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Award

HMICFRS Benchmarking Inspection

South Wales Fire and Rescue Service

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-025242

Procurement identifier (OCID): ocds-h6vhtk-048972

Published 9 August 2024, 2:04pm

Section I: Contracting authority/entity

I.1) Name and addresses

South Wales Fire and Rescue Service

South Wales Fire and Rescue Service Headquarters, Forest View Business Park, Llantrisant

Llantrisant

CF72 8LX

Contact

Lee Bunkham

Email

L-Bunkham@southwales-fire.gov.uk

Telephone

+44 1443232082

Fax

+44 1443232180

Country

United Kingdom

NUTS code

UKL - Wales

Internet address(es)

Main address

<https://www.southwales-fire.gov.uk>

Buyer's address

https://www.sell2wales.gov.wales/search/Search_AuthProfile.aspx?ID=AA0360

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

HMICFRS Benchmarking Inspection

Reference number

DA146

II.1.2) Main CPV code

- 79313000 - Performance review services

II.1.3) Type of contract

Services

II.1.4) Short description

Engagement of inspectors to undertake a full inspection of the efficiency and effectiveness of South Wales Fire and Rescue Service including how well the service looks after its people and benchmark across the English Fire and Rescue Service Sector.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £322,000

II.2) Description

II.2.2) Additional CPV code(s)

- 79313000 - Performance review services

II.2.3) Place of performance

NUTS codes

- UKL - Wales

Main site or place of performance

Wales

II.2.4) Description of the procurement

On 3 January 2024, an independent report on the culture of South Wales Fire and Rescue Service (SWFRS) was published (Morris Review), which exposed widespread discriminatory and abusive behaviour and serious failings of leadership and management. Considering the report's findings, the Welsh Government used its powers of direction under section 29(5) and (6) of the Local Government (Wales) Measure 2009 to remove the elected members from the governance functions of the fire authority and to replace them by appointing four Commissioners.

The Commissioners have been charged with ensuring the full (where possible) and sustainable implementation of recommendations arising from that independent review and three thematic reviews undertaken by the Chief Fire and Rescue Advisor and Inspector (CFRAI). This is the minimum part of the Commissioners' scope, and they are developing a set of milestones and objectives that chart a way forward.

It has been agreed with Welsh Government that an independent evaluation of SWFRS will be critical to demonstrating the progress towards recovery that SWFRS makes under their stewardship, and to informing a decision to bring the intervention to an end. The importance of robust regimes for inspections and audit was also raised in the Equality and Social Justice Committee report "Sound the Alarm".

While the CFRAI is independent of Welsh Government, it is recognised that they are not resourced to undertake an inspection of the scale.

A full inspection of the efficiency and effectiveness of SWFRS, would include how well the Service looks after its people. It would identify any areas of concern and areas for improvement, and where appropriate, make recommendations to address them.

It would build on the Morris Review by adding further context and insight into the people elements, as well as contributing to the research arising from the thematic reviews. This richer picture will enable the Service to fully understand its capability, performance, and outcomes in a structured and measured way. This work will give the Commissioners, the Service, and indeed Welsh Government a comprehensive understanding and supporting data about the performance of the organisation. It is on this basis that Welsh Government have expressed support for the proposal.

Inspections, on which this review would be modelled, are routine and regularly conducted in FRSs across the UK, and are part of the ongoing context to support performance improvement for the sector and to deliver better outcomes for the public.

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

Following publication of the independent report on South Wales Fire and Rescue Service culture, it has been agreed with Welsh Government (WG) to undertake an independent review of SWFRS to inspect efficiency and effectiveness, providing comprehensive understanding of performance and further context and insight on people elements.

Pursuant to Sect 28 and Sched A3 of the Fire & Rescue Services Act 2004 (the Act), His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) inspect and report on efficiency and effectiveness of services in England as part of the framework to support sector improvement. HMICFRS may, under the Act, assist any public authority for the purpose of exercising that authority's functions. HMICFRS indicate an inspection could begin in Sept 2024 to provide an evidence base for SWFRS's transformation programme, evaluating efficiency, effectiveness and how well SWFRS looks after its people. This will greatly enhance understanding of current performance and areas of good practice or for improvement. Equality, Diversity & Inclusion and delivery of strategic equality and inclusive action plans remain a priority. The inspection includes an EDI assessment of how well SWFRS ensures fairness and promotes diversity.

SWFRS intends, following expiry of a 10-day period in accordance with regulation 99(3)(c) of the Public Contracts Regulations 2015 (the Regulations), to award a contract to HMICFRS pursuant to the negotiated procedure without prior publication based on regulation 32(2)(b) of the Regulations that the services can only be supplied by a particular economic operator as competition is absent for technical reasons. In particular:

- HMICFRS hold all benchmarking data required to undertake the inspection
- The inspection is within the scope HMICFRS's functions in relation to English FRSs, therefore HMICFRS have the knowledge, skill and experience to provide the services at the scale required by SWFRS
- SWFRS are not aware of any other organisation with the relevant knowledge, skill and experience or the required benchmarking data to provide the services requested

While the Chief Fire and Rescue Advisor & Inspector is independent of WG, it is recognised that they aren't resourced to undertake an inspection of the scale that HMICFRS could conduct. The only body with the knowledge, skill and experience of such assessments in the sector, able to work in the timescales required by SWFRS, is HMICFRS.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract/concession

Contract No

DA146

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

9 August 2024

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Home Office

2 Marsham Street

London

SW1P4DF

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession: £322,000

Section VI. Complementary information

VI.3) Additional information

NOTE: To register your interest in this notice and obtain any additional information please visit the Sell2Wales Web Site at

https://www.sell2wales.gov.wales/Search/Search_Switch.aspx?ID=143547.

(WA Ref:143547)

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Telephone

+44 2079477501

Country

United Kingdom