

# **Cumberland Shadow Executive**

**28th March 2023**

## **Service Level Agreements with Cumbria Commissioner Fire and Rescue Authority.**

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**Report from:** Leader of the Council

**Report Author:** **Monitoring Officer**

**Wards:** All Wards

**Key Decision:** Issue Is Key Decision

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### **1.0 Purpose/Summary of report**

- 1.1. The purpose of the report is to recommend entering into two agreements with Westmorland and Furness Council and the Cumbria Commissioner Fire and Rescue Authority (CCFRA) for the provision of services for a temporary period from 1 April 2023 by Cumberland Council and Westmorland and Furness Council to CCFRA and by CCFRA to Cumberland Council and Westmorland and Furness Council.
- 1.2. The agreements are drafted on the basis that the Councils and CCFRA will continue to receive the same services to the same level of performance at no additional cost.

### **2.0 Recommendation**

#### **It is recommended that the Shadow Executive:**

- 2.1. Approves entering into a contract with Westmorland and Furness Council and CCFRA for the provision of certain services by Cumberland Council and Westmorland and Furness Council to CCFRA as set out in that contract and a second contract with Westmorland and Furness Council and CCFRA for the provision of services relating to driver training from the CCFRA to Cumberland Council and Westmorland and Furness Council (together the "Service Level Agreements").

- 2.2. Delegates authority to the Monitoring Officer, following consultation with the Leader, to agree final terms of the Service Level Agreements and execute the same.

### **3.0 Background and Proposals**

- 3.1. The Police, Fire and Crime Commissioner for Cumbria (Fire and Rescue Authority) Order 2022 provides for the creation of the Cumbria Commissioner Fire and Rescue Authority under the governance of the Police and Crime Commissioner for Cumbria which will take over fire and rescue functions in Cumbria from 1 April 2023.
- 3.2. The Council has been working with Westmorland and Furness Council, the Office for the Police and Crime Commissioner and the sovereign Councils to ensure that two sustainable Councils, together with a sustainable Fire and Rescue Service are delivered from 1 April in an economic, efficient, effective, safe, legal and seamless fashion.
- 3.3. Where possible this has involved the disaggregation of services so that the two Councils and the new CCFRA operate on a stand-alone basis with their own services. However, it has been recognised that certain services will need to be provided on a hosted basis for a period of time to ensure the continued delivery of services to the successor authorities to ensure they can continue to operate on a safe and legal basis and to allow additional time for services to be split in a way which ensures continue delivery to the three successor bodies.
- 3.4. It is proposed that Cumberland Council will provide the following services for the CCFRA, those which are indicated below will be provided jointly with Cumberland Council:-
  - 3.4.1. ICT
  - 3.4.2. Records Management
  - 3.4.3. Payroll and Payroll Administration
  - 3.4.4. HR Systems
  - 3.4.5. Recruitment Administration (centralised resourcing).
  - 3.4.6. Fleet Management and Support (jointly with Westmorland and Furness Council)
  - 3.4.7. Legal and Democratic (jointly with Westmorland and Furness Council)
- 3.5. It has been agreed in addition that Westmorland and Furness Council will provide the following services for the CCFRA

- 3.5.1. Occupational Health
  - 3.5.2. Apprenticeship Service
  - 3.5.3. Finance Systems
  - 3.5.4. Pay and Reward
  - 3.5.5. Fleet Management and Support (jointly with Cumberland Council)
  - 3.5.6. Legal and Democratic Services (jointly with Cumberland Council)
- 3.6. The CCFRA will host driver training on behalf of Westmorland and Furness Council and Cumberland Council.
- 3.7. It is proposed that all hosted services will be provided on the basis that service provision will continue to the same level as is currently provided and at the same cost (subject only to increases relating to inflation and pay settlements).
- 3.8. Two Service Level Agreements have been prepared. The first will cover the provision of services from Westmorland and Furness Council and Cumberland Council to CCFRA. The second will cover the provision of services from CCFRA to Westmorland and Furness Council and Cumberland Council. Both Service Level Agreements are drafted on the basis set out in 3.7 above. These are being agreed with the PCC on behalf of CCFRA. The final terms are still subject to final agreement.
- 3.9. The Service Level Agreements include detailed schedules which set out the services to be provided, service planning, performance standards and reporting and other key information related to the staffing including data controller arrangements, staffing, assets, key contracts, the proposed period of the hosting arrangement and, where possible details of how it is proposed the service will be disaggregated.

### **Governance**

- 3.10. The SLAs provide for a board to be established with officers from each of the CCFRA, Westmorland and Furness Council and the Council. This board will be responsible for overseeing the effective delivery of the hosted services and helping to provide strategic direction including overseeing proposals in relation to disaggregation of the hosted services.

## **4.0 Consultation**

- 4.1. Individual services have been consulted on the terms of the service schedules relating to the individual services.

## **5.0 Alternative Options**

- 5.1. If the SLAs are not agreed the CCFRA and the two Councils will not have sufficient resources and capacity to continue to operate on a safe and legal basis on 1 April 2023. There is insufficient time to put in alternative arrangements prior to 1 April 2023.

## **6.0 Implications**

### **Financial, Resources and Procurement**

- 6.1. The Service Level Agreements and associated schedules set out the services that are to be provided and include the financial management arrangements that will be in place. These services will be provided on the basis that service provision will continue to the same level as is currently provided and at the same cost (subject only to increases relating to inflation and pay settlements).
- 6.2. Final terms are still subject to final agreement. If the Service Level Agreements cannot be agreed prior to 1 April 2023, this could require services to either be split without the necessary service planning time, or, to be provided under the hosted arrangement without a formal agreement and therefore without any agreed joint financial arrangements in place. Agreeing the recommendations set out in this report will provide the necessary delegated authority for the agreements to be completed prior to 1 April 2023. This will ensure that these potential financial implications are avoided and that sound financial arrangements will be in place, as part of the Service Level Agreements, to protect the Councils financial position.

### **Human Resources**

- 6.3 The recommendation supports safe and legal operation of key services for day 1 and beyond. The HR implications for Day 1 have been worked through to ensure safe and legal transition. When these arrangements come to an end, the HR implications will include potential for TUPE to fully disaggregate services. This will require detailed consideration when this occurs and appropriate consultation

and engagement with key stakeholders including Trades Unions and the workforce.

Alice Madden 15/3/23

## **Legal**

- 6.4 The decision as to whether to enter into the SLAs with CCFRA and Westmorland and Furness Council is properly a decision for the Executive.

## **Health and Sustainability Impact Assessment**

- 6.5 Have you completed a Health and Sustainability Impact Assessment?  
No
- 6.6 If you have not completed an Impact Assessment, please explain your reasons: There are no health and sustainability impacts arising out of the recommendations in this report.

## **Equality and Diversity**

- 6.7 Have you completed an Equality Impact Analysis? No
- 6.8 If you have not completed an Impact Analysis, please explain your reasons: There are no equality impacts arising out of the recommendations in this report.

## **Contact Officers**

Clare Liddle, Monitoring Officer

## **Appendices Attached to this Report**

None

## **Background Documents Available**

None