

# Procurement of Fire Safety Qualifications and Training to Support LFB's Prevention and Protection Work

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Investment & Finance Board.....	04 January 2024
Commissioner's Board .....	17 January 2024
Deputy Mayor's Fire and Resilience Board	30 January 2024
London Fire Commissioner .....	

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**Report by:**  
**DAC Mark Cottell**

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**Report classification:**  
For decision

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**For Publication**

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I agree the recommended decision below.



**Andy Roe**

**London Fire Commissioner**

**Date** This decision was remotely signed on 01 February 2024

# PART ONE

## Non-confidential facts and advice to the decision-maker

### Executive Summary

This report seeks approval to procure training and qualifications for specialist roles in Prevention and Protection in addition to Senior Fire Safety Officers which will ensure that London Fire Brigade's (LFB) staff comply with the National Fire Chief Council (NFCC) competence framework (see appendix 1) and the National Occupational Standard for each role (see appendix 2) within Prevention and Protection.

Funding for the training is held within the LFB central training budget. The London Fire Commissioner (LFC) in decision LFC-23-073 agreed expenditure of £23,571,827 to deliver the LFB's Training Contract for 2023/24 and the Deputy Mayor for Fire and Resilience (Deputy Mayor) Decision 209 gave prior approval for the expenditure.

Central funding and course allocations for 2023-26 as part of LFBs Training Plan has been approved under decision paper LFC-23-073. Current contracts are due to expire as of 2024 and a retender process is required in order to fulfil the not only the training via central budget but also as a consequence of further funds allocated by Protection Uplift Grant Funding (LFC-0736y) and Building Safety Regulator new burdens funding (LFC-23-60).

It is necessary to undertake procurements because several of the extant contracts will come to an end during 2024.

### For the London Fire Commissioner

That the London Fire Commissioner in accordance with the LFC's Scheme of Governance agrees to delegate authority to the Assistant Director, Procurement and Commercial to procure contracts for training to obtain qualifications for prevention & protection to be entered into in accordance with the arrangements set out in Part Two.

The London Fire Commissioner (LFC) delegates authority to the Assistant Director, Procurement & Commercial to commit revenue expenditure of up to the amount set out in the Part Two of this report.

## 1 Introduction and background

**1.1** Specialist qualifications and training is required for LFB Prevention and Protection staff to ensure compliance with the National Fire Chief Council (NFCC) competence framework (see appendix 1) and the National Occupational Standard for each role (see appendix 2).

**1.2** The training is not included as part of the central training contract with Babcock Training Limited and is currently provided by third party. Current contracts are due to expire in 2024 The London Fire Brigade's (LFB) Training Department together with Prevention and Protection regularly review this arrangement with the Procurement Department to ensure the LFB is achieving value for money and the best quality training and input that is available in the marketplace.

- 1.3 The majority of LFB's existing contracts are due to expire in 2024 they have already been extended to the full extent of the contractual terms.
- 1.4 Procurement will be supporting with reviewing route to market options such as a tender process or a suitable framework, to find the best provider in a very small and specialist marketplace.

## 2 Objectives and expected outcomes

- 2.1 The objective is to enable the LFB to put in place contracts to deliver fire safety training over the next five years to the value to of the existing central LFB training budget, which has already been approved.
- 2.2 The risk is that the LFB will not be able to provide qualifications for prevention and protection staff and the LFB will risk not be able to fulfill its statutory role in accordance with The Regulatory Reform (Fire Safety) Order 2005 and Building Safety Act 2022..
- 2.3 Appendix 1 to report LFC-23-073 detailed the proposed training, as follows; Level 3 Fire Safety, Level 4 Fire Safety Certificate, Level 4 Fire Safety Diploma, Level 5 Fire Technician, Level 6 Fire Engineering Degree, Level 7 Advance Investigation Practices, Level 7 Expert Witness, Basic Fire Investigation Theory and Practical, Level 5 Fire Investigation, Petroleum Qualifications, UK safety passports for petrol stations, Health /Hospital qualification.
- 2.4 The continued provision of training for staff to obtain specialist fire safety qualifications will allow LFB to meet objectives of the Community Risk Management Plan (CRMP).
- 2.5 The training contracts will also be utilised to upskill via the new burdens funding covering the requirements of the Building safety Regulator (BSR) and Protection Uplift Funding.
- 2.6 Due to a changing legislative landscape alongside operating in a sector where demand is driving recruitment and retention fluctuation, it is essential LFB have agility in with fire safety training, due to developing competency frameworks and qualifications.

## 3. Equality comments

Candidates to apply and go on to the auditors register if they have recognised Fire Safety qualifications. The LFC and the Deputy Mayor for Fire and Resilience are required to have due regard to the Public Sector Equality Duty (section 149 of the Equality Act 2010) when taking decisions. This in broad terms involves understanding the potential impact of policy and decisions on different people, taking this into account and then evidencing how decisions were reached.

- 3.1 It is important to note that consideration of the Public Sector Equality Duty is not a one-off task. The duty must be fulfilled before taking a decision, at the time of taking a decision, and after the decision has been taken.
- 3.2 The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (but only in respect of the requirements to have due regard to the need to eliminate discrimination), race (ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, and sexual orientation.
- 3.3 The Public Sector Equality Duty requires decision-takers in the exercise of all their functions, to have due regard to the need to:
  - eliminate discrimination, harassment and victimisation and other prohibited conduct.
  - advance equality of opportunity between people who share a relevant protected

characteristic and persons who do not share it.

- foster good relations between people who share a relevant protected characteristic and persons who do not share it.

3.4 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic.
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

3.5 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

3.6 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- tackle prejudice
- promote understanding.

3.7 An equality impact assessment was undertaken for LFB's three year training plan (decision LFC-23-073). All impacts were assessed as being positive or neutral.

3.8 All suppliers must submit their EIA as well as other evidence that their courses take neuro diversity into account when they are being delivered.

## 4. Other considerations

### Workforce comments

4.1 All representative bodies have already been consulted and this is to retender for existing qualifications/training.

### Sustainability comments

4.2 There are no sustainability implications arising from this procurement. This is a retender process and the contractors will be required to comply with LFB sustainability requirement as part of the new contracts.

### Procurement comments

4.3 Procurement is engaged in discussions with the Training Lead for Prevention and Protection in relation to supporting future training requirements for specialist fire safety qualifications. All training qualifications that have been reviewed by the Learning Committee and Procurement and agreed as not suitable and out of scope to be carried out by Babcock Training Limited will be

supported through a compliant tender process to obtain best value for money and the delivery of best quality training. This will also need to be in alignment with the decision/agreement made by the Commissioner in paper DMFD 209 " Fire Brigade 2023-2026 training plan".

## **Communications comments**

4.4 There are no communications comments arising from this report.,

## **5. Financial comments**

5.1 This report recommends that approval is agreed to procure training and qualifications for specialist roles in Prevention and Protection. This will be over a five year period from 2024 and will be funded from the LFB Central Training revenue budget

## **6. Legal comments**

- 6.1 Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "LFC") is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the LFC specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
- 6.2 By direction dated 1 April 2018, the Mayor set out those matters, for which the LFC would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the "Deputy Mayor").
- 6.3 Paragraph (b) of Part 2 of the said direction requires the LFC to seek the prior approval of the Deputy Mayor before "[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...".
- 6.4 The Deputy Mayor's approval is accordingly required for the expenditure identified in part 2 to this report.
- 6.5 The statutory basis for the actions proposed in this report is provided by section 7 (2)(a) of the Fire and Rescue Services Act 2004, under which the LFC must secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for firefighting. Furthermore, under section 7 (2)(b) of the aforementioned Act the LFC must secure the provision of training for personnel.
- 6.6 Any procurement activity required will be undertaken in accordance with the Public Contracts Regulations 2015 and the LFC's Scheme of Governance.

## List of appendices

Appendix	Title	Open or confidential*
1	<a href="#">NFCC Competence Framework</a>	open
2	<a href="#">National Occupation Standard for Safety</a>	open

## Part two confidentiality

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

Is there a Part Two form: Yes

## Originating officer declaration

Reporting officer to confirm the following by using 'x' in the box:

### Reporting officer

**Sue Naylor** has drafted this report and confirms the following:

#### 1. Assistant Director/Head of Service

**AC Charlie Pugsley** has reviewed the documentation and is satisfied for it to be referred to Board for consideration

#### 2. Advice

The Finance and Legal teams have commented on this proposal:

**Thomas Davies Legal Advisor**, on behalf of General Counsel (Head of Law and Monitoring Officer).

**Lynne Samuel Principal Finance Business Partner**, on behalf of the Chief Finance Officer.