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The professional voice of the
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Stephen Webb, ESMCP SRO

By email

20th October 2020

Dear Stephen,

Feed back on the latest draft of the Emergency Services Mobile Communications Programme Full Business Case (FBC)

Thank you very much for the opportunity to provide feedback on the latest draft of the Emergency Services Mobile Communications Programme (ESMCP) Full Business Case (FBC), Version No. 0.08d dated 18/09/20.

Please accept my apologies that the National Fire Chiefs Council (NFCC) weren't able to meet the deadline of 16th October for a return, however with Senior Users only having sight of the output of the Motorola Prime re-planning on Friday 16 October, and associated communications not yet issued, time has been needed to assess this new information and its implications for the FBC.

In considering feeding back, it is recognised that providing an FBC for a complex technical endeavour such as ESMCP will always be a challenge, especially with so many moving pieces and a wide number of stakeholders and user communities, often with competing demands.

We are aware that a further revision to the FBC will be undertaken and an updated draft presented as part of the pack for the Major Projects Review Group (MPRG) towards the end of October. Therefore, please note that these comments are in respect to version 0.08d, dated 18th September 2020, and not any subsequent iteration.

The view of the National Fire Chiefs Council (NFCC) reflects that the ESMCP FBC has 3 main purposes:

- To provide an objective overview, analysis and detail that informs debate and decision making on the future viability and direction of the Programme
- To provide detailed financial information and assumptions that will form part of any bids into the impending and future Spending Review (SR) processes
- To provide detail of costs, including assumptions, such that these can be incorporated into User Organisations (Fire Authority) medium- and longer-term financial planning.

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The NFCC recognises that previously sign off for the FBC for English Fire and Rescue has been undertaken by our overseeing Government Department, Home Office as funding sponsor body (FSB), we expect this to continue. NFCC assists with key inputs into these decisions by providing assurance of the FBC in terms of its:

- Technical viability
- Operational viability
- Overall deliverability

However Fire and Rescue Services and their overseeing Fire Authorities will want high levels of assurance on the financial elements, in particular the non-core costs which will directly affect them. A significant part of the need for this assurance is a growing concern that ESN will cost Fire and Rescue Authorities more at local level than they currently pay for Firelink (Airwave).

As currently presented the Draft FBC presents 4 options for the future of ESMCP

- Option 1: Stop ESN and continue with Airwave indefinitely (Do Minimum)
- Option 2: stopping ESN, extending Airwave and starting a new Programme to replace it from April 2022.
- Option 3a: incremental delivery of ESN, with a risk based, expected Airwave Shut Down date of June 2025. The base case of Airwave shut down for this option is November 2024.
- Option 3b: incremental delivery of ESN, with a risk based expected Airwave Shut Down date of February 2024. The base case of Airwave shut down for this option is June 2023 - this being the *Programme* preferred option.

Given the limited information within the draft FBC options 1 and 2 appear to offer little long-term benefit to the FRS user community. Technologically, options 3a and 3b appear to be in step with the NFCC's view that ESN offers the best strategic fit for the future of emergency services communications in providing mission critical voice and mobile broadband communications through a 4G / LTE capability. It further supports and complements other forthcoming technologies in the emergency services communications arena, such as the next generation of the 999 / 112 system.

However without the detailed plans, assumptions and other information that sit behind options 3a and 3b, the NFCC is not able to offer a firm view or any assurance around either option. At the start of the FBC revision process in the summer of 2020, the NFCC believed that the technical delivery components of plan 3a were already under considerable pressure in terms of meeting relevant milestones. In the main these concerns have centred around historic issues with supplier performance, in particular Motorola, combined with limited commercial leverage to address these issues. Consequently, we believe there was, and remains, over optimism with the base case dates, even factoring in the proposed contingency at P50 and P90 these do not provide sufficient assurance that ESN could be successfully and safely delivered within the cost and time envelope.

Users have very recently been made aware that the Prime replanning exercise undertaken by the Programme and suppliers has identified that Prime gate 5 has been further delayed by almost 6 months. Based upon the very limited evidence currently available the NFCC believes that this will add a further 6 months to the base case for option 3a but we do not have the factual evidence from the Programme to confirm or refute this. This further emphasises the importance of urgent work to develop a realistic and evidenced plan, including a realistic contingency, to underpin option 3a such that the NFCC can be assured it is deliverable within predicted timeframes. It is recognised that the

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assurance, approval and governance processes for the FBC are already in train, and whilst the NFCC recognises the need for this to continue, the details now emerging from the Prime replanning cannot be ignored.

The NFCC has committed to work with Programme to assist in the viability assessment of option 3b, however concerns around the technical delivery of ESN highlighted for option 3a are equally applicable. Economically, option 3b appears attractive and, in tandem with the Programme, providing it is safe to do so, the NFCC would wish to see all Emergency Services transitioned onto ESN at the earliest possible moment for the greater benefit of all. However, the challenges to attain this accelerated transition will be considerable and the risks associated must be fully considered as part of any viability assessment exercise, including the risk that accelerating the transition may cost more in the long run. However, the need for transition to be safe and not to impose additional operational risk on user organisations and frontline staff must be a high priority.

Throughout the FBC option 3b is referred to as the preferred option. Whilst theoretically there are obvious benefits to it there has not, in the NFCC's view, been the conclusive joint work to assess its feasibility and so at this stage we feel it is premature to term it as the preferred option.

The economic case references areas of uncertainty and risk including the future operating model (FOM). The NFCC remains somewhat unsighted as to the proposals for any FOM, but we have clear ideas of what we require, and we consider that the success of ESN in life is heavily dependent upon the FOM. This lack of clarity impinges into areas within the finance case including, the cost of the FOM, its remit, how the funding for it will be recouped and flow, how any ESN core charges will be funded etc. From an NFCC perspective this is considered a priority area to be addressed.

The resilience of ESN is also a key concern of the NFCC, especially given that the high levels of resilience afforded by the current Airwave network were mostly as a result of investment through the Firelink contract. There is a clear expectation from Fire and Rescue Services that ESN will be sufficiently secure and resilient to meet foreseeable needs and circumstances. The different technologies underpinning Airwave and ESN lead to different opportunities and approaches, and it is recognised and that providing resilience won't necessarily take the same form for both systems. The NFCC understands the conundrum facing Government regarding the affordability of ESN resilience, and that investment to attain the highest levels of resilience may on balance be considered cost prohibitive. However, Fire and Rescue Services require suitable levels of resilience to enable them to discharge their statutory duties under the most demanding of circumstances, including, but not limited to widespread and sustained power outages. These situations will undoubtedly elicit a high level of expectation on the Emergency Services from the public and accordingly invoke the full spectrum of responses outlined in arrangements by Local Resilience Fora. Ultimately, the NFCC recognises that this is a decision for Government, however in making the determination Government must consider how much of the intrinsic risk it absorbs itself, and how much it will attempt to see transferred to user Organisations. In considering where the residual risk may lie, Fire Authorities and Fire and Rescue Services will wish to see this laid out in definitive terms – in summary it will be the expectation of Chief Fire Officers that ESN is at least as resilient as Airwave and some of the current proposals will not meet that requirement.

Loosely linked to resilience is the matter of Critical Operational Locations (COLs), these are of some concern to Fire and Rescue Services. The NFCC firmly believes that ESN coverage at least as good as Airwave is a necessity for FRS to consider transitioning onto ESN. FRS do not currently utilise menu coverage to provide any coverage uplift for Airwave, as contracted Airwave core coverage is adequate for our needs. Consequently, the NFCC has a clear view that 'coverage is core' and to be delivered purely through core funding. This is not how it is portrayed within the FBC where aspects

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are considered as non-core. We support the work currently ongoing around COLs to more precisely identify the scale of the issue along with potential remedies, and therefore recognise that the figures relating to COLs within the FBC only represent Programme estimates at this stage. It is however essential that this work provide a more accurate assessment of COLs to better inform the FBC going forward. Given the difference of opinion regarding the funding of COLs, we would welcome further dialogue.

Within the commercial case, the proposal to extend the Motorola contract surfaces concerns from the Fire and Rescue Stakeholders. In particular, it appears to reward Motorola when their performance to date, in view of FRS, has far from met expectations. These concerns are compounded by their position of being the current incumbent supplier for Airwave, a situation that is leading to cynicism over commercial motives given the profitability of Airwave. In the NFCC's view the extensions appear to weaken the Authority's contractual leverage over Motorola rather than strengthening it, and in doing so disincentivising punctual delivery of ESN.

The commercial case also outlines options for the future strategy and delivery models for ESN. All of these will require analysis and consideration once further information is provided. The NFCC would wish to assist the Programme by being part of this exercise, perhaps as an integral component of work on the Future Operating Model.

Previously the NFCC has advised that it has found significant disparities in some of the non-core costs within the finance case following a zero-based exercise by the Fire and Rescue Service. Whilst some work has now commenced to examine this, it has not progressed significantly for it to be reflected in a revised finance case. Some of these concerns appear to align with the views of other user communities. It must also be noted that the baseline for each of the user communities in comparing 'like for like' is different, however in many areas they have been considered identical and many assumptions appear to be founded upon incorrect that is not applicable to the Fire and Rescue Service.

It is not clear how some of the in-life costs, e.g. core costs will be recouped, and where any apportionment may lie. Within the FBC it references an annual core cost of circa £6M for English Fire and Rescue Services, but without apparent inclusion in broader non-core costs. It will be essential for the FBC to progress through Fire governance for this absolute clarity to be provided. There has been commitment from ESMCP Finance to provide a suitable tool such that costs can be modelled and predicted at local level both for medium term financial planning, and also to assess the financial implications in more granular detail of ESN for Fire Authorities. The previously expressed concern for FRSs and their overseeing Fire Authorities, is that in life ESN will cost more at local level than the Firelink [Airwave] system. The provision of this tool may go some way to provide necessary assurance for the sector, and consequently will need to be a precursor for any progress of the FBC through FRS / NFCC governance.

The management case alludes to effective and collaborative arrangements between the Programme and users such that they build trust and confidence in delivering ESN, and in the main this is recognised as being the case. Unfortunately, the report following the recent PAR review has not been shared with users in either a full or redacted format, users have been briefed on just 3 recommendations at headline level. Given the implications for assurance of the FBC, the NFCC believe that this should be provided to Senior Users in its unredacted form such that any relevant findings and recommendations feed through NFCC governance as the FBC is being considered.

A number of Fire Authorities have expressed their desire to provide feedback on the FBC, and discussions are ongoing with the Local Government Association on a collective view. We understand that a revised draft of the FBC is expected for 23rd October ahead of MPRG it is

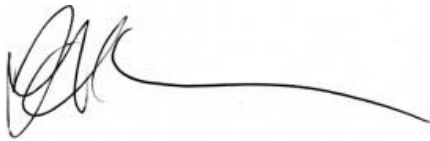
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imperative that this is provided to NFCC representatives and shared with internal stakeholders without delay such that it can be provided to maximise the consultation window and provide the greatest opportunity to fit within Fire Authority governance cycles.

Given the information contained within the letter, the NFCC does not yet feel sufficiently informed to be in a position to assure the FBC on grounds of technical and operational viability, nor its overall deliverability. We hoped that a future draft of the FBC and its supporting documentation will be able to provide the information necessary to attain suitable levels of assurance.

As previously stated, the NFCC firmly believes that ESMCP is the right strategic direction for Emergency Services communications and will continue to work with the Programme to ensure it is delivered for the greatest benefit for all.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DK', followed by a long horizontal line extending to the right.

Darryl Keen

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Copies to: Roy Wilsher, Chair of NFCC