-64	33.7%	34.0%	3.3%	12.5%	22.2%	11.3%
65+	5.4%	3.8%	0.0%	0.0%	0.0%	1.3%
Not declared	0.0%	0.0%	0.0%	0.0%	0.0%	2.7%
Disability						
Disabled	7.6%	0.0%	1.2%	8.3%	11.1%	2.7%
Non-disabled	81.5%	92.5%	93.6%	79.2%	88.9%	90.7%
Not declared	10.9%	7.5%	5.2%	12.5%	0.0%	6.6%
Gender						
Male	32.6%	54.7%	87.9%	91.7%	88.9%	76.7%
Female	67.4%	45.3%	12.1%	8.3%	11.1%	23.3%
Not declared	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Gender reassignment						
Not declared	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Ethnicity						
Black and ethnic minority	8.7%	9.4%	5.7%	12.5%	0.0%	6.6%
White	84.8%	88.7%	90.0%	87.5%	100.0%	89.0%
Not declared	6.5%	1.9%	4.3%	0.0%	0.0%	4.3%
Religion or belief						
Religion or belief	54.3%	58.5%	43.6%	70.8%	88.9%	48.2%
No Religion or Belief	30.4%	30.2%	39.3%	12.5%	11.1%	35.7%
Not declared	15.2%	11.3%	17.1%	16.7%	0.0%	16.0%
Sexual Orientation						
Gay/Lesbian/Bisexual/Other	4.3%	1.9%	3.6%	0.0%	0.0%	3.3%
Heterosexual	80.4%	88.7%	80.6%	83.3%	100.0%	81.16%
Not declared	15.2%	9.4%	15.9%	16.7%	0.0%	15.0%

n = 602 (These figures are by permanent posts)

Job Applications – Support Staff

Protected Characteristic	31/03/2019 Support Workforce Profile	31/03/2019	31/03/2018	31/03/2017
Age				
16-24	1.4%	9.9%	8.8%	10.1%
25-34	14.4%	24.0%	20.4%	17.1%
35-44	15.1%	20.2%	17.4%	18.0%
45-54	30.1%	23.1%	22.0%	23.0%
55-64	33.6%	16.1%	11.6%	13.4%
65+	5.5%	0.8%	0.5%	1.4%
Not declared	0.0%	5.8%	19.2%	17.1%
Disability				
Disabled	4.8%	3.7%	3.0%	3.7%
Non-disabled	85.6%	90.1%	78.5%	79.3%
Not declared	9.6%	6.2%	18.5%	17.1%
Gender				
Male	41.1%	45.5%	24.0%	32.7%
Female	58.9%	50.8%	60.2%	55.8%
Not declared	9.6%	3.7%	15.8%	11.5%
Gender reassignment				
Transgender or Transsexual	0.0%	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%	100.0%
Ethnicity				
Black and ethnic minority	8.9%	30.6%	11.8%	14.7%
White	86.3%	64.0%	67.4%	67.3%
Not declared	4.8%	5.4%	20.8%	18.0%
Religion or belief				
Religion or belief	56.2%	55.8%	48.4%	46.5%
No Religion or Belief	30.1%	33.9%	31.0%	34.6%
Not declared	13.7%	10.3%	20.6%	18.9%
Sexual Orientation				
Gay/Lesbian/Bisexual/Other	3.4%	3.3%	2.2%	2.3%
Heterosexual	83.6%	87.2%	76.0%	77.9%
Not declared	13.0%	9.5%	21.9%	19.8%

18/19 n = 242 17/18 n = 558 16/17 n = 217

Job Applications – Uniformed Staff (Wholetime including transfers from other FRS, On-call and Control)

Protected Characteristic	31/03/2019 Uniformed Workforce Profile	31/03/2019	31/03/2018	31/03/2017
Age				
16-24	3.1%			14.8%
25-34	23.0%			27.9%
35-44	38.2%			41.0%
45-54	31.8%			11.5%
55-64	4.0%			0.8%
65+	0.0%			0.0%
Not declared	0.0%			4.1%
Disability				
Disabled	2.0%	1.9%	0.9%	0.8%
Non-disabled	92.5%	95.8%	97.8%	94.3%
Not declared	5.5%	2.2%	1.4%	4.9%
Gender				
Male	88.3%	86.2%	87.0%	77.0%
Female	11.7%	13.1%	12.5%	23.0%
Not declared	0.0%	0.7%	0.5%	0.0%
Gender reassignment				
Transgender or Transsexual	0.0%	0.3%	0.2%	0.1%
Not declared	100.0%	99.7%	99.8%	99.9%
Ethnicity				
Black and ethnic minority	6.0%	17.4%	14.7%	5.7%
White	90.1%	80.1%	83.8%	91.0%
Not declared	4.0%	2.5%	1.5%	3.3%
Religion or belief				
Religion or belief	45.7%	43.0%	51.2%	40.2%
No Religion or Belief	37.5%	51.6%	44.0%	51.6%
Not declared	16.8%	5.4%	4.8%	8.2%
Sexual Orientation				
Gay/Lesbian/Bisexual/Other	3.3%	6.7%	8.0%	6.6%
Heterosexual	81.0%	88.2%	85.3%	82.8%
Not declared	15.7%	5.1%	6.7%	10.7%

18/19 n = 719 17/18 n = 586 16/17 n = 122

Staff Starters - These figures are based on new entrants into BFRS and those taking on a second contract within the financial year.

Protected Characteristic	31/03/2019	31/03/2018	31/03/2017
Age			
17-24	10.3%		
25-35	44.1%		
36-45	23.5%		
46-55	16.2%		
56-65	4.4%		
65+	1.5%		
Not declared	0.0%		
Disability			
Disabled	4.4%	0.0%	0.0%
Non-disabled	86.8%	85.2%	94.5%
Not declared	8.8%	14.8%	5.5%
Gender			
Male	79.4%	70.4%	78.2%
Female	20.6%	29.6%	21.8%
Not declared	0.0%	0.0%	0.0%
Gender reassignment			
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	5.9%	6.2%	9.1%
White	83.8%	87.7%	83.6%
Not declared	10.3%	6.2%	7.3%
Religion or belief			
Religion or belief	17.6%	50.6%	41.8%
No Religion or Belief	44.1%	17.3%	41.8%
Not declared	38.2%	32.1%	16.4%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	1.5%	6.2%	3.6%
Heterosexual	83.8%	75.3%	80.0%
Not declared	14.7%	18.5%	16.4%

18/19 n = 68

17/18 n = 81

16/17 n = 55

Staff Leavers - These figures are based on anyone who has left BFRS completely; they do not include individuals who left one of multiple contracts.

Protected Characteristic	31/03/2019	31/03/2018	31/03/2017
Age			
16-24	7.4%	3.3%	0.0%
25-34	16.7%	16.4%	14.3%
35-44	22.2%	16.4%	22.4%
45-54	25.9%	32.8%	40.8%
55-64	25.9%	27.9%	22.4%
65+	1.9%	3.3%	0.0%
Disability			
Disabled	1.9%	3.3%	0.0%
Non-disabled	92.6%	96.7%	93.9%
Not declared	5.6%	0.0%	6.1%
Gender			
Male	75.9%	78.7%	83.7%
Female	24.1%	21.3%	16.3%
Gender Reassignment			
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	11.1%	4.9%	2.0%
White	87.0%	90.2%	44.9%
Not declared	1.9%	4.9%	53.1%
Religion or Belief			
Religion or belief	46.3%	45.9%	46.9%
No Religion or Belief	42.6%	36.1%	28.6%
Not declared	11.1%	18.0%	24.5%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	0.0%	3.3%	0.0%
Heterosexual	87.0%	80.3%	77.6%
Not declared	13.0%	16.4%	22.4%

18/19 n = 54

17/18 n = 61

16/17 n = 49

Promotions - All Staff

Protected Characteristic	31/03/2019	31/03/2018	31/03/2017
Age			
16-24	0.0%	6.7%	0.0%
25-34	27.3%	20.0%	25.0%
35-44	27.3%	33.3%	55.0%
45-54	45.5%	33.3%	20.0%
55-64	0.0%	6.7%	0.0%
65+	0.0%	0.0%	0.0%
Not declared	0.0%	0.0%	0.0%
Disability			
Disabled	0.0%	6.7%	10.0%
Non-disabled	100.0%	93.3%	85.0%
Not declared	0.0%	0.0%	5.0%
Gender			
Male	72.7%	86.7%	100.0%
Female	27.3%	13.3%	0.0%
Not declared	0.0%	0.0%	0.0%
Gender reassignment			
Transgender or Transsexual	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	0.0%	6.7%	10.0%
White	100.0%	93.3%	80.0%
Not declared	0.0%	0.0%	10.0%
Religion or belief			
Religion or belief	45.5%	33.3%	60.0%
No Religion or Belief	54.5%	33.3%	30.0%
Not declared	0.0%	33.3%	10.0%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	0.0%	0.0%	5.0%
Heterosexual	90.9%	80.0%	85.0%
Not declared	9.1%	20.0%	15.0%

18/19 n = 11 17/18 n = 15 16/17 n = 20

External Training – FRST 35s

Protected Characteristic	31/03/2019	31/03/2018	31/03/2017
Age			
16-24	2.5%	0.9%	0.0%
25-34	19.0%	20.2%	23.4%
35-44	24.8%	23.9%	28.4%
45-54	32.2%	28.4%	34.0%
55-64	21.5%	25.7%	14.2%
65+	0.0%	0.9%	0.0%
Not declared	0.0%	0.0%	0.0%
Disability			
Disabled	9.1%	1.8%	9.2%
Non-disabled	86.8%	87.2%	72.3%
Not declared	4.1%	11.0%	18.4%
Gender			
Male	59.5%	57.8%	70.9%
Female	40.5%	42.2%	29.1%
Not declared	0.0%	0.0%	0.0%
Gender reassignment			
Transgender or Transsexual	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	4.1%	13.8%	9.9%
White	90.1%	80.7%	87.9%
Not declared	5.8%	5.5%	2.1%
Religion or belief			
Religion or belief	57.0%	51.4%	54.6%
No Religion or Belief	28.9%	32.1%	33.3%
Not declared	14.0%	16.5%	12.1%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	2.5%	3.7%	4.3%
Heterosexual	85.1%	87.2%	79.4%
Not declared	12.4%	9.2%	16.3%

18/19 n = 121 17/18 n = 109 16/17 n = 141

Your Views Count

Your views are very important to us and having had an opportunity to read our annual Public Sector Equality Duty Report, we would welcome any comments that you may have to be sent to diversity@bedsfire.com. This would assist in our consultation process and evaluation of the document.

DRAFT

This page is intentionally left blank

For Publication

Bedfordshire Fire and Rescue Authority
6 November 2019
Item No. 10

REPORT AUTHOR: HEAD OF GOVERNANCE AND ASSET MANAGEMENT

SUBJECT: V11 01/01 PROCUREMENT POLICY AND CONTRACT PROCEDURES

For further information on this report contact: Elli Nikolaou
Procurement Manager
Tel No: 01234 845023

Background Papers:

Implications (tick ✓):

LEGAL		FINANCIAL	
HUMAN RESOURCES		EQUALITY IMPACT	
ENVIRONMENTAL		POLICY	
CORPORATE RISK	Known	OTHER (please specify)	
	New		

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To inform the Members of the FRA of the changes to the Procurement Policy and Contract Procedures, (currently in draft and out on consultation)

RECOMMENDATION:

That Members approve the changes to the new policy.

1. **Background**

- 1.1 The 2019/23 CRMP highlighted the requirement for BFRS to update our internal Procurement Strategy documents with a focus on:
 - Leadership & Collaboration;
 - Commercial Practice;
 - Social Value.
- 1.2 The policy is to ensure BFRS procurement approach supports the delivery of our CRMP and is aligned to and influences the National Fire Procurement Strategy.
- 1.3 BFRS must also take a more commercial approach to procurement practice and income generation, that is legally compliant and effectively managing our supplier relationships to deliver better value for money products and services and reduce corporate risk.
- 1.4 Because of the above at 1.1 and 1.2 the Procurement Policy and Contract Procedures have been completely re-written to reflect the actions required. The Policy is very complex and intended to be used as a reference document to guide Service areas through the procurement process in line with current legislation.

2. **Summary of Key Themes for the new Procurement Policy**

- 2.1 Below is a short summary of the key themes of the new Procurement Policy – this is a totally new document (with the exception of section 24 – Requisitions and Purchase Orders).
- 2.2 The Policy now places greater emphasis on the legislative and strategic framework which is underpinning the Authority's procurement activity;
- 2.3 The Policy provides clarification on which types of public contracts are not subject to procurement legislation and therefore service areas do not have to consult with Procurement;
- 2.4 The Policy highlights the main piece of law with which the Authority must comply which is the Public Contracts Regulations 2015. The new Policy makes it clear that the Authority has a specific set of regulations which it needs to follow for contracts with a total aggregated value of £25k and above, not EU financial thresholds and above;
- 2.5 The Policy introduces the notion of category management, introduced in line with the NFCC categories of spend and the National Procurement Strategy 2018 for Fire and Rescue Services;
- 2.6 The Policy highlights the Authority's 'Duty to Collaborate';
- 2.7 The Policy sets out the specific provisions introduced around Social Value with specific social value targets identified against which the Procurement Manager will be reporting to the HGAM;
- 2.8 The Policy sets greater emphasis on Health & Safety and Equality & Diversity considerations;
- 2.9 The Policy introduces the Conflict of Interest Protocol (audit requirement);
- 2.10 New bandings introduced, injecting greater flexibility without compromising compliance with legislation;

- Band 1 - up to £2,000 (service area)
- Band 2 - £2001 - £24,999 (service area with assistance from Procurement – this is dependent upon further developing skills within service areas)
- Band 3 - £25,000 – 59,999 (Procurement Team)
- Band 4 - £60,000 up to EU financial thresholds (Procurement Team)
- Band 5 – EU financial thresholds and above ('OJEU' procurements) (Procurement Team)

- 2.11 The Policy provides greater transparency on the procedures and associated timelines which the Procurement Team has to meet, thus enabling service areas to better understand what is required of the Authority;
- 2.12 The Policy introduces contract management provisions;
- 2.13 The Policy sets out the Authority's reporting requirements clearly defined (Regulation 84 reports for EU financial thresholds and above contracts, Transparency Data for £5k and above contracts, NFCC Savings Register, Home Office Spend Data Analysis);
- 2.14 The Policy clarifies additional Procurement Exemption (Waivers) conditions providing greater flexibility, especially to areas such as Property, ICT and Protection & Prevention (see below new conditions)

Part of a wider programme

- 2.15 Involving an organisation which has won a contract for an earlier phase or section of work via a competitive process and where the work forms part of a serial programme and has previously been identified as such.

Additional Requirement

- 2.16 Involving an organisation already engaged by the Authority for a similar and related procurement and where there is significant benefit to extending the contract to cover this.

Delay

- 2.17 If a contract award is subject to delay.

**SOC CHRISTOPHER BALL
HEAD OF GOVERNANCE AND ASSET MANAGEMENT**

This page is intentionally left blank

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

BEDFORDSHIRE FIRE AND RESCUE AUTHORITY

SERVICE ORDER

VOLUME 11 : FINANCE AND PROCUREMENT

V11 01 PROCUREMENT

V11 01/01 PROCUREMENT POLICY AND CONTRACT PROCEDURES

DRAFT

PROCUREMENT POLICY AND CONTRACT PROCEDURES

1.0 Purpose

1.1 The purpose of this document is to set out the legislative, regulatory and other statutory duties that Bedfordshire Fire and Rescue Authority (the 'Authority') is required to observe, in its capacity as a public sector body, when commissioning public contracts for the provision of works, goods and / or services. The document also details the internal processes and procedures that must be adhered to by all personnel who is directly or indirectly involved in the commissioning, procurement and contract management of public contracts on the Authority's behalf having due regard to national policies, most importantly the National Procurement Strategy 2018 (as amended from time to time), and guidance documents released from time to time by the National Fire Chiefs Council ('NFCC').

2.0 Legislative Framework

European and National Procurement Legislation

2.1 When procuring public contracts (except for utilities and concession contracts), the Authority must act in accordance with European Union ('EU') procurement directives, ensuring that the principles of fairness, transparency, non-discrimination and proportionality are observed and that all procurement activity is conducted in compliance with the 2014/24/EU Directive of the European Parliament and the Council of the European Union, as well as with the Public Contracts Regulations 2015 (as amended) which transposes European procurement legislation into domestic law.

2.2 When procuring utilities public contracts, the Authority must undertake all procurement activity in compliance with the 2014/25/EU Directive of the European Parliament and the Council of the European Union, as well as with the Utilities Contracts Regulation 2016 which transposes European procurement legislation into domestic law. The procurement principles of fairness, transparency, non-discrimination and proportionality must be observed at all times.

2.3 When procuring concession public contracts, the Authority must undertake all procurement activity in compliance with the 2014/25/EU Directive of the European Parliament and the Council of the European Union, as well as with the Concession Contracts Regulation 2016 which transpose European procurement legislation into domestic law. The procurement principles of fairness, transparency, non-discrimination and proportionality must be observed at all times.

Public Contracts Regulations 2015 (as amended)

2.4 The Public Contracts Regulations ('Regulations') 2015, as amended, detail the rules that must be implemented when procuring public contracts. More specifically, Part 2 of the 2015 Regulations provide the legislative framework for public contracts which have **an aggregated value over the term of the contract (including any extensions) which is equal to or exceeds set EU financial thresholds.**

2.5 All public contracts covered by this Part 2 of the 2015 Regulations must be procured in strict compliance with the full regime of EU and National procurement legislation, unless the subject-matter of the public contract falls under any one of the following classifications (list not exhaustive), which are subject to a lighter regime ('Light Touch Regime') allowing the Authority to inject flexibility in the application of EU and National procurement legislation:

- Health, Social and Related services;

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- Educational, cultural and training services;
- Compulsory social security services;
- Hotel and Restaurant Services;
- Specific types of legal services;
- Investigation and Security services; and
- Postal Services;

2.6 The current EU financial thresholds are depicted below:

	Supply, and Contracts	Services* Design	Works Contracts	Light Touch Regime Services Contracts
Central Government	£118,133		£4,551,413	£615,278
	€144,000		€5,548,000	€750,000
Other Contracting Authorities**	£181,302		£4,551,413	£615,278
	€221,000		€5,548,000	€750,000
Small Lots	£65,630		£820,370	n/a
	€80,000		€1,000,000	

Exclusion of Specific Public Contracts for Services

2.7 Pursuant to Regulation 10, the 2015 Regulations as amended do not apply to the following types of public services contracts (list not exhaustive) and therefore Authority personnel is permitted to enter into contractual arrangements without having to undertake a tendering process. Due to the complex nature and the caveats associated with some of these types of contracts, Authority personnel is strongly advised to consult with the Procurement Team prior to taking any action for the purpose of verifying that an exclusion is applicable.

- Acquisition or rental of land, existing buildings or other immovable property;
- Acquisition, development, production or co-production of material intended for audio-visual or radio media services;
- Arbitration or conciliation services;
- Legal advice given in preparation to legal proceedings and legal representation in such judicial proceedings held before the courts, tribunals or public authorities of an EU Member State or a non EU Member State;
- Document certification and authentication services;
- Employment contracts¹;
- Credit and Loan agreements;

¹ N.B Contracts with third (3rd) party recruiters for the provision of agency staff are NOT defined as 'employment contracts' and therefore must be procured in line with this Procurement Policy.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- Financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments (including but not limited to investment undertakings and pension funds, investment services and ancillary activities, services related to underwriting, advice to undertakings on capital structure, industrial strategy and related matters and advice and services relating to mergers and the purchase of undertakings)

2.8 For the avoidance of doubt, this Procurement Policy shall not be applicable to any of the public services contracts listed in Regulation 10 of the 2015 Regulations as amended.

Public Contracts below EU financial thresholds

2.9 Part 4 of the 2015 Regulations, as amended, details the **domestic rules** that must be implemented when procuring public contracts which have **an aggregated value over the term of the contract (including any extensions)** which is **equal to or exceeds £25,000**.

Disaggregation of Spend

2.10 Contract opportunities must not be sub-divided for the purpose of reducing the total value of the contract to bring the procurement exercise under the set EU thresholds and therefore exempt from the full procurement legislation regime. This obligation stands regardless of whether the purpose was intentional or not.

2.11 In the event the Procurement Manager establishes that a contract opportunity has been disaggregated, intentionally or unintentionally, it shall inform the Head of Governance and Asset Management.

Local Government Act 1999

2.12 Fire and Rescue Authorities have a duty under Section 3 of the Local Government Act 1999 to secure 'best value', having full regard to a combination of economy, efficiency and effectiveness. The Authority is committed to undertaking all procurement activities in a manner which promotes quality and value for money through effective competition.

2.13 Procurement documents shall state that although the Authority is seeking to procure contracts which are capable of offering good quality, sustainable, well-designed and future-proofed solutions, it is also required to achieve the desired outputs in the most economic, effective and efficient way possible.

2.14 As a means of securing best value and ensuring that agreed budgets are not exceeded, appropriate and proportionate affordability caps must be considered and applied, if it is deemed to be fitting to the subject-matter of the contract, the market and the overall procurement strategy.

2.15 Bidders whose pricing proposals breach the relevant affordability caps shall be disqualified from the procurement.

Achieving Social Value

2.16 The 2015 Regulations expressly allow contracting authorities to incorporate social and environmental aspects into specifications, award criteria and contract conditions, where these are linked to the subject-matter of the contract, proportionate to what is being procured or provided, and will not result in unequal treatment of Bidders. This could include promoting innovation, employment and social inclusion, protection of the environment, energy efficiency, and combating climate change.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

2.17 In addition to the above, the 2015 Regulations allow contracting authorities to reserve participation in procurement procedures for certain services contracts to public service mutuals and social enterprises. Contracting authorities may also reserve the right to participate in a procurement process to sheltered workshops or suppliers whose main aim is the social and professional integration of disabled or disadvantaged persons, where 30% or more of their employees are disabled or disadvantaged workers.

2.18 Contracting authorities are also permitted to lay down special conditions relating to the performance of the contract that are linked to the subject-matter of the contract and indicated in the call for competition or in the procurement documents. These conditions may include environmental, social or employment-related considerations.

The Public Services (Social Value) Act 2012

2.19 Contracting authorities are required to consider how they might improve the economic, social and environmental well-being of the area at the pre-procurement stage of public service commissioning. The Social Value Act applies to all public services contracts and those public services contracts with an element of goods or works with a total aggregated value over the contract term which is equal to or exceeds set EU financial thresholds.

Defining Social Value in Bedfordshire

2.20 Social Value in Bedfordshire is defined as the net social and environmental benefits (value) generated to the communities of Bedfordshire through the Authority's corporate and community activities reported either as financial or non-financial (or both) performance outcomes.

2.21 The Authority is committed to ensuring social value and sustainable use of resources is embedded throughout the procurement process from commissioning to contract management and outcomes measurement. Social value considerations shall be tailored to reflect the size and scope of the relevant contract and shall be embedded into all procurement and contract management activity by producing procurement strategies, technical specification documents, evaluation models and contract terms which are capable of:

- Ensuring supply chains are accessible to all types of businesses in Bedfordshire, including SMEs and VCSEs and those owned or led by under-represented groups including women, BAMEs and people with disabilities;
- Ensuring businesses in the supply chain encourage improved gender pay balance, increased representation of ethnic minorities in the workforce, inclusion and improved staff mental health wellbeing, improved community cohesion;
- Reducing the negative impact of contract delivery on the environment;
- Promoting the use of sustainable and environmentally friendly materials in the delivery of public contracts, having full regard to the three (3) R's of the waste hierarchy ("Reduce, Reuse, Recycle");
- Improving employability and skills in the local community by encouraging apprenticeships;
- Ensuring that submission requirements in response to contract opportunities are not unnecessarily burdensome and allow supplies to self-certify therefore removing barriers to SME participation; and
- Where relevant, undertaking pre-tender market engagement activities with the view of promoting diversity in the marketplace and enabling supply chains and

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

collaborations to be formed (e.g. consortia, prime contractor / key sub-contractor arrangements, etc.).

2.22 The Authority's Procurement Manager shall be responsible for ensuring that the aforementioned activities are undertaken in relation to all procurement and contract management activities (as and when relevant) and shall report to the Head of Governance and Asset Management Team on a quarterly basis against the following targets:

- Number, value and percentage of spend of contracts won by SMEs, VCSEs and local suppliers²;
- Number of pre-tender market engagement activities carried out;
- Number of collaborative bidding structures involving SMEs, VCSEs and local suppliers created as a result of procurement activities; and
- Number of apprenticeships generated as a result of procurement activities.

3.0 Additional Strategic Considerations

National Fire Chiefs Council ('NFCC')

3.1 NFCC is the leading professional and technical voice of UK Fire and Rescue Service and its aim is to:

- Strengthen the professional / operational leadership of the Fire and Rescue Service;
- Improve national co-ordination;
- Reduce duplication and increase efficiency;
- Support local service delivery; and
- Provide increased influence for Fire and Rescue Authorities and their Services.

3.2 In response to a request by the Home Office for greater transparency and collaboration in procurement, NFCC established the Fire Commercial Transformation Programme ('FCTP'), whose purpose is the implementation of a package of reforms in the commercial operation of the sector. Within this context, the FCTP has identified six (6) key categories of expenditure, as follows:

- Clothing (including Personal Protective Equipment – PPE);
- Construction and Facilities Management;
- Fleet;
- ICT;
- Operational Equipment; and
- Professional Services.

3.3 The Procurement Manager shall be responsible for ensuring that category strategies are produced, observed and regularly reviewed for all six (6) categories of spend. Budget Managers and Contract Managers shall assist the Procurement Manager in the production and maintenance of the category strategies and will be responsible for ensuring that their service area's business objectives are fully embedded in the respective category strategy.

² The definition of 'local' supplier' is a supplier whose registered company address is within the Bedfordshire administrative area.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- 3.4 Category strategies shall be approved by the relevant Functional Head, who will in turn be responsible for securing sign off by the relevant Principal Officer. For the avoidance of doubt, no category strategy shall be deemed enforceable unless it has been signed off by a Principal Officer.
- 3.5 The Procurement Manager shall ensure that category strategies are made available to all staff via the Authority's intranet.

Policing and Crime Act 2017

- 3.6 The Policing and Crime Act 2017 introduced a new duty on the police, fire and rescue and ambulance services to keep collaboration opportunities under review and, where it is in the interests of their efficiency or effectiveness, to put those collaboration opportunities into practice. The duty is deliberately broad to allow for local discretion so that the emergency services themselves can decide how best to collaborate for the benefit of their own communities.
- 3.7 The Procurement Manager shall be responsible for ensuring that collaboration opportunities are identified at an early stage and that the Authority fully observes its duty to collaborate, as and when this is deemed appropriate.
- 3.8 The Procurement Manager must discuss with the Head of Governance and Asset Management all collaboration opportunities for the purpose of obtaining approval to collaborate prior to any further procurement activity being undertaken.

National Procurement Strategy for Fire and Rescue Services

- 3.9 The National Procurement Strategy 2018³ is based on the Local Government National Procurement Strategy 2018 and focuses on three (3) 'Themes' as listed below:
- Leadership;
 - Commercial Practice; and
 - Delivering Local Benefits
- 3.10 In addition to the 'Themes', the Strategy also identifies the following four (4) 'Enablers':
- Developing our Staff;
 - Procurement Systems and Data Transparency;
 - Innovation; and
 - Embedding Change
- 3.11 The Procurement Manager shall be responsible for undertaking a written Authority self-assessment against the three (3) Themes on an annual basis for the purpose of ascertaining the Authority's maturity in relation to each Theme. The result of the self-assessment shall be reviewed by the Head of Governance and Asset Management and approved by the Assistant Chief Officer.

Strategic Framework

- 3.12 This Procurement Policy document will form a robust basis for ensuring that all procurement and contract management activity contributes to the delivery of the Authority's

³ <https://www.nationalfirechiefs.org.uk/National-Procurement-Strategy>

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

vision, strategic aims, operational needs and requirement to secure Value for Money. The Authority's strategic framework for the period 2019-2023, which is set out within the Community Risk Management Plan (CRMP), is summarised below:

BFRA Mission Statement: To provide outstanding fire and rescue services

Aims:

- **Preventing** fires and other emergencies from happening;
- **Protecting** people and property when fires happen;
- **Responding** to fires & other emergencies promptly and effectively;
- **Empowering** our people as we work together to make Bedfordshire safer;
- **Utilising** our assets & resources efficiently and effectively; and
- **Maximising** use of data analytics and digital solutions to drive improvements.

Values:

- Service to the community;
- Valuing all our employees;
- Valuing diversity in the Service and the community; and
- Valuing improvement

4.0 Health and Safety

- 4.1 The Authority requires that all suppliers, their employees and agents and where applicable, sub-contractors shall, while working for the Authority, conform with all requirements of the Health and Safety at Work Act 1974 and with all other Health and Safety Legislation that relate generally or specifically, to their trade, business or undertaking.
- 4.2 While working on the Authority's premises, the Contractor shall comply with the Authority's V13 01/01 Health and Safety at Work Policy. The Contractor shall also be required to complete a 'Contractor Work Authorisation' form for the purpose of identifying any potential risks resulting from working on the Authority's premises. In the event any risks are identified, the successful Bidder shall be required to complete and submit a comprehensive risk assessment for approval by the appointed BFRA Contract Manager, prior to being allowed to carry out any works or services.
- 4.3 The Authority's Health and Safety Support team will carry out an assessment on the winning Bidder's equipment, following evaluation of the submissions and prior to Contract Award. This assessment is to ensure that the Authority will comply with the Provision and use of Work Equipment Regulations 1998. Should this assessment highlight any concerns at the Authority's sole discretion we reserve the right to disqualify the winning Bidder and assess the second ranking Bidder's equipment. Should the Authority require any further information from the Bidder to support this assessment, this must be supplied on request.
- 4.4 During any procurement process, suppliers who employ five (5) or more members of staff shall be required to provide copies of their Health and Safety Policy for the purpose of evidencing that their Policy meets the following requirements:
 - It includes a statement of intent and general policy;
 - It evidences that there is a chain of responsibility and names the person responsible for Health and Safety matters;

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- It includes arrangements for implementing and monitoring the policy
 - It demonstrates how health and safety policies and procedures are conveyed to staff; and
 - It contains details of health and safety training provided to staff.
- 4.5 The Health and Safety Advisor shall be responsible for assessing compliance of the Health and Safety Policies submitted to the Authority during the course of a procurement with the evaluation criteria contained in the procurement documents.

Hazardous substances

- 4.6 An existing Control of Substances Hazardous to Health assessment ('COSHH' assessment) must be in place or an initial COSHH assessment carried out and documented prior to undertaking any procurement activity. As well as confirming the arrangements detailed above, the COSHH assessment process shall also consider associated storage and use arrangements, competency requirements, PPE and any further or secondary risk assessments that may require completion.
- 4.7 The Authority's Responsible Officer for procuring the works, goods and/or services must notify the Health and Safety Advisor that a COSHH assessment is required, who will in turn be responsible for undertaking the assessment, as well as any further or secondary assessment, if needed.

5.0 Equality and Diversity

The Public Sector Equality Duty ('PSED')

- 5.1 The Public Sector Equality Duty (the equality duty) is set out in Section 149 of the Equality Act 2010. It is a duty on public bodies and others carrying out public functions. Its purpose is to mainstream the consideration of equality and good relations into the decision making and business planning of all public sector bodies.

The General Equality Duty

- 5.2 The equality duty is made up of a general equality duty that is supported by specific equality duties. The general equality duty requires Authority to have 'due regard' to the need to:
- Eliminate discrimination, harassment and victimisation;
 - 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 and persons who do not share it.
- 5.3 The Authority is committed to developing, promoting and delivering their services, information and employment opportunities without discriminating against anyone on the grounds of age, disability, faith, gender, race, sexuality, gender reassignment, marriage and civil partnership, pregnancy or maternity.
- 5.4 Within this context and in accordance with the Authority's Policy V1 24 Equality Assessment, the Authority's Responsible Officer (Service Area) for procuring works, goods and services shall be responsible for engaging the Equality and Diversity Team prior to any procurement activity being undertaken for the purpose of ascertaining if the contract

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

opportunity is likely to have or will have an impact on people or groups of people with protected characteristics.

- 5.5 In the event it is established that there is a likely or actual impact, the Procurement Manager shall be notified who will in turn liaise with the Equality and Diversity Team for the purpose of assisting the Procurement Manager to carry out an Equality Impact Assessment.
- 5.6 The Procurement Manager shall ensure that the outcome of the Equality Impact Assessment will be used to inform the procurement documents.
- 5.7 The Authority requires its suppliers, employees, agents and sub-contractors who deliver its works, goods and / or services to comply with the Authority's Equality Policy and share its equality and diversity values.
- 5.8 During any procurement process, suppliers shall be required to provide copies of their Equality and Diversity Policies and evidence that they are taking steps to allow equal access to the provision of works, goods and / or services, provide fair treatment and equal opportunity.
- 5.9 The Equality and Diversity Manager shall be responsible for assessing compliance of the Equality and Diversity Policies submitted to the Authority during the course of a procurement with the evaluation criteria contained in the procurement documents.

6.0 Publicity Activities

- 6.1 No publicity activity shall be undertaken during the course of a procurement process for contracts with a total aggregated value equal to or in excess of the set EU financial thresholds without prior approval by the Procurement Manager.
- 6.2 Approved publicity activities shall be undertaken following consultation and in collaboration with the Authority's Communication and Engagement Team.

7.0 Financial Stability of Key Suppliers

- 7.1 Key suppliers are those suppliers whose performance materially affects the ability of the Authority to deliver its vision, aims and objectives and whose failure as an organisation could prevent the delivery of important services to the public. The Contracts Register will identify key suppliers and annual financial assessments shall be undertaken by the Chief Accountant.
- 7.2 In the event it is established that a key supplier is under financial duress, the Chief Accountant shall notify the Assistant Chief Officer in the earliest opportunity.
- 7.3 Budget Managers are responsible for:
 - Producing a Mitigation Plan for each key supplier identifying what actions would be taken to ensure service continuity in the event of the failure of such supplier;
 - Obtaining a copy of the key supplier's Business Continuity Plan; and
 - Holding regular contract management meetings as a forum for monitoring performance, gaining an up to date understanding of the supplier's position in the market and gathering information on the supplier's future development plans.
- 7.4 The Mitigation Plan and Business Continuity Plan must be reviewed and updated (as required) on an annual basis and copies provided to the Procurement Manager.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

8.0 Prevention of Bribery and Corruption

8.1 In every written contract appropriate provisions shall be inserted to secure that the Authority shall be entitled to cancel the contract and to recover from the Contractor the amount of any loss resulting therefrom, if:

8.1.1 the Contractor (or any person acting on his behalf) has offered, given or agreed to give, to any person any gift or consideration of any kind as an inducement or reward for the obtaining, or the executing of the contract, or any other contract with the Authority; or

8.1.2 the Contractor (or any person acting on his behalf) is showing or forbearing to show favour or disfavour to any person, in relation to the contract or any other contract with the Authority; or

8.1.3 the Contractor (or any person acting on his behalf) shall have committed any offence under the Bribery Act 2010 and any subordinate legislation made under that Act from time to time together with any guidance or codes of practice issued by the relevant government team concerning the legislation, or shall have given any fee or reward the receipt of which is an offence under sub-section (2) of section 117 of the Local Government Act 1972 or any statutory re-enactment or modification thereof.

9.0 Corporate Insurance Requirements

9.1 In accordance with the Authority's Standard Terms and Conditions of Contract, suppliers must hold the following insurance levels as a pre-requisite for doing business with the Authority:

- Employer's (Compulsory) Liability Insurance⁴ = £5 million for each and every claim;
- Public Liability Insurance = £5 million for each and every claim; and
- Professional Indemnity Insurance⁵ = £1 million for each and every claim

9.2 Changes to the Authority's insurance requirements shall not be permitted without the written approval of the Assistant Chief Officer.

9.3 Contract award shall be dependent upon provision of valid insurance certificates.

9.4 The Procurement Manager shall ensure that renewal certificates are obtained from Contractors on an annual basis and copies are saved in the Procurement drive.

10.0 Retention of Procurement and Contract Documents

10.1 Having full regard to the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018, procurement and contract documents shall be retained in an electronic format for a period of seven (7) years following expiry or early termination of the relevant contract.

10.2 Following the passing of the retention period, all electronic copies shall be deleted including those which are held by the Authority's agents, advisors or any other person who is or was acting on behalf of the Authority.

⁴ It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.

⁵ Professional Indemnity Insurance is only required if relevant to the subject-matter of the contract.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

10.3 The Procurement Manager shall ensure that a Retention Log is maintained, updated and regularly reviewed.

11.0 Determining the Route to Procurement

11.1 The route to procurement shall be determined by the application of a set of bandings which are based on the estimated **total aggregated value of the contract over then entire contract period** (initial term and all possible extension periods).

11.2 The bandings are listed below as follows:

Band 1 up to £2,000 (evidence of Best Value or request a minimum of two (2) written quotes)

Band 2 £2,001 – £24,999 (request a minimum of three (3) written tenders in response to an 'Invitation to Tender (ITT) Lite⁶' document)

Band 3 £25,000 – £59,999 (release of a Contracts Finder Notice as a call for a national competition or delivery of a closed tender process under an established Framework Agreement or a Dynamic Purchasing System)

Band 4 £60,000 – up to EU financial thresholds (release of a Contracts Finder Notice as a call for national competition or delivery of a closed tender process under an established Framework Agreement or a Dynamic Purchasing System);

Band 5 EU financial thresholds and above (release of an OJEU Notice as a call for competition at both a national and an EU level)

11.3 **Band 1** Procurements shall be the responsibility of the Service Area, who will also be responsible for ensuring that contract award notifications are issued to the Procurement Team in accordance with paragraph 17.4 below.

11.4 **Band 2** Procurements may be wholly delivered by the Service Area OR delivered by the Service Area with assistance from the Procurement Team. In the event the procurement is wholly delivered by the Service Area, the Service Area shall be responsible for ensuring that contract award notifications are issued to the Procurement Team in accordance with paragraph 17.4 below.

11.5 **Band 3, 4 and 5** Procurements shall be delivered by the Procurement Team as directed by the Procurement Manager, or in his absence the Head of Governance and Asset Management.

Procurement Procedures

11.6 The procurement procedures as defined by the 2015 Regulations are briefly described below as follows:

Open Procedure

11.7 The Open Procedure is the fastest and simplest route to award a contract but it allows no opportunity for pre-selection of Bidders or negotiation.

⁶ To be provided by the Procurement Team upon request.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

11.8 Under the Open Procedure, all Bidders who express an interest of participating are invited to submit tenders in response to the Authority's Invitation to Tender ('ITT') document. Bidders' tender submissions are evaluated against the published criteria in line with the evaluation model and scoring methodology contained in the ITT document and the contract is awarded to the highest ranking Bidder.

Restricted Procedure

11.9 The Restricted Procedure is most useful where there is potentially a very large number of Bidders in the market (this will be confirmed through market engagement) or there is otherwise a genuine need to pre-select suppliers. The procedure does not allow for negotiation.

11.10 The first stage of the Restricted Procedure allows the Authority to select the Bidders who are capable of meeting the Authority's requirements and are assessed against a set of legal, financial and technical criteria. Bidders who meet the selection criteria are then invited to submit tenders in response to the Authority's Invitation to Tender ('ITT') document. Bidders' tender submissions are evaluated against the published criteria in line with the evaluation model and scoring methodology contained in the ITT document and the contract is awarded to the highest ranking Bidder.

Competitive Procedure with Negotiation ('CPN') and Competitive Procedure ('CD')

11.11 The Competitive Procedure with Negotiation allows the Authority flexibility around whether to negotiate. It is possible to reserve the right (by stating this in the OJEU Contract Notice) not to negotiate and to simply award the contract based on initial tenders submitted. This reservation is not possible in the competitive dialogue procedure. Having said that, the Competitive Dialogue procedure contains more flexibility around negotiation with the winning Bidder (provided this does not modify the essential aspects of the contract or procurement or amount to a distortion of competition). It is **not** possible to negotiate following submission of final tenders if you are using the Competitive Procedure with Negotiation.

Innovation Partnership ('IP')⁷

11.12 The Innovation Partnership procedure enables the Authority to develop innovative products, works or services where no suitable solution exists in the market (sharing the risk with suppliers) and then to purchase the resulting products, services etc. In return for sharing the risk in the development phase, the Authority might want to share in the profits from wider sale of the products, services etc. that are developed (licensing). The procurement procedure for an innovation partnership is a version of the CPN.

11.13 The Competitive Dialogue, Competitive Procedure with Negotiation and Innovation Partnership procedures can only be used in certain specific circumstances.

Other Means of Procuring

Framework Agreement (Direct Award or Mini Competition)

11.14 Framework is an agreement with suppliers to establish terms governing contracts that may be awarded during the life of the agreement. In other words, it is a general term for agreements that set out terms and conditions for making specific purchases (Call-off contracts). Call-off contracts can be entered into either via a direct award or via conducting

⁷ Innovation Partnership as described on the Local Government Association site.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

a mini competition. Direct awards often come with specific conditions and they are not to be used as a blanket permission for awarding the contract to a specific, preferred supplier.

11.15 Prior to using a Framework Agreement, the Authority must ensure that it is a named party and is permitted to purchase under the Framework.

11.16 The use of Framework Agreements is heavily regulated by the Cabinet Office (via the Crown Commercial Service) and improper use may lead to substantial reputational damage and possibly financial penalties.

Dynamic Purchasing System (Mini Competition)

11.17 The Dynamic Purchasing System is a procedure available for contracts for works, services and goods that are commonly available on the market. It is very similar aspects to an electronic Framework Agreement, albeit new suppliers can join at any time during the validity period of the DPS. The vast majority of public contracts can only be awarded as a result of a mini competition. Under the full regime of the 2015 Regulations, direct award is not permitted.

Electronic Auction⁸

11.18 An Electronic Auction (eAuction) is a procurement tool that uses web-based software to allow potential suppliers to compete online, in real time, to provide prices for the goods/services under auction. Electronic Auctions can be based on price alone or other criteria such as quality, delivery or service levels can also be taken into account.

12.0 Electronic Means of Communication

12.1 In accordance with the 2015 Regulations, as amended, the Authority is obliged to use e-communication for all information exchanged in respect of an award of a contract that is subject to the full regime of the Regulations (please refer to paragraph 2.5 above for the definition of the full regime).

12.2 Under the 2015 Regulations, the Authority is also required to make all procurement documents electronically available free of charge and with unrestricted access to all interested suppliers.

12.3 For the purpose of ensuring compliance with the 2015 Regulations, Band 3 to (and including) Band 5 Procurements shall be conducted using the Authority's e-tendering portal.

12.4 Band 1 and Band 2 Procurements are not subject to the 2015 Regulations (due to their financial envelope) and as such it will be the responsibility of the Authority's Responsible Officer (Service Area) to decide on which electronic means of communication is most appropriate.

12.5 All tender submissions returned via the e-tendering system will be opened on or shortly after the specified deadline date and time, via Authority representatives who are authorised to use the e-tendering system.

12.6 The e-tendering system will maintain a record of the tender submissions received, opened and the name of the Authority's representative who undertook the opening of the tenders.

⁸ <https://www.gov.uk/guidance/eauctions>

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- 12.7 Once opened, the tender submissions will be sent electronically to the Procurement Lead who will ensure that tender submissions are stored securely in the Procurement drive and arrange for the Authority personnel who is involved in the evaluation process to have access to the documents.
- 12.8 Hard copy tender submissions shall not be accepted without prior authorisation from the Procurement Manager and only in exceptional circumstances (e.g. small local supplier who does not have access or does not know how to use electronic means). Where a hard copy submission is accepted, the Procurement Manager shall include the reasons for this decision in the Evaluation Outcomes Report (please refer to Section 24.0 Reporting Obligations).
- 12.9 All communications with suppliers during the course of the procurement process shall be undertaken using electronic means such as Microsoft Outlook email or the Authority's e-tendering portal, dependent upon the procurement banding (please refer to paragraphs 13.3 and 13.4 above).

13.0 Conflict of Interest ('COI')

- 13.1 The Authority is concerned to avoid any actual and/or potential conflicts of interest, both relating to the Authority's personnel and to companies ('Bidders') participating in the procurement.

Authority Personnel COI

- 13.2 The Procurement Manager shall be responsible for ensuring that Conflict of Interest ('COI') Forms are completed and signed by all Authority personnel to be involved in the procurement and submitted to the Procurement Manager electronically prior to any activities under the Pre-Tender Stage (please refer to Section 14.0 below) being undertaken.
- 13.3 Upon commencement of the procurement process and once the names of the companies involved in the procurement are known, all relevant Authority personnel shall re-submit the COI form to the Procurement Manager for the purpose of re-affirming that there is no actual and/or potential conflict of interest.
- 13.4 In the event an actual and/or a potential Conflict of Interest is identified, the following actions will be taken at the Procurement Manager's discretion (where relevant, in conjunction with advice received by external legal advisors) having full regard to the banding of the procurement and the impact of that such Conflict of Interest may have on the procurement:

- The relevant Authority personnel shall be removed from the procurement with immediate effect; or
- The relevant Authority personnel shall be involved in some aspects of the procurement with controlled access to procurement and Bidder information.

- 13.5 The Procurement Manager, or its representative, shall ensure that a Conflict of Interest Log is maintained at all times.

Bidder COI

- 13.6 It is each Bidder's responsibility to ensure that its employees, agents and/or advisors (where applicable) do not have conflicts of interest in relation to other Bidders involved in this tender process.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

13.7 The Authority reserves the right (at its sole discretion) to reject Bidders where there is an actual or potential conflict of interest. Bidders must review their prior and current involvement and that of employees, agents and/or advisors (if relevant) with the Authority and disclose any actual or potential conflicts as soon as they become aware of any such conflicts.

14.0 Pre-Tender Stage Activities

Pre-Tender Market Engagement ('PTME')⁹

14.1 Before commencing a procurement, the Authority may conduct market consultations with a view to preparing the procurement and informing suppliers of their procurement plans and requirements. Market consultations (or Pre-Tender Market Engagement as they are formally referred to) may also be used to assist the Authority to better understand its requirements.

14.2 Whilst undertaking a Pre-Tender Market Engagement, the Authority must comply with the following principles:

- Ensure sufficient time between the pre-tender market engagement phase and the procurement phase so information can be shared as appropriate and then also in the tender phase so that clarifications can be asked;
- Ensure that detailed written audit trail is maintained. This includes ensuring that pre-tender market engagement meetings are fully minuted and all information (unless commercially sensitive) exchanged with participants during the course of the pre-tender market engagement phase is made available to the market via the tender documents. Remember you are not there to select a supplier!
- Use a non-discriminatory way for the purpose of selecting an impartial cross-section group of suppliers to meet with. The most common way of doing so is by way of issuing a, Engagement Notice via Contracts Finder or a Prior Information Notice (Band 5 Procurements only).

14.3 Pre-Tender Market Engagement is recommended only for Band 3 to Band 5 Procurements.

14.4 In any case, it shall be the responsibility of the Procurement Manager, or its representative, to direct, organise and conduct all Pre-Tender Market Engagement activities.

Production of Tender and Contractual Documents

Technical Documentation

14.5 It is good practice, and in the case of Band 5 Procurements a legal requirement, that all procurement and contractual documents are available upon publication of the contract notice. This also includes the technical specification document, Pre-Construction Information (PCI) document, CAD plans, system diagrams and any other documents that may be required by the market to enable Bidders to reasonably respond to the Invitation to Tender (ITT) document and submit pricing.

14.6 It shall be the responsibility of the Authority's Responsible Officer (Service Area) to produce the suite of technical documentation, including but not limited to draft and final documents. In the event it is established by the Procurement Manager, or its representative, that the

⁹ Useful PTME guidance can be found in the following location:

<http://www.bevanbrittan.com/insights/articles/2018/designing-your-specification-running-your-tender-process/>

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

suite of technical documentation provided by the Authority's Responsible Officer (Service Area) does not contain sufficient information to enable the market to bid and / or contains gaps and /or inconsistencies, it will be the responsibility of the Authority's Responsible Officer (Service Area) to put the documentation right.

Tender Documentation

- 14.7 It shall be the responsibility of the Procurement Manager, or its representative, to provide the Authority's Responsible Officer (Service Area) with the Band 2 Procurement template for the purpose of completing it and releasing it to the suppliers. Tender documents for Band 3 to Band 5 Procurements shall be produced by the Procurement Team.

Contractual Documentation

- 14.8 The Authority has developed a set of Standard Terms and Conditions of Contract¹⁰. Where bespoke contractual documentation has to be developed, this shall be the responsibility of the Procurement Manager. External legal advice may be sought following approval by the Head of Governance and Asset Management.

Financial analysis of current and estimated future spend

- 14.9 Prior to determining the route to procurement, the Authority's Responsible Officer in collaboration with the Procurement Team (for Band 2 to Band 5 procurements) shall undertake a financial analysis of current spend (relating to the previous three (3) Financial Years).
- 14.10 Following production of the technical specification document, the Procurement Team with support from the Finance Team shall undertake a financial modelling exercise for the purpose of calculating the estimated total whole life costs for delivering the technical specification.

15.0 Advertisement of Contract Opportunities

Band 1 Procurements (up to £2,000)

- 15.1 Not applicable, there is no requirement to publish a formal advert.

Band 2 Procurements (up to £24,999)

- 15.2 Not applicable, there is no requirement to publish a formal advert. However, the Authority's Responsible Officer (Service Area) may wish to publish an advert at a local or a national level if they are unable to identify potential interested suppliers or would like to open the contract opportunity to new suppliers. In that case, the Authority's Responsible Officer shall advise the Procurement Team that assistance is required by sending an email to procurement@bedsfire.gov.uk containing the following information:

- The name of the Authority's Responsible Officer (Service Area);
- A brief description of the procured works, goods or services;
- A copy of the draft technical specification;
- The allocated budget and what period does this cover, e.g. only year 1 of the contract or the entire contract term (N.B The Procurement Team reserves the right to seek confirmation from the Chief Accountant that there is an allocated budget);

¹⁰ The document is available on the Bedfordshire Fire and Rescue Service website.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- The GL account (comprising of the subjective code and the cost centre);
- If this involves the re-tendering of an existing contract, the full name of the incumbent Contract (*no abbreviations or acronyms*);
- Any known likely or actual impact of the contract on people or groups of people with protected characteristics;
- Any known likely or actual Health and Safety concerns; and
- Any potential dependencies with other Service Areas.

Band 3 and Band 4 Procurements (£25,000 up to but not including EU thresholds)

- 15.3 In accordance with Regulation 110 of the 2015 Regulations, the Authority is required to publish on Contracts Finder contract opportunities ('Contracts Finder Notice') with a total value of £25,000 up to the EU financial thresholds. As a minimum, the Contracts Finder Notice must include the internet address at which relevant contract documents shall be accessible and the time by which interested suppliers must respond to the Contracts Finder Notice if they wish to participate in the procurement process. The Authority is not required to make the contract documents available at a specific date.
- 15.4 The Contracts Finder Notice may be issued by the Authority's e-tendering portal or by logging directly into the Contracts Finder webpage.
- 15.5 The Procurement Team shall be responsible for conducting Band 3 and Band 4 Procurements. The Procurement Manager shall be responsible for ensuring that the Authority's obligations under Regulation 110 are observed.

Band 5 Procurements (EU thresholds and above)

- 15.6 In accordance with Regulation 51 of the 2015 Regulations, the Authority is required to advertise on the Official Journal of the European Union ('OJEU') contract opportunities ('OJEU Contract Notice') with a total value which is equal to or exceeds the EU financial thresholds.
- 15.7 Furthermore, in accordance with Regulation 106 of the 2015 Regulation within twenty-four (24) hours from the time that the OJEU Contract Notice is published, the Authority is required to publish the contract opportunity in Contracts Finder ('Contracts Finder Notice'). OJEU Contract Notices are usually published within forty-eight (48) hours from confirmation of receipt from the European Union Publications Office. In the event the OJEU Contract Notice is not published within forty-eight (48) hours from confirmation of receipt, the Contracts Finder Notice must be published within twenty-four (24) hour from the expiry of forty-eight (48) hour period.
- 15.8 As a minimum, the Contracts Finder Notice must include the internet address at which relevant contract documents shall be accessible and the time by which interested suppliers must respond to the Contracts Finder Notice if they wish to participate in the procurement process.
- 15.9 For Band 5 Procurements, the Authority must make the full suite of procurement documents electronically available (as described in paragraph 12.2 above) on the day that the OJEU Contract Notice is published¹¹.

¹¹ This is usually within 48 hours from the time that the Authority transmits the OJEU Contract Notice to the Journal.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

15.10 The Procurement Team shall be responsible for conducting Band 5 Procurements. The Procurement Manager shall be responsible for ensuring that the Authority's obligations under Regulation 51 and Regulation 106 are observed.

16.0 Tender Stage

16.1 The Tender Stage refers to the period or periods of a procurement process during which Bidders are preparing their submissions and concludes with the evaluation and moderation of submissions received by the deadline set in the procurement documents.

16.2 Depending on the type of the procurement procedure, the Tender Stage may be translated into a single or consecutive Tender Stages.

16.3 The two (2) main activities undertaken by the Authority during any Tender Stage are:

- Management and processing of clarifications; and
- Evaluation and moderation process;

Clarifications Protocol

16.4 All enquiries during the Tender Stage are to be made in the form of 'clarifications'. Clarification requests and responses are to be made exclusively via electronic means (Microsoft Outlook or the Authority's electronic tendering portal).

16.5 The Authority's approach to clarifications shall be consistent to ensure that one Bidder does not receive an unfair advantage over another. Clarification requests and responses will be circulated to all Bidders, unless deemed by the Authority to be commercially sensitive, however the requesting Bidder will not be named.

16.6 Enquiries and communications in relation to Bands 3, 4 and 5 Procurements shall be undertaken in line with the Clarifications Protocol which can be found attached to this Policy as Appendix 1. The Clarification template forms referred to in Appendix 1 shall be provided by the Procurement Team upon request.

Evaluation and Moderation Guidance

16.7 Key individuals with the appropriate experience and expertise in their respective fields will be selected to undertake the evaluation and moderation of the tender submissions and will collectively be referred to as the "Evaluation Team".

16.8 The function of the Evaluators will be to undertake initial checks on their relevant section/s to ensure that all questions have been answered and that all compliance requirements have been met.

16.9 Following these initial checks, the Evaluators will undertake the scoring in line with the scoring methodology and specific scoring table for each question detailed in the tender documents.

16.10 Evaluators will work independently. Where more than one Evaluator is assessing a section, more than one evaluation score will be produced. Scoring will subsequently be reviewed and finalised during the moderation process.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- 16.11 Evaluators must complete the Evaluator's Scoring Sheet¹² in full and submit it to the assigned Moderator (either directly or via the Procurement Team depending on the banding of the procurement).
- 16.12 Moderation of the Evaluators' scores will be undertaken at special meetings ('Moderation meetings') following the completion of the initial evaluation period. Ahead of the meeting, the Moderator will review and compare the scores awarded by the Evaluator(s), taking into consideration any supportive information and/or documentation provided. The moderation meeting will then provide an opportunity to challenge scores, provided where there are discrepancies, and produce a moderated score for each question for each Bidder.
- 16.13 Moderators must complete the Moderator's Scoring Sheet¹³ in full. The moderated score will be a consensus score, NOT an average score.
- 16.14 For procurements conducted by the Procurement Team, following completion of the evaluation and moderation process, the Authority's Procurement Team will be responsible for producing an Evaluation Outcomes Report in accordance with the provisions of Section 24.0 (Reporting Obligations).
- 16.15 For the avoidance of any doubt, no person shall be permitted to assume an Evaluator and a Moderator function for the same question.

Confidentiality

- 16.16 Evaluators and Moderators are reminded that **this is a confidential process** and they **MUST NOT** divulge any information (provided to them verbally or in writing) to any individual who is not part of the procurement and who has not completed a Conflict of Interest (COI) form in accordance with Section 13.0 (Conflict of Interest).
- 16.17 Evaluators and Moderators **MUST NOT** have any contact with any of the organisations bidding for this contract, including but not limited to their sub-contractors, consortia members, external advisers, agents and employees unless express prior authorisation has been given by the Procurement Manager.
- 16.18 In the event an Evaluator or a Moderator breaches the conditions detailed in paragraphs 16.14 and 16.5 above, such Evaluator or Moderator will be removed from the procurement with immediate effect and the Procurement Manager shall undertake a risk assessment as promptly as possible for the purpose of determining whether the main procurement principles have been compromised. In the event it is determined that the procurement process has been compromised, the Procurement Manager will seek external legal advice and the procurement process shall be suspended until a mitigation plan has been agreed internally in consultation with the external legal advisors.

17.0 Contract Award and Signature

Band 1 Procurements (up to £2,000)

- 17.1 Not applicable, there is no requirement to publish a formal award notice.

Band 2 Procurements (up to £24,999)

- 17.2 Not applicable, there is no requirement to publish a formal award notice.

¹² To be provided by the Procurement Team upon request.

¹³ To be provided by the Procurement Team upon request.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

Band 3 and Band 4 Procurements (£25,000 up to but not including EU thresholds)

- 17.3 In accordance with Regulation 112 of the 2015 Regulations, the Authority is required to publish on Contracts Finder a Contract Award Notice for awarded contracts with a total value of £25,000 up to the EU financial thresholds. Crown Commercial Service (CCS) recommends that the Contract Award Notice is published on Contracts Finder no later than ninety (90) calendar days from the contract award date.
- 17.4 The award of contracts under a Framework Agreement via a direct award and a mini-competition must also be published on Contracts Finder by way of Contract Award Notice.
- 17.5 The Contracts Finder Contract Award Notice must contain the following information:
- The name of the Contractor who was awarded the contract;
 - The date on which the contract was entered into;
 - The total aggregated contract value; and
 - Whether the Contractor is an SME or a VCSE or a social enterprise.
- 17.6 The Procurement Manager shall be responsible for ensuring that the Authority's obligations under Regulation 112 are observed.

Band 5 Procurements (EU thresholds and above)

- 17.7 In accordance with Regulation 50 of the 2015 Regulations, no later than thirty (30) days from the award of a contract with a total value which is equal to or exceeds the EU financial thresholds, or the establishment of a Framework Agreement, the Authority is required to publish on the Official Journal of the European Union a Contract Award Notice ('OJEU Contract Award Notice').
- 17.8 Furthermore, in accordance with Regulation 108 of the 2015 Regulations the Authority is required to publish on Contracts Finder a Contract Award Notice for awarded contracts with a total value which is equal to or exceeds the EU financial thresholds.
- 17.9 Where the OJEU Contract Award Notice is published within forty-eight (48) hours from confirmation of receipt from the European Union Publications Office, the Contracts Finder Contract Award Notice can be published any time after that date.
- 17.10 Where the OJEU Contract Award Notice is not published within forty-eight (48) hours from confirmation of receipt from the European Union Publications Office, the Contracts Finder Contract Award Notice can be published at any time following expiry of the forty-eight (48) hour period.
- 17.11 The Crown Commercial Service (CCS) recommends that the Contract Award Notice is published on Contracts Finder no later than ninety (90) calendar days from the contract award date.
- 17.12 The Procurement Manager shall be responsible for ensuring that the Authority's obligations under Regulation 50 and Regulation 108 of the 2015 Regulations are observed and in any case Contracts Finder Contract Award Notices are issued no later than ninety (90) calendar days from the contract award date.

Mandatory Ten (10) Day Standstill Period

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

17.13 The Procurement Manager shall be responsible for ensuring that for all Band 5 Procurements, a mandatory ten (10) day standstill period is observed. The standstill period commences from the date following release of the Intention to Award (Standstill Notice) Letters and expires on the midnight of the tenth (10th) calendar day. In the event the tenth (10th) calendar day falls on a weekend or a Bank Holiday, the expiry of the standstill period shall be extended accordingly to the next available working day.

Release of Contract Award Letter for Procurements conducted by the Service Area

17.14 Following conclusion of a procurement that was conducted by the Authority's Responsible Officer (Service Area), such Responsible Officer shall be responsible for issuing a Contract Award Letter to the winning Bidder. The Contract Award Letter must satisfy the conditions of paragraph 17.15 below and must include as a minimum the following information:

- The name and contact details of the Authority's Contract Manager;
- The contract commencement date;
- The contract period (including any possible extensions expressed in months);
- The total contract value; and (where relevant)
- The schedule of rates

17.15 The Authority's Responsible Officer (Service Area) must also ensure that unsuccessful Bidders are notified of the outcome of the procurement process by way of being issued electronically with an Unsuccessful Bidder Letter¹⁴.

Release of Contract Award Letter for Procurements conducted by the Procurement Team (Not applicable to Band 5 Procurements)

17.16 Following conclusion of a procurement that was conducted by the Procurement Team, the member of the Procurement Team who was responsible for delivering the process shall ensure that a Contract Award Letter is issued to the winning Bidder. The Contract Award Letter must satisfy the conditions of paragraph 17.15 below and must include as a minimum the following information:

- The name and contact details of the Authority's Contract Manager;
- The contract commencement date;
- The contract period (including any possible extensions expressed in months);
- The total contract value; and
- A copy of the winning Bidder's pricing submission

17.17 The relevant member of the Procurement Team must also ensure that unsuccessful Bidders are notified of the outcome of the procurement process by way of being issued electronically with an Unsuccessful Bidder Letter¹⁵.

Release of Contract Award Letter for Procurements conducted by the Procurement Team (Band 5 Procurements only)

17.18 Providing that no challenges arise during the course of the ten (10) day standstill, the member of the Procurement Team who was responsible for delivering the Band 5

¹⁴ Unsuccessful Bidder Letter template will be made available by the Procurement Team.

¹⁵ Unsuccessful Bidder Letter template will be made available by the Procurement Team.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

Procurement shall ensure that a Contract Award Letter is issued to the winning Bidder. The Contract Award Letter must satisfy the conditions of paragraph 17.15 below and must include as a minimum the following information:

- The name and contact details of the Authority's Contract Manager;
- The contract commencement date;
- The contract period (including any possible extensions expressed in months);
- The total contract value; and
- A copy of the winning Bidder's pricing submission

17.19 The relevant member of the Procurement Team must also ensure that unsuccessful Bidders are notified of the outcome of the procurement process by way of being issued electronically with an Unsuccessful Bidder Letter, which must contain all information as prescribed by the 2015 Regulations (including but not limited to the key characteristics and relative advantages of the winning tender.

17.20 Following conclusion of any procurement that is conducted by the Procurement Team, the Procurement Manager shall ensure that an Evaluation Outcomes Report is prepared and signed off in accordance with the provisions of paragraph 23.6 below.

17.21 In all cases (all Procurement Bands), the Contract Award Letter must be issued via electronic means and accompanied by the agreed Terms and Conditions of Contract, which the Contractor will be required to sign and return to the Authority by emailing the Procurement Team at procurement@bedsfire.gov.uk.

17.22 Upon receipt of the signed Terms and Conditions of Contract, the Procurement Manager or its representative, shall be responsible for ensuring that the document is countersigned by the Budget Manager within the Responsible Officer's Service Area, who has the appropriate authority to sign off the relevant level of spend. A copy of the signed Terms and Conditions of Contract, completed with all the Schedules and copies of Contractor certificates and policies, will be issued to the Authority's Contract Manager for their records and a second copy shall be saved within the Procurement drive.

17.23 For the avoidance of any doubt, upon completion of the contract signature proceedings the procurement shall be formally concluded and all responsibility relating to the resulting contract shall be wholly transferred to the relevant Service Area and the appointed Authority's Contract Manager.

18.0 Update of the Authority's Financial Records

18.1 Following signature of the agreed Terms and Conditions of Contract by all relevant parties, the Budget Manager or its representative shall be responsible for ensuring that a Purchase Order is raised in line with the Payment Profile included within the Terms and Conditions of Contract and released to the Contractor with the exception of:

- Items of a recurring nature e.g. gas, electricity, rates and other periodic payments;
- Items of a minor nature paid for via petty cash; or
- Items procured using the Authority Procurement Card.

18.2 Payments in advance shall only be made following receipt of a written agreement by the Chief Accountant, or in his/her absence, the Assistant Chief Officer:

- Items of a recurring nature e.g. gas, electricity, rates and other periodic payments;

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- Items of a minor nature paid for via petty cash; or
- Items procured using the Authority Procurement Card

18.3 Where stage payments are required, the procurement documents, Terms and Conditions of Contract and Purchase Order must explicitly state that the ownership of asset transfers to the Authority at each stage payment and a list of the assets transferred and their serial numbers should be provided wherever possible.

18.4 Where a physical asset is being purchased the Budget Manager should carry out inspections prior to any prepayments to confirm that the inclusion of assets from third parties have become homogenous with the asset and cannot therefore be removed without substantial detrimental impact.

18.5 In the event the Contractor is a new supplier, the Procurement Manager or its representative shall be responsible for obtaining bank details provided on a company headed paper. Once obtained, such bank details will be passed on to the Finance Team who will confirm the validity of the bank details and if no issues arise they will then set the supplier up in Authority's financial database (Great Plains). Once the supplier is set up, the Purchase Order can be raised.

19.0 Update of the Authority's Contracts Register and Procurement Activity Plan

Band 1 Procurements (up to £2,000)

19.1 Following completion of the process for Band 1 Procurements, the Authority's Responsible Officer (Service Area) shall notify the Procurement Team of the contract award by sending an email to the Procurement Mailbox at procurement@bedsfire.gov.uk containing the following information in order to enable the Procurement Team to update the Contracts Register:

- The name of the Authority's appointed Contract Manager;
- The full name of the Contractor (*no abbreviations or acronyms*);
- A brief description of the procured works, goods or services;
- The total contract value over the entire contract term;
- The contract commencement date;
- The contract expiry date (*N.B. for works contracts this may be upon completion of the works and for goods contracts this may be upon delivery of the goods*);
- The method of procuring (Best Value Assessment or written quote); and
- In the event the Contractor is a new supplier, the completed New Supplier Request Form (FSS43).

Band 2 Procurements (up to £24,999)

19.2 Following completion of the process for Band 2 Procurements and where this was not undertaken by the Procurement Team, the Authority's Responsible Officer (Service Area) shall notify the Procurement Team of the contract award by sending an email to the Procurement Mailbox at procurement@bedsfire.gov.uk containing the following information in order to enable the Procurement Team to update the Contracts Register:

- The name of the Authority's appointed Contract Manager;
- The full name of the Contractor (*no abbreviations or acronyms*);

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- A brief description of the procured works, goods or services;
- The total contract value over the entire contract term (for fixed term contracts);
- The annual contract value (for rolling contracts);
- The number of extensions (provided in months);
- The contract commencement date;
- The contract expiry date (*N.B. for works contracts this may be upon completion of the works and for goods contracts this may be upon delivery of the goods*);
- The method of procuring (closed group of suppliers, direct award under a Framework Agreement, mini-competition under a Framework Agreement, direct award under a Dynamic Purchasing System, mini-competition under a Dynamic Purchasing System, Digital Marketplace Catalogue, G-Cloud, other competitive procedure);
- A copy of the published Terms and Conditions of Contract; and
- In the event the Contractor is a new supplier, the completed New Supplier Request Form (FSS43).

Band 3 to Band 5 Procurements

- 19.3 The Contracts Register shall be updated with all relevant information as prescribed by the Local Government Transparency Act 2015 by the Procurement Team.
- 19.4 The Procurement Team shall also update the Procurement Activity Plan by deleting the relative line and inserting a note in the comments column of the Contracts Register of the date of completion of the procurement activity (which shall be equal to the date of contract signature).

20.0 Debrief Meetings

Below EU financial thresholds

- 20.1 For below EU financial threshold procurements, there is no obligation on the Authority to offer unsuccessful Bidders feedback on their submissions. It is however considered good practice and an effective way of assisting suppliers in improving their bid writing skills and thus contributing in the continuous development of the market.
- 20.2 In the event the Authority's Responsible Officer for the procurement of a contract falling under Band 2 and Band 3 wishes to provide unsuccessful Bidders with written feedback, s/he must consult with the Procurement Manager prior to taking any action.

Above EU financial thresholds

- 20.3 For above EU financial threshold procurements, the primary means of issuing feedback to unsuccessful Bidders will be the publication of the statutory Standstill Period Notice letter, containing a summary of the reasons for the rejection of their tender which shall comprise of (but not limited to):
- the characteristics and relative advantages of the winning tender; and
 - the name of the winning Bidder.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- 20.4 Unsuccessful Bidders may also request a face to face debrief meeting during or after the end of the Standstill Period. All requests for debrief must be referred to the Procurement Manager.
- 20.5 Debrief meetings shall be attended by the Procurement Manager, the Moderator/s and the Authority's Responsible Officer. Debrief meetings shall be chaired by the Procurement Manager. Secretariat attendance will also be required for the purpose of ensuring that the meeting is formally minuted. The minutes shall be shared with both parties and the agreed document will be saved in the Procurement drive. An electronic copy of the agreed minutes shall be issued to the unsuccessful Bidder.

21.0 Contract Management

- 21.1 The Authority recognises the importance of robust contract management practices with the view of ensuring that the specification outcomes, savings (both cashable and non-cashable) and contractual obligations which the Contractor committed to deliver during the procurement phase are indeed achieved.
- 21.2 The Authority also recognises that a key element of contract management is the effective management of internal and external relationships (Supplier Relationship Management – 'SRM') as a means of facilitating delivery, developing regular and structured communication routes and implementing problem resolution processes.
- 21.3 The Authority shall adopt Good Practice Contract Management Framework¹⁶ which was developed by the National Audit Office in 2008 and further developed in 2016 (in collaboration with the Crown Commercial Service) by way of introducing a Contract Management Checklist, comprising eleven (11) areas.
- 21.4 A brief description for each one of the eleven (11) areas is provided below and the Authority's Contract Manager shall be responsible for ensuring their implementation:

PLANNING

Area 1: Planning & Governance

1. Contract ownership, management processes and governance mechanisms are clear with defined roles and responsibilities. **There is a clear contract management plan** which involves appropriately senior people at each level.

Area 2: People

2. Contract management is **adequately resourced in proportion to the importance of the contract** and the skills make-up of the team reflects the nature of the contract. **The team have the range of skills, capability and experience to effectively and efficiently discharge their roles and responsibilities** and are appropriately performance managed.

Area 3: Administration

3. **An up to date (annotated with relevant agreed changes) hard copy contract is** stored, logged and **easily accessible** with an operating manual where appropriate. **All relevant correspondence in relation to contract changes is stored and easily accessible.**

¹⁶ <https://www.nao.org.uk/report/commercial-and-contract-management-insights-and-emerging-best-practice/>
https://www.nao.org.uk/wp-content/uploads/2016/12/Good_practice_contract_management_framework.pdf

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

DELIVERY

Area 4: Managing Relationships

4. The **relationship between both parties is clear and well defined**, responsibilities are documented, there are **structural and informal communication routes** that include other stakeholders outside the contract manager (users of the contract, technical experts etc.)

Area 5: Managing Performance

5. There is a **comprehensive performance management framework** in place with **meaningful metrics** and **suppliers receive regular and routine feedback** on their performance both formal and informal.
6. Clear **documented processes** are in place for **managing problems efficiently and effectively**. There is **clear documentation of any disputes and their resolution**.

Area 6: Payment & Incentives

7. There are appropriate **defined mechanisms and processes to ensure that payments are made to the supplier in line with the contract** including validation such as spot checks on invoices.
8. There are **defined mechanisms and processes that are managed to ensure appropriate incentives relating clearly to outcomes**. Where **open-book** or similar financial/pricing mechanisms are used **open-book accounts can be mapped to real accounting events** and internal reports in the supplier organisation.

Area 7: Risk

9. There is a **risk management policy** and **risks are subject to ongoing review and assessment** in line with organisational risk management processes. There is **clear understanding by both parties of who is best placed to manage risks**.

DEVELOPMENT

Area 8: Contract Development

10. Contract management **staff understand the contractual terms** including contract extension (services and duration), termination warranties, indemnities, insurance, security and confidentiality and dispute resolution.
11. Clear **documented processes and governance are in place to manage contract changes** and any changes are communicated and understood by both parties.

Area 9: Supplier Development

12. Processes are in place that **clearly set out how supplier development activities** will be planned, managed and governed. Clear processes for benefits measurement and capture are in place to ensure that **supplier development is focused on continuous improvement and achieving value**.
13. There is an understanding of what **motivates and drives the supplier** and development is aligned with the supplier's goals. **Joint working or shared activities between the two parties benefit both**. There are shared risk reduction programmes or activities and shared management activities to **drive performance improvement**.

Area 10: Supplier Relationship Management

14. A **supplier relationship management programme** is planned and structured with appropriate governance and **senior ownership**. The programme **considers all the supplier's interactions** across the organisation and across government, including **working with the Crown Representatives**. There is a **focus on continuous improvement and capturing innovation** with a clear sense of what value is to be generated for both parties.

Area 11: Market Management

15. Market intelligence is used to maintain an understanding of the market and of alternative suppliers to inform benchmarking, contingency planning and strategies for future delivery. Exit planning and a strategy for when the contract ends is put in place in a timely manner and includes input from the contract manager.
16. The capacity and capability of potential suppliers is analysed, and linked to wider government analysis. There is ongoing evaluation of emerging technologies and practices, and identification of opportunities from both immediate and parallel market sectors. Market making is undertaken where appropriate to stimulate competition and ensure that requirements can be delivered by the market.

21.5 The Procurement Manager shall be available to provide guidance to the Authority's Contract Manager in the application of the Contract Management Checklist.

21.6 Copies of contract management meetings shall be made available to the Procurement Manager upon request.

21.7 No variations to the agreed Terms and Conditions of Contract shall be made, including but not limited to the contract scope, contract term, pricing, payment profile and liability provisions, without the express permission of the Procurement Manager, or its representative. In the absence of the Procurement Manager, the matter shall be referred to the Head of Governance and Asset Management.

21.8 It will be the Authority's Contract Manager's responsibility to report to the Procurement Team contractual disputes and poor performance issues by sending an email to the Procurement Manager, who will in turn ensure that a full investigation is undertaken and an action plan is put in place.

22.0 Procurement Exemption Rules

22.1 In some limited cases, it may not be appropriate or feasible to comply with the provisions for procuring public contracts as defined in this Procurement Policy, therefore forcing the Authority to directly award the contract to a specific supplier without undertaking a competitive tendering process (otherwise known as a "Non-Competitive Action" or "NCA"). Under such circumstances, the Authority's Responsible Officer (Service Area) must complete a FSS39 Procurement Exemption Form (attached to this Policy as Appendix 2) and submit it in the first instance to the Procurement Manager by emailing procurement@bedsfire.gov.uk.

22.2 Following that, the Form will be forwarded to the Chief Accountant for budgetary approval and following on to the relevant Principal Officer for final sign off. All Procurement Exemption Forms shall be saved in the Procurement drive.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

22.3 For the avoidance of any doubt, these Procurement Exemption Rules shall **not** apply to **Band 1** (up to £2,000) and **Band 5** (EU financial thresholds and above) Procurements. All other bandings shall be subject and to this Section 22.0 of the Procurement Policy.

22.4 In the event any one of the below conditions apply, the Authority's Responsible Officer (Service Area) shall be entitled to request to waive its obligation to comply with normal procurement rules:

Single Source

22.5 The proposed supplier is the only one known to possess unique or specialised capacity or, the goods and / or services are unobtainable from any other source and there are no satisfactory alternatives.

Compatibility

22.6 That procurement of alternative goods and / or services would not be compatible with existing goods or services and any change would be detrimental to the Authority.

Specialist

22.7 For goods and or services contracts where the engagement of a different supplier would require considerable training, time as well as financial and / or human resources that are disproportionate with any benefit gained by the change.

Safety Critical

22.8 Where the undertaking of a competitive tendering process would create an unacceptable delay causing a risk to health, safety and/or welfare of Authority personnel and/or the public.

Exceptional Urgency

22.9 Involving exceptional urgency arising through unforeseeable circumstances where competitive tendering would cause unacceptable delay (namely after breakdown, storm, fire etc.)

Part of a wider programme

22.10 Involving an organisation which has won a contract for an earlier phase or section of work via a competitive process and where the work forms part of a serial programme and has previously been identified as such.

Additional Requirement

22.11 Involving an organisation already engaged by the Authority for a similar and related procurement and where there is significant benefit to extending the contract to cover this.

Delay

22.12 If a contract award is subject to delay.

23.0 Procurement Policy Audits

23.1 In accordance with the Procurement Team's Business Objectives, the Procurement Manager shall be responsible for undertaking procurement audits across all six (6)

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

categories of spend on a quarterly basis. The procurement audits shall cover the following areas:

Compliance with the Procurement Policy by:

- a) Cross-referencing information held within the Contracts Register against information held by the Service areas;
- b) Obtaining evidence that the procurement has been undertaken by the appropriate application of the bandings;
- c) Checking actual supplier spend over a period of three (3) financial years against the total or annual (in the event of a rolling contract) value as stated within the Contracts Register;
- d) Where a contract was procured by way of a Procurement Exemption, by requesting a copy of the signed Procurement Exemption; and
- e) Obtaining evidence that the value of the contract opportunity was not disaggregated.

Compliance with the Contract Management obligations under the Procurement Policy by:

- f) Obtaining evidence that the Crown Commercial Service eleven (11) areas of Contract Management are implemented as per Section 21.0 (Contract Management) above;
- g) Obtaining copies of the contract management minutes;
- h) Obtaining evidence that the Contract Manager has a copy of the signed Terms and Conditions of Contract;
- i) Obtaining evidence that the agreed Key Performance Indicators (KPIs) are being actively monitored during contract management meetings and results are recorded; and
- j) Checking the frequency of the contract management meetings and the rate of attendance

23.2 Budget and Contract Managers shall be notified in writing one (1) week prior to the procurement audits taking place. The communication will provide information on the dates of the audits, the members of the Procurement Team who will deliver the audits, the information that will need to be made available to the relevant Procurement Team members and how the outcomes of the audits will be reported within the Authority.

23.3 Following completion of the procurement audits, the Procurement Manager shall prepare a draft Procurement Audits Outcomes Report for each one of the six (6) categories of spend and submit it to the Head of Governance and Asset Management for his review and approval.

23.4 Following that the Head of Governance and Asset Management will share the approved Procurement Audits Outcomes Report with the Corporate Management Team (CMT).

23.5 The outcomes of the Procurement Audits shall be used to inform actions undertaken by the Procurement Manager for the purpose of improving the Authority's self-assessment results against the National Procurement Strategy (2018) for Fire and Rescue Services.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

24.0 Reporting Obligations

Evaluation Outcomes Report

24.1 The Procurement Manager shall be responsible for ensuring that Evaluation Outcomes Reports are prepared for all procurement conducted by the Procurement Team and submitted to the Head of Governance and Asset Management for approval. The purpose of the Evaluation Outcomes Report is to document all activities, decisions and issues which transpired during the course of the procurement and obtaining sign off to proceed to contract award.

Regulation 84 Report (Band 5 Procurements only)

24.2 In accordance with Regulation 84 (1) of the 2015 Regulations, the Authority is required to produce and retain a written report covering specific information about the procurement process for every contract that is valued at EU financial thresholds or above, Framework Agreements and Dynamic Purchasing Systems which are awarded or established by the Authority.

24.3 Furthermore, Regulations 84 (7) and 84 (8) of the 2015 Regulations require that the Authority *“documents the progress of all procurement procedures”* and *“keeps sufficient documentation to justify decisions taken in all stages of the procurement procedure”*.

24.4 The Report must be created in real-time due to the fact that it can be requested at any time during the course of the procurement process by public sector procurement regulatory bodies (such as the Cabinet Office and the European Commission).

24.5 The Procurement Manager shall be responsible for ensuring that Regulations 84 Reports are produced in real-time, that all decisions and the reasons why these were made during the course of the procurement procedure are recorded in detail, including but not limited to the choice of procedure, the lot strategy (or the lack of it), any conflicts of interests and justification for deviations from the established standards.

24.6 Regulation 84 Reports shall be submitted to the Head of Governance and Asset Management for approval.

Transparency Data

24.7 In 2015, the Government introduced the Local Government Transparency Code whose purpose is *“to meet the Government’s desire to place more power into citizens’ hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services. Transparency is the foundation of local accountability and the key that gives people the tools and information they need to enable them to play a bigger role in society. The availability of data can also open new markets for local business, the voluntary and community sectors and social enterprises to run services or manage public assets”*.

24.8 From a procurement data perspective, the Code requires contracting authorities to make the following two (2) sets of data electronically available on a quarterly basis:

- Contracts Register listing all current contracts with a total contract value of £5k and above; and
- Details of all invitations to tenders or invitations to quote that are likely to be issued over the next twelve (12) month period.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

24.9 The Procurement Manager shall be responsible for ensuring that the aforementioned two (2) sets of data are published on a quarterly basis on the Authority's website.

NFCC Savings Register

24.10 The Authority must submit on an annual basis (or as alternatively directed by the NFCC) the completed Savings Register to the appointed NFCC representative.

24.11 The Procurement Manager shall be responsible for ensuring that information contained in the Savings Register is reported accurately.

24.12 The Procurement Manager shall ensure that prior to submission, the Savings Register is reviewed and approved for release by the Assistant Chief Officer.

Home Office Spend Data

24.13 The Authority is required to submit on an annual basis the completed Home Office Spend Data Analysis. The Procurement Manager shall be responsible for liaising with the Authority's Finance Team and relevant members of the Procurement Team with the view of obtaining the required spend data reports and submitting them electronically in accordance with NFCC guidelines.

25.0 Internal Ordering and Requisitioning

Requisitions

25.1 The forms to be used and procedures to be followed in connection with the requisitioning, issuing and return to Stores of all items and the records to be kept are listed below.

25.2 The authorisation and electronic approval of Requisitions and Purchase Orders are shown below:

Description	Responsibility
Electronic Requisition Form (with the exception of Workshops as detailed in relevant paragraph below)	Budget Manager or nominated representative
Purchase Order	Budget Manager or nominated representative
Invoice	Budget Manager or nominated representative
Changes to post holders are made as a result of a notification email from Payroll department. Having made the required amendments to the Microsoft Dynamics workflow in SharePoint and recorded the activities undertaken, the Finance Team will send an email to Procurement detailing the changes made to allow the Procurement system to be updated. The Procurement Team will set-up a new or amend existing user sites on Great Plains. For an existing member of staff that is leaving the service with a Role based login the user card is deactivated. For an existing member of staff that is moving from one location to	Payroll , Chief Accountant or nominated representative and Procurement Manager or nominated representative

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

<p>another the information on the user card is changed to reflect the new location. If that movement means a change in role as well as location the role details on the user card is also changed. These changes are recorded on the “notepad” on the site card. The email address on Requisition Manager is changed to reflect the new post holder and the password is re-set and emailed to the new post holder.</p> <p>For a new member of staff joining the service a new site user card is generated containing the relevant location and role where applicable.</p> <p>Where a new post is required a new site card is generated and subsumed within the line manager hierarchy.</p> <p>The email received from Finance is initialled and filed in the ReqManager Routing Changes file.</p>	
<p>Group Heads and Area Commanders are to email the Finance Team should they require changes to the approval limits for their respective groups within Great Plains and the Microsoft Dynamics workflow on SharePoint. Requests for changes will be referred to the Chief Accountant for approval. If approval is granted, the Finance Team will amend the Great Plains Approval Routing Limit and record the activities undertaken. The Finance Team will send an email to Procurement detailing the changes made.</p>	<p>Group Heads / Area Commanders and Chief Accountant or nominated representative</p>
<p>Group Heads and Area Commanders are to email the Finance Section should they require changes to the responsibilities for their respective groups. Requests for changes will be referred to the Chief Accountant for approval. If approval is granted the Finance Section will amend the Great Plains ‘Approval Routing Limit’ and Microsoft Dynamics workflow in SharePoint. The Finance Section will send an email to Procurement detailing the changes made to allow the Procurement system to be updated.</p> <p>The Procurement Team will set-up a new or amend existing user sites on Great Plains.</p> <p>For an existing member of staff that is leaving the service with a Role based login the user card is deactivated. For an existing member of staff that is moving from one location to another the information on the user card is changed to reflect the new location. If that movement means a change in role as well as location the role details on the user card is also changed. These changes are recorded on the “notepad” on the site card. The email address on Requisition Manager is changed to reflect the new post holder and the password is re-set and emailed to the new post holder.</p> <p>For a new member of staff joining the service a new site user card is generated containing the relevant location and role where applicable.</p> <p>Where a new post is required a new site card is generated and subsumed within the line manager hierarchy.</p> <p>The email received from Finance is initialled and filed in the</p>	<p>Group Heads / Area Commanders, Chief Accountant or nominated representative and Procurement Manager or nominated representative</p>

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

ReqManager Routing Changes file.	
----------------------------------	--

Workshops

25.3 Workshops are required to meet the Chief Fire Officers Association guidance for workshop engineering and maintenance. This requirement means that the Authority Workshop must have a system in place to track all work schedules from the point of the job card creation through to warranty and completion of service schedule or works undertaken. To ensure that all work is tracked and traced and all items are coded to the relevant cost centres and Job Card Numbers Workshops use Integration Manager to import Purchase Orders from the MIS system which are electronically routed through to the Purchase Order Workflow for secure approval.

Utilities and Fuel

25.4 Electronic Requisition Forms are not required for the supply of utilities (namely gas, electricity and water) but are required for the supply of Diesel Oil, Fuel Oil, Petrol and Kerosene.

25.5 The completed Electronic Requisition must be submitted for approval to the appropriate Budget Manager as determined by the ReqManager routing policy.

Purchase Orders

25.6 Purchase Orders, which shall be serially numbered, shall indicate clearly the nature and quantity of the materials, works or services to be supplied, details of agreed or estimated prices, relevant discounts and delivery terms.

25.7 Unless the contract was procured under a Framework Agreement, all Purchase Orders shall include the following statement: 'This purchase order is placed in accordance with the Authority's Standard Terms and Conditions of Contract, with which you are deemed to agree. The Terms and Conditions can be accessed electronically from the Bedfordshire Fire and Rescue Service website (<https://www.bedsfire.gov.uk/home.aspx>)

26.0 New Supplier Requests

26.1 The Authority's Responsible Officer (Service Area) will be required to submit New Supplier Request Forms (FSS10) to the Procurement Team by emailing procurement@bedsfire.gov.uk in the event that any one of the following occurs:

26.1.1 The winning Bidder following conclusion of a procurement process in line with the bandings set out in this Policy is a new supplier;

26.1.2 Direct award to a new supplier as a result of a Procurement Exemption which has been signed off in accordance with Section 22.0 (Procurement Exemption Rules) of this Policy. Under this paragraph following receipt of the completed New Supplier Request Form, the Procurement Team shall issue to the new supplier a Suitability Assessment Questionnaire (SAQ). Once the completed Suitability Assessment Questionnaire is received, reviewed and approved by the Procurement Manager, or its representative, the Authority's Responsible Officer (Service Area) will be advised of the same and the process described in paragraph 18.5 shall be applied.

26.2 In any case, New Supplier Request Forms will be rejected and not further processed if any one of the following two (2) conditions applies:

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

- 26.2.1 A copy of the signed contract is not attached to the New Supplier Request Form; and / or
- 26.2.2 A copy of the Procurement Exemption (signed in full by all parties involved in the approval process) is not attached to the New Supplier Request Form.

27.0 Freedom of Information ('FOI') Requests

27.1 In the event of a Freedom of Information ('FOI') Request is received in relation to a procurement process undertaken or currently being undertaken by the Authority, the Procurement Manager shall be notified as promptly as possible and it will be the Procurement Manager's responsibility to compile the response to the FOI Request.

28.0 Purdah

28.1 Whenever there is a general election, the country experiences a pre-election phase which is informally referred to as 'purdah'. This involves restrictions for civil servants, as well as government ministers, which act as a means of temporarily rolling back the activities of individuals working in government roles, in the run up to any election.

28.2 While there are no legal restrictions curtailing the activities of public sector contracting authorities during purdah, they are advised to proceed with caution, in order to mitigate the risks of being challenged over decision making. More specifically, the risk that the Authority may be accused of having political motivations for procurement decisions, rather than basing its decisions purely on the merits of the criteria and consideration contained in the published tender documents.

28.3 Actions that are often undertaken by public sector contracting authorities during purdah involve:

- Cancelling or rescheduling release of Selection Questionnaires and Invitation to Tender documents, which are in the early stages of the procurement.
- Delay in releasing intention to award and contract award notices;
- Withdrawing and then quickly re-issuing tender documents as an attempt to avoid accusations of partiality.

28.4 During purdah, all active procurement shall be closely monitored by the Procurement Manager and contract award notices shall not be issued without the Procurement Manager's prior permission.

28.5 In addition to the above, there shall be no internal or external communication activity relating to active procurements during purdah without the Procurement Manager's prior permission.

29.0 Dispute Resolution

29.1 In the event of a dispute between the Procurement Manager, or its representative, and a representative of the Service Area relating to any matter covered by this Policy, such dispute shall be referred to the Head of Governance and Asset Management.

30.0 Review

30.1 The Procurement Manager shall be responsible for ensuring that this Procurement Policy is reviewed on an annual basis, or earlier in the event changes in procurement legislation are imminent.

V11 01 Procurement

V11 01/01 Procurement Policy and Contract Procedures

30.2 With the above in mind, the Procurement Manager shall be closely monitoring developments in procurement legislation relating to Brexit and shall ensure that the Procurement Policy remains relevant and current.

DRAFT

CLARIFICATIONS PROTOCOL

(PROCUREMENT BANDS 3, 4 AND 5)

1.0 Introduction

1.1 The Clarifications Protocol (the "Protocol"), which will form part of the Invitation to Submit Tender Pack, provides instructions to Bidders on the clarifications process to be adopted during the course of the procurement process, which is conducted by the Bedfordshire Fire and Rescue Authority ('BFRA').

2.0 Enquiries & Communications

2.1 All enquiries are to be made in the form of 'clarifications'. All clarification requests and responses shall be submitted electronically **via Microsoft Outlook or the Authority's electronic tendering portal**. Individual Bidder clarification folders will be created within the Authority's procurement drive. Restrictions will be put in place for the purpose of ensuring that only members of the Procurement team, authorised officers of the Authority and members of the Evaluation Team will have access to Bidder information during the procurement process.

2.2 The Authority's approach to clarifications will be consistent to ensure that one Bidder does not receive an unfair advantage over another. Unless deemed by the Authority to contain confidential and/or commercially sensitive information, clarification requests and responses will be circulated to all Bidders. The requesting Bidder will not be named.

2.3 With regards to public relations, Bidders shall not undertake (or permit to be undertaken) at any time, whether at this stage or after contract award, any publicity activity in relation to this procurement exercise other than with prior written agreement of the Authority.

2.4 Bidders shall refer enquiries or requests for information from any interested parties to the Authority immediately. The Authority shall, at its sole discretion, determine the appropriate course of action to be taken following any enquiry or request for information.

3.0 Request for Clarification Form ("RCF") – Bidders to Authority

3.1 Bidders wishing to make a clarification request to the Authority should complete a Request for Clarification Form ("RCF") and submit it **via the agreed electronic method of communication**. Bidders should use one RCF for each clarification question (unless such question is comprised of multiple sub-questions relevant to the subject-matter of the question).

3.2 Each RCF will have a unique file name made up of a designated prefix (please refer to instructions within the relevant template form) and the sequential number of request. All sections of the RCF must be completed, including Bidder name, code and date. Bidders must clearly identify what is referred to and the impact of not having the information requested.

3.3 When a response has been completed by the Authority, the RCF will be returned to the requester **via the agreed electronic method of communication** within three (3) working days (subject to the complexity of the request and the availability of relevant subject-matter experts). When a response requires information which is not readily available, the requester will be notified of an estimated date for the response to be issued.

V11 01/01 Procurement Policy and Contract Procedures

- 3.4 The Bidder deadline for submitting clarification requests will be one (1) week prior to the Tender submission deadline.
- 3.5 Bidders can request that information is classed as confidential and therefore not circulated to other Bidders only on the basis that it is commercially sensitive and, if disclosed, could potentially prejudice their commercial interests, reduce their ability to negotiate and/or provide another Bidder(s) with a significant advantage. In this case, the RCF must be clearly marked "Confidential – not to be circulated to other Bidders" (by ticking the appropriate box on the form) and the Bidder will be required to provide a reasonable justification for non-disclosure.
- 3.6 Requests for non-disclosure will be carefully considered by the Authority, taking into account whether any legislation or considerations of probity or interests of open and fair competition require the request to be denied.
- 3.7 Where the Authority decides a clarification cannot be withheld from circulation or where the Bidder has failed to provide any or sufficient justification for non-disclosure, the Bidder will be notified within three (3) working days of that fact and will be asked to withdraw the request for non-disclosure or given the opportunity to represent the request in a different format.
- 3.8 The Bidder will be asked to respond within three (3) to five (5) working days (depending on the complexity of the matter in question) stating whether the request is withdrawn, represented in a different format or not to be treated as confidential. If the Bidder does not contact the Authority within three (3) working days, it will be deemed that the request has been withdrawn and no further action will be taken.
- 3.9 Where a clarification has been deemed confidential, but the point is of general application, a redacted version may be circulated to all Bidders. The requesting Bidder will be notified of this decision.

4.0 General Clarification Notice ("CN") – Authority to all Bidders

- 4.1 A separate clarification folder will be set up within the Authority's procurement drive where all General Clarification Notices ("CN") will be saved. A General Clarification Notice contains information that must be communicated to all (remaining where relevant) Bidders. It will be drafted in the form of a formal letter by the Authority and will follow a separate numbering sequence. Bidders will not be referred to by name and Bidder specific codes will be removed. All General Clarification Notices must be reviewed and signed off by the appointed Project Manager as well as the Procurement M. Following that, the General Clarification Notice will be issued to Bidders **via the agreed electronic method of communication**.

5.0 Clarification Request Form ("CRF") – Authority to Bidders subject to confidentiality and commercial sensitivity

- 5.1 The Authority may also need to clarify particular issues with Bidders using a Clarification Request Form (CRF).
- 5.2 Clarification requests from the Authority are likely to be Bidder specific and will generally not be circulated to other Bidders; however Bidders need to specify whether responses are to be kept confidential, in case the information is deemed of general application.
- 5.3 Bidders should be aware that the Authority is under no obligation to seek clarifications in respect of tender submissions received and hence it is the Bidders' responsibility to ensure that their submissions are unambiguous and complete.

V11 01/01 Procurement Policy and Contract Procedures

5.4 Clarification Request Forms will be issued by the Authority ***via the agreed electronic method of communication***. Bidders will be required to respond to any clarification requests or instructions as issued by the Authority during the procurement process ***via the agreed electronic method of communication***.

6.0 Clarifications Process

6.1 During the procurement process, the Authority may require clarification of Bidders' responses and/or request additional information for the purpose of enabling them to carry out their duties in a fair and transparent manner. The Authority may also respond to clarifications raised by Bidders.

6.2 Any requests for clarifications will be issued to Bidders in accordance with this Protocol and will be managed by the Authority's Procurement Lead for this project. Clarifications during the evaluation and moderation period will be managed in accordance with this Protocol.

6.3 Clarifications issued by the Authority must be referenced in accordance with the sequential numbering of clarifications to enable tracking. The reference numbering of clarifications is the responsibility of the Authority's Procurement Lead for this project.

6.4 A dedicated Clarifications Register will be maintained for the duration of the procurement process which will record the clarifications issued and received by the Authority and where applicable deadlines and responses.

6.5 The Authority's Procurement Lead for this project will keep the project team informed of outstanding clarifications and provide status reports and end stage clarification statistics from the Clarifications Register.

7.0 Issuing of Clarifications (Authority to Bidders)

7.1 The Project Manager will notify the Authority's Procurement Lead for this project of clarifications that have been approved for issue to Bidders. The Authority's Procurement Lead will review the clarifications for completeness of all details and assign a sequential reference number as appropriate to the type of clarification.

7.2 The Authority's Procurement Lead for this project will manage the process for uploading the clarifications to the Delta eSourcing portal in accordance with this Protocol.

7.3 Clarifications will normally be converted to a PDF format for uploading unless otherwise requested by the Project Manager or the Authority's Procurement Lead for this project.

8.0 Receipt of Clarifications from Bidders

8.1 Upon receipt of a clarification from a Bidder, the Authority's Procurement Lead for this project will update the Clarifications Register and notify the project team of the receipt and content of the clarification.

This page is intentionally left blank

BEDFORDSHIRE FIRE AND RESCUE SERVICE
PROCUREMENT EXEMPTION

Department Requesting the Exemption:

Department Name:.....

Applicant Name:.....

Job Title:.....

Signed:.....

Application Date:

Full Contract Details¹: *(including but not limited to: provider name, detailed description of goods / works and / or services, full contract term (including any possible extensions), breakdown of costs over full contract term, name of Contract Manager, name of Budget Manager and budget information):*

Provider Name:

Contract Description:

Full Contract Term:

Total Contract Cost:

Breakdown of Total Contract Cost per Contract Year (or Period if less than 12 months):

Name of Contract Manager:

Name of Budget Manager *(if same as Contract Manager, please insert 'as above')*:

Budget Code and Item Card to be used for payment:

¹ Please note that in accordance with the relevant provisions of the Local Government Transparency Code 2015, the Authority must observe its statutory duties and shall disclose upon contract award the following information for all contracts with an overall value of £5,000 and above: a. contract descriptions, b. full contract term including number of extensions, c. full contract value or rates, d. Contract Manager job title.

Grounds for exemption from normal Procurement Policy²: (please refer to Section 22 of the Procurement Policy and Contract Procedures V11 01/01 prior to completing this part)

Special Conditions of Terms of Contract: (this refers to any special terms that need to be included in the BFRA Standard Terms and Conditions of Contract, i.e. Payment Profile)

If any, please insert here:

Procurement Manager (comments)

Signed.....

Review Date:

Chief Accountant (comments)

Signed.....

Review Date:

Decision by Principal Officer (delete as appropriate)

Approved/Not Approved

Declaration of Principal Officer:

I am satisfied that the circumstances detailed above represent a genuine case for exemption to the normal procurement policy and procedures contained in Service Order Vol 11, 1/1 and confirm that I authorise on behalf of Bedfordshire Fire and Rescue Service the procurement of goods/service in line with the Service Procurement Exemption Policy Volume 11 1/2.

Name of Principal Officer:.....

Signature of Principal Officer:.....

Approval Date:...../...../20.....

N.B: It is against EU and National Procurement legislation to waive the proper advertisement and competition of public contracts where the value is equal to or exceeds current EU thresholds (please see below). Breach of EU and National Procurement Legislation may lead to substantial financial penalties.

² The grounds for exemption are: a. single source, b. compatibility, c. specialist, d. safety, and e. exceptional urgency through unforeseeable circumstances

Public Contracts – EU Financial Thresholds (updated January 2018)

	Supply, Services* and Design Contracts	Works Contracts	Social and other specific services
Central Government	£118,133	£4,551,413	£615,278
	€144,000	€5,548,000	€750,000
Other Contracting Authorities**	£181,302	£4,551,413	£615,278
	€221,000	€5,548,000	€750,000
Small Lots	£65,630	£820,370	n/a
	€80,000	€1,000,000	

*With the exception of Social & Health Services and Research & Development Contracts which are subject to lower financial thresholds.

** Emergency Services are included in this category.

DRAFT

This page is intentionally left blank

For Publication

Bedfordshire Fire and Rescue Authority
6 November 2019
Item No. 11

REPORT AUTHOR: CHIEF FIRE OFFICER

SUBJECT: WORK PROGRAMME 2019/20

For further information on this report contact: Nicky Upton
Democratic and Regulatory Services Supervisor
Tel No: 01234 845149

Background Papers: None

Implications (tick ✓):

LEGAL			FINANCIAL	
HUMAN RESOURCES			EQUALITY IMPACT	
ENVIRONMENTAL			POLICY	
CORPORATE RISK	Known	✓	OTHER (please specify)	
	New			

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To review and report on the work programme for 2019/20 and to provide Members with an opportunity to request additional reports for the Fire Authority meetings for 2019/20.

RECOMMENDATION:

That Members consider the work programme for 2019/20 and note the 'cyclical' Agenda Items for each meeting in 2019/20.

**PAUL FULLER CBE QFSM MStJ DL
CHIEF FIRE OFFICER**

FIRE AND RESCUE AUTHORITY - PROGRAMME OF WORK 2019/20

Meeting Date	'Cyclical' Agenda Items		Additional/Commissioned Agenda Items	
	Item	Notes	Item	Notes
6 Nov 2019	Communications		Procurement Strategy	Moved from Oct mtg
	Collaboration Working Group			
	ASC Minutes from 15.10.19			
	HMICFRS Update Report	Added by ACO/DCFO		
	National Benchmarking Overview	Added by ACO/DCFO		
	Public Sector Equality Duty Report	(transferred from HRPCG)		
	Work Programme			

Meeting Date	'Cyclical' Agenda Items		Additional/Commissioned Agenda Items	
	Item	Notes	Item	Notes
12 Dec 2019	Communications		Governance Review update following Members Development Day	Added by ACO on 03.10.19
	Blue Light Collaboration Strategic Board			
	Q2 Performance Report (covering Service Delivery, Human Resources and Corporate Services)			
	Q2 Projects and Programmes Update			
	2019/20 Revenue Budget and Capital Programme Monitoring	Added by ACO		
	Draft 2020/21 Revenue Budget, Capital Programme and Council Tax			
	Draft 2020/21 Community Risk Management Plan	Added by ACO/DCFO		
	Members' Allowances Scheme			
	Information Bulletin (Q2 July – Sept)			
	Work Programme			

Meeting Date	'Cyclical' Agenda Items		Additional/Commissioned Agenda Items	
	Item	Notes	Item	Notes
6 February 2020	Communications			
	Blue Light Collaboration Strategic Board			
	ASC Minutes from 06.12.19 (including Statement of Assurance)			
	Q3 Performance Report			
	Q3 Projects and Programmes Update			
	Revenue Budget and Capital Programme Monitoring	(transferred from CSPCG)		
	The 2020/21 Revenue Budget, Capital Programme and Council Tax setting			
	2020/21 Community Risk Management Plan	Added by ACO/DCFO		
	Treasury Management Strategy and Practices	(transferred from CSPCG)		
	Localism Act 2011 – Pay Policy Statement 2020			
	Proposed Indicators and Targets for 2020/21	(transferred from SD, CS and HR PCGs)		
	2019/20 Corporate Health and Safety Objectives to date and Proposed 2020/21 Corporate Health and Safety Objectives	(transferred from HRPCG)		
	Information Bulletin			

	(Q3 Oct – Dec)			
	Work Programme			

Meeting Date	'Cyclical' Agenda Items		Additional/Commissioned Agenda Items	
	Item	Notes	Item	Notes
30 April 2020	Communications			
	Blue Light Collaboration Strategic Board			
	ASC Minutes from 26.03.20			
	Q4 Performance Report	ACO/DCFO move to May as data will not be available		
	Q4 Projects and Programmes Update			
	Asset Management Strategy (reviewed every 3 years, next review 2021/22)	(transferred from CSPCG)		
	Disposal of Assets under the Scheme of Delegated Authority			
	Information Bulletin (Q4 Jan – March)			
	Work Programme			