

Staff and Pensions Committee

14th September 2020

Warwickshire Fire and Rescue Service – Vehicle Provision

Recommendations

That the Staff and Pensions Committee confirms the existing arrangements for vehicle provision and approves the additional provision of vehicles to include all Brigade Managers and Area Managers responding to operational incidents and for daily worktime activity, on terms and conditions acceptable to the Strategic Director for Resources

1.0 Key Issues

- 1.1 The Fire and Rescue Service is an emergency response service which relies on having in place reliable and roadworthy vehicles to ensure that officers can attend incidents both quickly and safely to protect Warwickshire residents.
- 1.2 Historically, the Service has followed a variety of operating arrangements ranging from the Authority providing vehicles for emergency and operational use to officers using their own vehicles to attend emergency incidents.
- 1.3 The Chief Fire Officer has a provided for vehicle as part of his employment package (which was advertised and appointed to in early 2019). However other senior managers (Assistant Chief Fire Officers) have not historically been provided with a vehicle.
- 1.4 In June 2018 the Staff and Pensions Committee approved the provision of 16 vehicles for fire officers at Group Manager and Station Manager level. Since that time there has been a structural reorganisation within the service. This has led to the creation of two new Area Managers posts. (See structure chart at Appendix A). Although these posts have access to vehicle provision, similar to the two Assistant Chief Fire Officers, this has not been formalised as part of their working arrangements. This report therefore seeks to confirm existing arrangements and harmonise vehicle provision for those service fire officers at Brigade Manager and Area Manager level who are required to attend emergency operational incidents as part of their role.

2.0 Proposal

- 2.1 The proposal involves the provision of a vehicle for those most senior fire officers who, in addition to their day job, could be required to attend an operational incident, particularly those classed as serious or significant incidents, and be required to take 'command' of the situation. This could be during the day from work, or from home at night and weekends. In addition to this, 'recall to duty' may also take place when there is significant operational

activity. Recall to duty may also occur when the national threat level is raised to critical or during times of industrial action, because on these occasions, greater officer availability is a necessity.

- 2.2 The Health and Safety at Work Act 1974 requires employers to ensure the health, safety and welfare of all employees at all times, and to all other persons who may be affected by their acts or omissions. With officers responding in their own vehicles, WFRS has little control of the type, age, condition and appropriateness of the vehicle an officer chooses to use and raises the following concerns;
- (i) National guidance on blue light vehicle specification and maintenance place a higher standard on such vehicles in technical areas such as engine capacity and tyre tread depth etc. than normal cars. Use of officer owned vehicles limits the ability of the service to ensure operational vehicles conform to the higher standard recommended by national guidance;
 - (ii) The operational nature of the service frequently requires officers to use their own cars for in 'non normal' circumstances. For example, in inclement weather such as flooding, to drive off road or position their vehicles in hazardous situations such as at motorway incidents. Police and Ambulance services attending the same incidents stipulate far higher standards for their own vehicles in terms of role requirements, equipment and visual markings etc;
 - (iii) The use of privately-owned vehicles limits the ability of the service to deploy the latest new technology and safety equipment in the vehicles used to respond to incidents (such as operational radios not being installed in officer owned vehicles);
 - (iv) Officers' own vehicles are not insured by WFRS's motor fleet insurance and the individual officers are responsible for ensuring their own private car insurance provides cover for personal business use which extends to provide cover whilst the vehicle is being driven under blue light conditions. Securing appropriate insurance cover or the necessary cover notes to allow WFRS's fleet insurers to provide contingency blue light cover for named officers has proved problematic over the years;
 - (v) WFRS has limited control of the contamination of fire kit with the previous officer car provision. There could be a number of post incident contaminants on fire kit, not least carcinogens, which, if stowed in an uncontrolled fashion, could be inhaled by the passengers of the vehicle, extending the risk beyond that of the fire officer;
 - (vi) The officers concerned owned a wide range of different vehicle types, styles, ages and condition and these all differ from the standard service vehicles used for officer emergency response driving courses. This creates an inconsistency between a training environment and a real environment;

(vii) There are reputational concerns with officers using their own vehicles. As the service has little control over what vehicles are purchased by individuals, it means that an officer could own anything from an ageing unsuitable vehicle, to an extremely expensive prestige vehicle; both being inappropriate either from service provision or a public perception perspective.

2.3 The majority of FRS's across the country, operate some form of provided or lease car schemes and in a number of cases no longer accept any use of staff owned vehicles as they feel it represents an unacceptable level of risk to staff and the service. A similar approach is taken by Warwickshire Police and West Midlands Ambulance Service.

3.0 Vehicle Provision

3.1 As previously approved by the Committee it is proposed that due to their cost and specification, Skoda 4x4 vehicles are provided for the remaining officers. These vehicles are insured and maintained by WFRS, thereby giving the WFRS control of the safety element of the vehicles.

3.2 In addition to an officer's general response kit and PPE, the vehicle is fitted with the following items included for the safety of the individual and the organisation:

- **DashCam** – To assist with investigations and insurance claims which protects the individual and the organisation.
- **Handsfree kit** – To enable officers to talk to Service Control whilst responding to an incident.
- **Tracking System**
- **SatNav**
- **Charging Bank** - For mobile phones, San J radios.
- **Load protection/Restraint** – To protect occupants from flying objects in the event of a collision
- **PPE storage** - To protect occupants from contaminants from fire kit

3.3 Taking into account the existing fleet available to the service this would involve the acquisition of a further 5 vehicles.

4.0 Taxation Position

4.1 The use of the vehicles by the officers would be for operational response and daily worktime activity. This is essentially non-personal use however emergency vehicles benefit from exemptions from tax where certain conditions are met.

4.2 The legislation exempts an emergency vehicle from tax where it is used for 'on call commuting' (responding to an incident when on call) and 'ordinary

commuting' (to and from place of work even if not on call) and 'freedom of movement' (private journey mileage when on call). This means that the exemption remains applicable where the employee uses the emergency vehicle for business travel in the normal course of their job. There would be no taxable benefit and no reporting requirements to HMRC.

- 4.3 These exemptions would allow the officer to have some level of 'permitted use' (personal use) without being subject to the tax regime. The exemptions would allow the officer to make local personal journeys when the criteria above are met provided those journeys do not compromise the ability of the officer to respond to emergency incidents. Under the tax regime this does not give rise to a 'benefit in kind'. All other private use is prohibited, as previously reported. As WFRS, does not allow private use of these vehicles outside of the arrangements provided for under tax regime, this proposal does not compromise existing County Council policy.

5.0 Financial Implications

- 5.1 All costs for the additional provision would be covered by WFRS's Transport Department using existing budgets, the increased costs being offset by the removal of the essential car user allowance for those officers who would be provided with a vehicle and the fact that business mileage would not be a claimable expense.
- 5.2 The vehicles that were sourced following the 2018 Staff and Pensions Committee decision have been leased. The additional 5 will be self-financed over 5 years but have a Useful End Life (UEL) of 7 years when replacement will be required.
- 5.3 With this in mind, although the operating costs of self-finance borrowing are higher in the first 5 years, the average cost over the 7 years works out at £38,085 per annum which is £4,529 more than the £33,556 allocated under the previous essential user scheme. This excess will be covered from the existing Transport budget within the Fire & Rescue Service. At the end of the UEL, the vehicles will be sold, and the income reinvested.
- 5.4 The table below sets out the costs associated with the provision of the additional vehicles proposed in this report.

Skoda Superb	Annual Cost Per Vehicle	Year 1 (5 vehicles)	Year 2 (5 vehicles)	Year 3 (5 vehicles)	Year 4 (5 vehicles)	Year 5 (5 vehicles)	Year 6 (5 vehicles)	Year 7 (5 vehicles)
Self- Finance Borrowing	£5,960.00	£29,800.00	£29,800.00	£29,800.00	£29,800.00	£29,800.00	£0.00	£0.00
Maintenance, Tyres etc	£600.00	£3,000.00	£3,000.00	£3,000.00	£3,000.00	£3,000.00	£3,000.00	£3,000.00
Insurance	£1,050.00	£6,300.00	£6,300.00	£6,300.00	£6,300.00	£6,300.00	£6,300.00	£6,300.00
Fuel Costs (assuming 9000 miles p.a. @ £0.15)	£1350.00	£5,400.00	£5,400.00	£5,400.00	£5,400.00	£5,400.00	£5,400.00	£5,400.00
CFO Fuel Costs (assuming 14000 miles p.a @ £0.15)	£2,100	£2,100	£2,100	£2,100	£2,100	£2,100	£2,100	£2,100
Total	£11,060.00	£46,600.00	£46,600.00	£46,600.00	£46,600.00	£46,600.00	£16,800.00	£16,800.00

6.0 Environmental Implications

- 6.1 The vehicles chosen have been selected for their performance and suitability for the function they are required to do but also because they use 'selective catalytic reduction' (SCR) to reduce harmful emissions. The engines feature direct injection, stop-start, brake energy recovery and meet the Euro 6 emission standards whilst having low running costs over the life of the vehicles

Background papers

None

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The report was circulated to the following members prior to publication:

Local Member(s): None

Other members: Councillors Kaur and Gifford

Warwickshire County Council – Warwickshire Fire and Rescue

