

”Privatization” of Fireservices in Denmark



Conference for Icelandic Chief
Fire Officers

28. – 29. April 2005

Privatization of Fireservices

□ **Outline**

- Opening on privatization/commercialization
- City councils obligations/tasks
- The states/DEMA's tasks
- What can be commercialized?
- What cannot be commercialized?
- Special on turnout control
- The extent of commercialization in Denmark
- Different considerations
- Closing remarks

Privatization/Commercialization

□ **Privatization**

- Transfer of responsibility of fire extinguisher etc to private business, companies or similar
- The authorities supervision/control is hard to do or is totally excluded
- The public's possibilities for insight is prevented (no access to information)
- Imply fire extinguishing etc on fair market conditions

Privatization/Commercialization

□ **Commercialization**

- The municipal responsibility for fire extinguishing etc is to be maintained
- The city council/the chief fire officer supervises/controls the contractor
- Possibility for changing or abolishing the commercialization
- Public access to information; have to be limited in regard to the contractor

The City Council's Tasks

- ▣ **The Preparedness Act (Consolidate Act No. 137 of 1/3 2004)**

“ The task of the rescue preparedness shall be to prevent, reduce and remedy any damage inflicted on people, property and environment by accidents and disasters including war actions or imminent danger of war.” (§ 1)

- ▣ **Valid no matter who execute the task**

The City Council's Tasks

- **The Preparedness Act (Consolidate Act No. 137 of 1/3 2004)**

“ The municipal rescue preparedness shall be able to provide a proper operation to remedy any damage inflicted on people, property and environment by accidents and disasters including war actions. Further, the rescue preparedness shall be able to receive, billet and feed evacuees and any other distressed persons.” (§ 12, clause 1)

- **Valid no matter who execute the task**

The City Council's Tasks

- **Preparation of tender documents**
 - Fire extinguishing etc shall not be put into EU-tender
- **Invitations of tenders**
 - From own fireservice
 - From another municipality
 - From voluntary fire prevention
 - From Falcks Redningskorps/Rescue Corps
 - From another contractor
 - From DEMA
- **Entering on agreement/contract (Most 5 years)**
 - Inform EU about the contracting

The City Council's Tasks

- ❑ **Supervise the performance of the contract**
- ❑ **If required testalarm of the fireservice**
- ❑ **Register and report of turnout activity, hereunder information to DEMA about the fireservice**
- ❑ **Other information to DEMA**
- ❑ **Handle of correspondance with DEMA such as approval of the contract**

DEMA's Tasks

□ **Approval of agreements on commercialization**

- Agreements between DEMA and a municipality shall not be approved

” The municipal council may enter into agreement with another municipal council, with private rescue organisations or any other persons to carry out tasks within the rescue preparedness of the municipality. The agreement shall be approved by the Emergency Management Agency. ” (The Preparedness Act § 13, clause 1)

DEMA's Tasks

- **Supervision with the fire services – also the commercialized**
 - Shall be executed to the municipality/the chief fire officer
 - Concerning all conditions of interest for the rescue preparedness, such as prevention, education, watersupply and the operation of preparedness
- ” Supervision with the municipal rescue preparedness shall be executed of the Minister of Defence and DEMA. Testalarm can be executed of DEMA”
(The Preparedness Act § 4)

DEMA's Tasks

□ **Guidance of fire services**

- To the municipalities/the chief fire officer
- The same subjects as the supervision
- Preparedness technical guidance
- Guidance do not concern price and terms in connection with contracting
- DEMA may not let economical considerations affect the approval of contracts

What can be Commercialized?

□ **Tasks in the municipality's preparedness**

- No exact limitation, but operational such as fire extinguishing etc
- Turnout control
- Accommodation- and provisioning preparedness
- Education of voluntary and conscripts
- Education of firefighters (teamleaders and operational leaders excluded)
- Supervision-, working and maintenance tasks

(The more specific content shall be agreed in the contract)

What cannot be Commercialized?

- ❑ **In Denmark commercialization of official obligations demands authority in law**
- ❑ **Certain obligations, undertaken by the fire services and which clearly are characterized as official obligations, can be handed to private with authority in law**
 - The ordinary legal capacity carry with certain limitation

What cannot be Commercialized?

- ❑ **Management of the municipal preparedness**
- ❑ **The city council's supervision with commercialized fire services**
- ❑ **The city council's administration of fire-prevention legislation - preparation and decisions**
- ❑ **Fire inspection (execution and demands)**
 - General guidance can be made by Private companies, EDB and other practical guidance

What cannot be Commercialized?

- ❑ **Demands and preparation about plant protection and shelter protection**
- ❑ **Administration of conscripts and voluntary**
- ❑ **Supervision with shelters**
- ❑ **Secretary for the city council's preparedness commission**
- ❑ **The city council's preparedness planning**

What cannot be Commercialized?

□ **Modifications for companies (Falck)**

- Falck or another “private company” can be member of the preparedness commission (but cannot participate in cases concerning the private company)
- Guidance about preparedness planning, but cannot prepare a complete plan

What cannot be Commercialized?

□ **Modifications for employed in city council administration**

- Personel, who carry out fire inspection and administration of fire-prevension legislation, cannot be employed as turn-out leaders by Falck
- Supervision with the agreement (the contract) cannot be carried out by personel in the municipality admi-nistration, who also are employed by Falck

Special on Turnout Control

- ❑ **Law authority in 1993 to commercialization**
- ❑ **But guidance from the Ministry of Interior in 1994 (now the Ministry of Defence):**
- ❑ **Employed from the municipality should participate in the turnout control, because:**
 - the operational leader represents the city council
 - and the operational leader knows the administration and its resources (assistance on the place of damage)

Special on Turnout Control

□ **Demands to operational leaders, commercialization or not:**

- Name of persons (the municipalities and DEMA's supervision)
- Local knowledge
- Shall fulfil demands to education
- Shall fulfil the demands of turnout times
- Cannot be teamleader at the same time at the turnout preparedness
- Cannot be bound by other obligations

The extent of Commercialization in Denmark

- **Number of municipality: 271 (from 2007: 99)**
 - Falck-fire services: about 60 p.c.
 - Municipality fire services: about 40 p.c.
 - Ærø Redningskorps/Ærø Rescue Corps
 - Samsø Redningskorps/Samsø Rescue Corps
- **According to number of inhabitants:**
 - Big cities and greater municipalities: Not commercialized København/Frederiksberg, Århus, Ålborg, Odense, Vejle og Roskilde
 - Historic: Falck-landdistrict fireservice since 1922

Different Considerations

- **Pro et contra about commercialization:**
- **Pro: The quality of the fire services**
 - No difference to notice
- **Contra: The city council; there can be problems in regard to the employment**
 - Falck is a private company
 - Shift from Falck to city council happens
 - There can be problem in boths directions (It is well known in Denmark)

Different Considerations

- **Pro et contra on commercialization:**
- **The city council (pro)**
 - Tender (also without commercialization) gives you a better economical view
 - Falck's ambulance services
- **The city council (contra)**
 - Limitation in using Falck-employee

Privatization of Fireservices

□ **Closing remarks**

- In Denmark fireservices is not private business
- The experience with commercialized fireservices is good in Denmark

□ **Do you have any questions?**