

Regeneration & Property	
Meeting Date	7 July 2022
Report Title	Procurement of Provision of RNLI Lifeguard Service
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Mike Knowles, Seafront and Engineering Manager
Classification	Open
Recommendations	1. That the Committee approves the extension of the current Lifeguarding Contract with the Royal National Lifeboat Institution from 1 st January 2023 for a period of 2 Years at a predicted total value of £106,000.

1 Purpose of Report and Executive Summary

- 1.1 The current contract for the Provision of Lifeguard Services by Royal National Lifeboat Institution (RNLI) expires on 31 December 2022, with a provision to extend the contract term for a further two years, up to 31 December 2024.
- 1.2 This report seeks Committee approval for the two-year extension to the contract to be implemented at the end of the initial contract term on 31 December 2022.

2 Background

- 2.1. The RNLI is the market leader on providing beach lifeguards in the UK. RNLI lifeguards are qualified in lifesaving and casualty care, highly trained, strong, and fit. They must be able to swim 200m in under 3 ½ minutes and run 200m on sand in under 40 seconds.
- 2.2 RNLI lifeguards monitor sea conditions and set up the appropriate flags, watch visitors to the beach and offer safety advice to beach users. All RNLI lifeguards are equipped not only with the best training but the best equipment enabling them to deal with any situation.
- 2.3 The contract with the RNLI commenced on 1 April 2017 and covers the provision of lifeguard services on our three bathing beaches at Leysdown, Minster and Sheerness. Due to the requirement for specialist training and observation of best practice in lifeguarding principles and all applicable law and regulations, it was deemed most appropriate to issue a VEAT Notice to award the contract to the RNLI. This set out an intention to award the contract direct to the RNLI and was published on the EU procurement portal.
- 2.4 Without suitable alternative organisations or contractors available to deliver this specialist service, this was agreed as the most appropriate route, and no appeals or challenges were lodged against the VEAT Notice.

- 2.5 The tender award criteria for the current contract would have been based on a 60% Price and 40% quality weighting, but due to no other organisations submitting a tender it was a direct contract award. Another important consideration of using the RNLI is the fact that as a charity they provide a substantial amount of financial assistance to the provision of the lifeguarding service equipment, and local authorities pay a contribution towards the staff costs only through the contract. This is how you see the considerable lifeguard huts, powered watercraft, and lifesaving equipment for a low cost.
- 2.6 Performance of the contract has been strong. Their provision of staffing and equipment is unrivalled, they regularly report to SBC officers through contract meetings and there have been no major accidents under their stewardship.
- 2.7 Having a lifeguarding service is a key part of the Blue Flag criteria.
- 2.8 A recent meeting took place with Officers and representatives from the RNLI, to discuss future provision of the Lifeguarding Service in Swale. Several new initiatives and proposals were agreed in principle for a future contract, including exploring options to make the service more commercially viable, and improved initiatives to promote local training and recruit local staff.
- 2.9 To allow the RNLI to further develop these new initiatives and ideas, it was provisionally agreed that the current contract should be extended for the additional two-year period. This will ensure the continuation of a high-quality lifeguarding service on our bathing beaches and provide the necessary period for RNLI to develop their service further in preparation for a new contract to commence in 2025.

3 Proposals

- 3.1 The Committee is requested to approve the proposal to extend the current contract for a further two years using the option detailed in the contract.

4 Alternative Options

- 4.1 As detailed above, due to the specialist nature of the lifeguarding service, alternative service providers have not been identified through our market research. The majority of neighbouring local authorities use the services of the RNLI, except for Canterbury City Council who run an in-house service. This is possible due to the significant size of the Coastal Team at Canterbury. For Swale, the annual cost of operating the service estimated at £105,000 (based on 2022 dates). There is currently no resource or funding identified for the option of an in-house service, so if members were to choose this option, this would need to be identified through the budget setting process.

- 4.2 The recent pandemic, and the substantial challenges it presented which led to no lifeguard service for a season, highlighted that there are no suitable alternative service providers who can deliver this specialist provision, and whilst a security company was able to provide staff presence on our beaches during this time, they were clearly not trained or equipped to the high standard of the RNLI and would not have been in a position to provide a reactive service to emergency water or coast-based situations.
- 4.3 Using alternative service providers would result in a substantial increase in costs to the local authority, as all costs would need to be met.
- 4.4 We could cease to operate a lifeguarding service completely. This would bring an increased risk to the authority as was seen recently with other Councils that did not provide the service. It would almost inevitably stop the Council from applying for Blue Flags at the beaches.

5 Consultation Undertaken or Proposed

- 5.1 As stated above, a meeting has taken place with Officers of Swale Borough Council, including the appropriate Head of Service, and a range of representatives at the RNLI to discuss current and future lifeguarding arrangements for our three bathing beaches in Swale.

6 Implications

Issue	Implications
Corporate Plan	Appointing a trusted and nationally recognised charity such as the RNLI who meets a good quality standard and provides good value for money contributes towards all the corporate priorities as it ensures that the lifeguarding provision is undertaken in a professional and effective way. Corporate Plan objective to implement the visitor economy framework to increase investment, address new visitor demands and grow the value of the sector to the Swale economy.
Financial, Resource and Property	<p>The anticipated spend on the two-year contract extension is £52,000 for the year 2023 and £54,000 for 2024 without VAT. It should be noted that these calculations are based on the annual RPI and have used predicted figures for future years. These figures give a total anticipated spend on the two-year proposed extension of £106,000.</p> <p>As stated above, the figures are contributions to the RNLI towards the total cost of providing this service.</p>

	<p>The Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended (“TUPE”) do not apply to this contract and the implications of this have been addressed in the procurement process.</p>
<p>Legal, Statutory and Procurement</p>	<p>The contract has been drawn up by the RNLI to ensure consistency nationally and has been checked and approved by Mid Kent Legal Services and Finance.</p> <p>The extension is within the scope of Swale’s Contract Standing Orders.</p>
<p>Crime and Disorder</p>	<p>Lifeguards play a role in reducing anti-social behaviour management at our beaches.</p>
<p>Environment and Climate/Ecological Emergency</p>	<p>None identified</p>
<p>Health and Wellbeing</p>	<p>The lifeguarding service provides a safer environment for both visitors and residents using the beach facilities at our three bathing beaches, by providing fully trained and well-equipped staff on patrol on all three of our beaches during the summer season.</p>
<p>Safeguarding of Children, Young People and Vulnerable Adults</p>	<p>All lifeguards are DBS checked by the RNLI as part of their recruitment and training procedures.</p>
<p>Risk Management and Health and Safety</p>	<p>As part of the contract, the RNLI undertake a detailed Risk Assessment of every patrolled beach at the beginning of each season to identify and assess the risks posed by potential hazards and specify a series of control measures to mitigate against the identified risks. This helps the Council to measure and understand the risks on our beaches.</p>
<p>Equality and Diversity</p>	<p>None identified</p>
<p>Privacy and Data Protection</p>	<p>None identified</p>

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:

8 Background Documents

Link to Original Cabinet Report:

<https://ws.swale.gov.uk/meetings/documents/s7368/Beach%20Lifeguard%20Service%20Award%20of%20contract%20-%20February%202017%20FINAL.pdf>