



LONDON FIRE BRIGADE

Decision title

Extension of Cleaning Provision across the London Fire Brigade Estate

Recommendation by
Assistant Director, Property

Decision Number
LFC-0338-D

Protective marking: **OFFICIAL**
Publication status: Published with redactions

Summary

As a consequence of the risks posed by COVID-19 there is a requirement for enhanced cleaning across the London Fire Brigade estate. This paper seeks delegated authority to the Assistant Director, Property to make appropriate provision.

Decision

The London Fire Commissioner

The London Fire Commissioner provides delegated authority to the Assistant Director, Property to increase cleaning provision across the London Fire Brigade operational estate to include additional hours and weekend cleans for an estimated cost of circa [redacted] week based on bespoke quotes from the Facilities Management supply chain and Private Finance Initiative providers up to a total maximum value [redacted] for a period of up to 26 weeks, plus a 15% [redacted] tolerance margin in addition to the [redacted].

Andy Roe
London Fire Commissioner

This decision was remotely
Date signed on 6 April 2020

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LONDON FIRE BRIGADE

Report title

Extension of Cleaning Provision across the London Fire Brigade Estate

Report to
London Fire Commissioner

Date
2 April 2020

Report by
Assistant Director, Property

Report number
LFC-0338

Protective marking: **OFFICIAL**

Publication status: Published with redactions

Summary

As a consequence of the risks posed by COVID-19 there is a requirement for enhanced cleaning across the London Fire Brigade estate. This paper seeks delegated authority to the Assistant Director, Property to make appropriate provision.

Recommended decisions

That the London Fire Commissioner provides delegated authority to the Assistant Director, Property to increase cleaning provision across the London Fire Brigade operational estate to include additional hours and weekend cleans for an estimated cost of circa £[redacted] week based on bespoke quotes from the Facilities Management supply chain and Private Finance Initiative providers up to a total maximum value [redacted] for a period of up to 26 weeks, plus a 15% [redacted] tolerance margin in addition to the [redacted] for potential further on-demand deep cleaning at stations where particular risk in relation to COVID-19 is detected.

Background

[redacted] Since March 2020 there has been a requirement to increase the quantity of cleaning across the London Fire Brigade (LFB) operational estate to provide cleaning hours every weekday and weekend. This is an important part of the LFB response to the COVID-19 pandemic and the health and safety of the operational workforce. The total value of this [redacted] per week (see Appendix 1 for full details). The contract rates for cleaning have been applied except in the Private Finance Initiative (PFI) estate where an additional subcontractor is needed to deliver this service on a bespoke rate.

2. The LFB integrator KBR uses blanket orders and once the LFB have made a payment, it then cannot amend the value or duration of the purchase order. Payment has been made on an emergency basis for one month (until 20 April 2020). Any continuation beyond this period exceeds the £150K threshold set out in the Mayoral Directions 2018 , and therefore requires the prior approval of the Deputy Mayor for Fire and Resilience. Any notice to terminate the arrangement in order not to exceed the financial limit must be given by 6 April 2020 and

accordingly an urgent decision is required. The current cleaning contract is due to expire at the end of this period.

It is proposed that Assistant Director, Property arrange for a further five months' worth of cleaning which would be arranged as a single purchase order. The total for 26 weeks is [REDACTED]. This period has been identified as in line with the advice of the government Deputy Chief Medical Officer. Any extension to this term would require a further approval. The contract change control notice includes a two week notice to cancel the additional cleaning if the full additional term is not required.

In order to cover the possible requirement for targeted deep cleans to be undertaken—in response to specific risk in relation to COVID-19 at specific stations during this period—a [REDACTED] margin is requested in addition to the [REDACTED] above [REDACTED].

Finance comments

5. The report recommends that delegated authority is provided to increase the cleaning provision across the LFB operational estate, at an estimated cost of [REDACTED] per week for a period of up to 26 weeks. A [REDACTED] margin is also requested which results in total requested spend [REDACTED]. No funding has been included for this in the 2020/21 budget report, and the impact of any spending on this area will be reported on as part of the regular financial position reporting.

Workforce comments

6. Representative bodies have not been consulted in the development of this report. The proposal promotes the health and safety of operational staff who remain to attend the operational estate throughout the period of the COVID-19 pandemic.

General Counsel comments

7. Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
8. By direction dated 1 April 2018, the Mayor set out those matters, for which the Commissioner would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the "Deputy Mayor").
9. Paragraph (b) of Part 2 of the said direction requires the Commissioner to seek the prior approval of the Deputy Mayor before "[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...", the decision to extend the cleaning contract beyond the current provision of one month will exceed this threshold and accordingly Deputy Mayor prior approval is required.
10. The statutory basis for the actions proposed in this report is provided by sections 7 and 5A of the Fire and Rescue Services Act 2004 ("FRSA 2004"). Section 7 (2)(a) FRSA 2004 the Commissioner has the power to secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for firefighting and section 5A allows the Commissioner to procure personnel, services and equipment they consider appropriate for purposes incidental or indirectly incidental to their functional purposes.

11. General Counsel notes that the proposed services will be procured in compliance with the Public Contracts Regulations 2015 (PCR), and the Commissioner's Scheme of Governance; the PCRs allow bodies to vary existing contracts (for example to cover the current need for additional cleaning services) where such changes do not exceed 50% of the original contract price. Those thresholds are being adhered to by the proposal to extend the services as set out in this Report.

Sustainability implications

12. This is an extension of current arrangements to provide additional hours of cleaning on the London Fire Brigade estate. There are no sustainability implications.

Equalities implications

13. The Public Sector Equality Duty applies to the London Fire Commissioner when they make decisions. The duty requires the LFC to have due regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act.
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

14. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

15. The proposals in this report will not have a disproportionately adverse effect on any persons with a particular characteristic.

