

6. Review of the Water Rescue Strategy

Purpose of report

1. To Report on the review of the Water Rescue Strategy carried out by the Committee.
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Recommendations

The Committee recommends that:

- i) *Its Review of the Water Rescue Strategy is noted by the full Fire and Rescue Authority.*
- ii) *A further review is conducted once the outcomes of the current National Flood Rescue Enhancement programme are known.*

Background

2. The Service has learned important lessons and gained invaluable experience from the flooding events of the past decade and continues to develop and update its Water Rescue Strategy, drawing on this experience and having regard to national developments.
3. At the Authority meeting on 26 June 2009, Members considered a revised Water Rescue Strategy and agreed a number of recommendations for improvement. One recommendation surrounding the introduction of specialist “first responder teams” with two separate options is currently being consulted upon through the IRMP process.
4. Whilst the revised strategy was approved at the June Authority meeting, questions were raised about whether the Strategy went far enough, and it was agreed that the Best Value Policy & Performance Committee should review this latest Water Rescue Strategy and the current national situation to identify any further gaps or lessons learnt, reporting back to the Authority at its meeting on 18 December 2009 with any recommendations as appropriate.

Review Terms of Reference

5. The Committee agreed a Terms of Reference designed to facilitate the review and enable Members to make a judgement on the current Strategy within the context of national developments:
 - i) Review recommendation 39 of the Pitt Review and GRIP (the government’s response to it).
 - ii) Review the Terms of Reference for the national Flood Rescue Enhancement Project initiated in response to recommendation 39 of the Pitt Review and current development in that project.

- iii) Review the provisions made in a number of similar Fire and Rescue Authorities
- iv) Consider the report on the Water Rescue Strategy that was presented at the Authority meeting on 26 June 2009, referencing where appropriate the recommendations made in the Best Value Policy & Performance Committee review of the 2007 floods.
- v) Produce a report for the Authority, with further recommendations as appropriate.

Conduct of the Review

- 6. In order for the Committee to carry out its review it held a number of special meetings including a briefing from Officers, a visit to a current water rescue station to speak to front-line staff (Evesham) and an invitation to all representative bodies to meet with the Committee so that they could seek their views and input.
- 7. Following the initial “desk top” review of documentation, which included an evaluation of the arrangements and resources currently provided within other Authorities as declared to the DEFRA National Flood Rescue Asset Database, it was decided that there would be little value in visiting an external Service. The Committee therefore agreed to amend its initial Terms of Reference in this respect.

Conclusion/Summary

- 8. Having considered carefully all of the evidence available, the Committee was able to group the issues into three areas of interest, roles and responsibilities; current guidance, training and equipment for flood response, and the financial impact of a specialist flood response capability on Council tax.

Roles and Responsibilities

- 9. The lack of clarity in relation to roles and responsibilities for undertaking flood rescue was a consistent theme considered by the Committee. It was evident that this was the major issue considered in Sir Michael Pitt’s Review of the 2007 floods, and from the feedback from meetings with Officers and representative bodies.
- 10. Whilst the current national situation remains unhelpful, the statutory position is clear. The Department for Environment, Food and Rural Affairs (DEFRA) is the lead department for flooding matters, but not for flood rescue. No agency or organisation currently has a statutory obligation to undertake rescues from flood water, a situation highlighted by Sir Michael Pitt as putting both rescuers and the public at additional unnecessary risk.

11. However, the Fire and Rescue Authority, as a “Category 1 Responder” under the Civil Contingencies Act, has a responsibility to plan for flood events working in close collaboration with all other agencies, but not necessarily to respond to them. Equally, the Police have a general duty to co-ordinate inland searches for people, which could include searches for people lost in flood water, but there is no statutory obligation for Police Officers to undertake a rescue role themselves.
12. Between 1947 and 2004, Fire Brigades were statutorily empowered to utilise their resources to “save life and render humanitarian services”. This broad empowerment led to a wide expansion in role over time to include rescues from road traffic accidents and attendance at flooding incidents, chemical spillages and a wide range of other hazards, and the provision of community safety advice. This was done without a statutory obligation to do so, but within the statutory empowerment of individual Brigades to take action to save life and protect property.
13. The 2004 Fire and Rescue Services Act addressed some of these inconsistencies, making responses to road traffic accidents and provision of community safety advice a statutory obligation. The previous general provision to “save life and render humanitarian services”, has been replaced by Section 11 of the Fire and Rescue Services Act 2004 “Power to respond to other eventualities”. This states that:
 - (1) A Fire and Rescue Authority may take any action it considers appropriate:
 - (a) in response to an event or situation of a kind mentioned in subsection (2);
 - (b) for the purpose of enabling action to be taken in response to such an event or situation.
 - (2) The event or situation is one that causes or is likely to cause:
 - (a) one or more individuals to die, be injured or become ill;
 - (b) harm to the environment (including the life and health of plants and animals);
 - (3) The power conferred by subsection (1) includes power to secure the provision of equipment;
 - (4) The power conferred by subsection (1) may be exercised by an Authority outside as well as within the Authority’s area.
14. The new Fire and Rescue Services Act also required Fire and Rescue Authorities to assess risks to their local communities and consult the public about the services they intend to offer through an Integrated Risk Management Planning (IRMP) process. In effect, an IRMP becomes the contract between the Fire Authority and the public, and having set out the assessment of local risk and the range of services the Fire Authority intends to offer, becomes the basis upon which budgets and local Council taxes are decided.

15. In its first IRMP in 2004/05, this Authority highlighted the ongoing risks to communities across Herefordshire and Worcestershire from flooding, and proposed that the flood response that had been in place for many years should be updated and maintained. Investment in more appropriate training and equipment was authorised and Council tax set appropriately. Since 2004/05, the provision of these services has formed a part of our contract with the public and has been funded from within the general Council tax raised.
16. Evidence from all of the stakeholders we have interviewed has indicated that our investment in training and equipment has resulted in communities and Firefighters that are safer than they were pre-2004. However, at the time of the major flooding events of 2007, not all of the Authority's plans had been put into effect and key training and equipment procurements had not been finalised. A number of difficulties were reported to the Authority following the BVPP Committee's 2007 review of those events.
17. In the immediate aftermath of the 2007 floods, government gave a number of reassurances that outstanding issues surrounding statutory clarity and funding support from national government for flood response would be addressed. Sir Michael Pitt's Review recommendation 39 stated; *"The Government should urgently put in place a fully funded national capability for flood rescue, with Fire and Rescue Authorities playing a leading role, underpinned, as necessary, by a statutory duty"*.
18. As a result of this recommendation, which was supported by government, a number of local initiatives to extend and improve flood response capabilities in line with the BVPP Committee's 2007 report were put on hold. On 17 December 2008, The Secretary of State for Environment, Food and Rural Affairs, Hillary Benn, announced the government's response to the Pitt Review, covering in detail its response to all 92 recommendations. A DEFRA led project, the National Flood Rescue Enhancement Project, was announced with an initial £2m budget to examine the issues and make further recommendations to government. The Chief Fire Officer, in his national role as Lead Officer for environment and flooding, was appointed by government to sit on the Board of that project.
19. During the Spring of 2009, it became clear that although government had accepted recommendation 39, it was unlikely that any decisions would be considered until Spring 2010 at the earliest on whether a statutory duty would be enacted requiring Fire Services to respond to flooding and on any long term central government funding to support them in doing so.
20. Given that the Authority had accepted in 2007 that it needed to do more to ensure community and responder safety during a flood, and that the expected government announcement on investment would be delayed until at least 2010, the Chief Fire Officer brought a paper to the June Authority meeting, recommending that improved management and co-ordination arrangements be put in place in the meantime.

Current guidance, training and equipment for flood response

21. The Department for Communities and Local Government (CLG) is currently responsible for the issue and updating of all national Fire and Rescue Service guidance, including guidance for “working on or near water”. Since CLG dis-established Her Majesty’s Inspectorate of Fire Services in 2004, the Service has been left without any central co-ordinating body to produce or review guidance. As a result, it is accepted that much of our current guidance requires updating.
22. In the absence of any national policy or guidance, the Chief Fire Officers’ Association have published draft guidelines for training and equipment standards for inland water rescue. Whilst these multi-agency standards have been developed and consulted upon through the government’s UK Search and Rescue Group, which includes FRS, RNLI, the Police, Military and the Coastguard, and adopted by all of those groups as current “best practice”, they cannot be considered as current national guidance, as neither CFOA or UK SAR are authorised to issue national guidance.
23. Following pressure from all stakeholders, new arrangements have been put in place by CLG to commence reviews of guidance once again, with elements of work subcontracted to individual Services to manage, with a central stakeholder led quality control function providing a final level of quality control. Although many stakeholders will be involved in drafting guidance, once completed, it will be published as a CLG manual.
24. Hereford & Worcester FRS was invited to manage a project to update the current FRS guidance for working on or near water in September this year. Work on the project will be undertaken by a range of stakeholders including FRS’ representative bodies across England and Wales. All project and management costs were identified and agreed with CLG before the project commenced on 1 November 2009. The project is expected to take six months to complete, with new guidance issued by CLG in July 2010. Obviously, the involvement of H&W in this project means that we shall have early access to current best practice, allowing us to update our own guidance as soon as is possible.
25. Guidance specific to responses to major flood events is being drafted by the DEFRA led National Flood Rescue Enhancement Project (FRNE). The starting point for this work is the multi-agency guidance produced by CFOA/UK SAR. It is expected that this guidance, which will apply to all agencies involved in flood response not just FRS, will be issued for consultation by DEFRA in January/February 2010.
26. Following a period of formal consultation, finalised concept of operations and flood rescue training standards will be published by DEFRA under the authority of the expected “Flooding and Water Bill” which they will then apply to all statutory and voluntary agencies providing a flood rescue response.

27. Work is also underway within FRNE to engage with the Sector Skills Council to ensure that these standards, once finalised, can be adopted into current FRS qualifications.
28. As the Chief Fire Officer is on the Board of both of these projects, their likely outcomes have already been incorporated into his report of June 2009. Of course, thinking and guidance may change in the coming year, and it is for that reason that the June 2009 proposals suggest that this matter needs to remain under review.
29. Despite the difficulties encountered in identifying definitive standards for training or equipment, it is clear that H&W has adopted best known current practice. Speaking to personnel at Evesham, it is also clear that in addition to a response service, the Service's involvement in community safety work, both in its own right and in partnership with other agencies, has made a valuable contribution to the reduction of risk to communities.
30. However, despite the provision of clear policy guidance, it is clear that a number of difficulties have arisen in implementation of agreed plans, for example, in the provision of individual issue dry suits for personnel. A policy decision was taken that individual issue dry suits should be issued and funding identified. However, the Officer responsible for implementing this element of the project at the time decided to increase the number of personnel to be trained, balancing his overall budget by expecting personnel to share dry suits.
31. Whilst this decision was reversed once it became known to senior managers, it has rightly caused concern for front-line staff, and serves as an example of the confusion that can occur when separate parts of a strategy implementation do not rest with a single Officer or Department.
32. The 2010/11 IRMP Action Plan issued for consultation this summer, due to be considered by the full Fire Authority in December 2009, recommends that in the future all specialist rescues come within the auspices of a technical rescue hub based around the current Urban Search and Rescue Team. If approved, this move will ensure that all component elements required for a technical rescue capability, including equipment, training and exercising, can be monitored and managed in a more cohesive way.

The financial impact of a specialist flood response capability on Council Tax

33. A number of stakeholders have suggested that emergency flood and water rescue responses are "unfunded" and do not form part of our Service budget. This obviously raises the question of how these activities are to be maintained at times of budget pressures. Given the statutory confusion that has arisen in respect of flood responses generally, and comments made by Ministers, it is easy to see how this view has arisen. However, this is factually incorrect.

34. It is true that the funding the Authority currently receives in central government grant does not include any element for flood response, or indeed any of the other emergency responses that the Authority is statutorily empowered to undertake, but not statutorily obliged to make. However, these local services identified through IRMP and provided by the Authority, such as flooding and responses to chemical incidents, are fully funded from local Council tax.
35. Even when considering the potential central government funding support for flood response in the future, it should be borne in mind that Sir Michael Pitt's recommendation was limited to the provision of national funding support for national resilience, and national level events. It is not clear whether there would be any element of funding support available to local FRS to meet their local requirements.
36. Although we now have a flood response capability in place, the Committee considered the potential for future savings that could be delivered by withdrawing this service to the public. This has identified potential cashable savings of approximately £73,000 per year if we decided to stop all ongoing training for water rescue activities, reducing the council tax bill by £0.26 per year, per Band D council tax payer. In addition, the current capital cost of specialist equipment such as boats and dry suits amounts to £0.04p per year, per Band D council tax payer, although it was noted that even if a decision was taken to stop the provision of this service, these capital costs could not be avoided for the next 5 years.
37. Hence, the net potential future savings for each Band D taxpayer that could be released by stopping all forms of water/flood response in Hereford and Worcester is £0.30 per year (of which £0.04 relates to capital cost which could not be avoided for 5 years.) This would reduce the current charge by 0.4%.
38. In terms of the value added to the public through the provision of these services, and the additional risks communities would face from their removal, it is difficult to identify definitive data, as until recently flooding was not a separate category of incident in the national database, and Officers have therefore had to examine the data to determine which incidents did or did not constitute a flooding incident. A further difficulty arose because it is common during major flood events to categorise a number of incidents as a single wide area flood event. For example, during the spate conditions in July 2007, a response to a single flooded street dealing with fifty or more premises for more than a day might have been recorded as a single incident for statistical purposes.
39. The latest national arrangements for capturing incident data will improve this reporting as it now records flooding as a separate category. However, interestingly the CLG do not require us to record exact numbers of rescues in flooding incidents but rather banded figures. On the basis of best available data, the table below summarises the number of incidents attended in each year:

Year	Number of Flooding Incidents Attended	Number of Rescues carried out at Flooding incidents
2006-2007	248	51
2007-2008	484	1198*
2008-09	129	36
2009-10 (Apr to Oct)	49	31 to 60**

* This figure includes 1124 rescues reported to CFRAU Flood Review for the period 16/07/2007 to 22/07/2007

**Actual figures not available banded figures recorded (see note below)

40. Whilst precise historical data is difficult to quantify, it is clear that flooding and water related incidents continue to present a significant risk to communities in H&W, and that the removal of our services would inevitable lead to fatalities and increased financial losses.

Final Conclusions

41. The continuing lack of government guidance and funding for flood response, more than two years after Sir Michael Pitt's report into the summer 2007 floods, remains a matter of significant concern.
42. In light of this ongoing uncertainty, we believe that the Strategy adopted by the Authority in June 2009 remains appropriate, addressing many of the issues identified by this Committee in 2007, whilst not going too far until the outcome of national deliberations are announced. Whilst the Authority could no doubt do even more, in particular, provide dry suits and "first responder" training to more stations than proposed by the Chief Fire Officer in June, at this point in time, the proposals represent a sensible compromise.
43. It has been accepted that there have been project management problems in the introduction of new boats and dry suits for specialist responders at Evesham, Hereford and Worcester. However, we are satisfied that these problems have now been identified and actions are underway to address them. This work is ongoing, and should be resolved by the New Year. For the future, we believe that the proposals made in this year's IRMP consultation to improve the management and monitoring of all technical and specialist rescue arrangements will ensure that similar difficulties do not arise again in the future.
44. There is no question that all public budgets will come under extreme scrutiny in the coming years. It is therefore right that any services that may be described as "optional" must come under scrutiny. In the case of flooding and water rescues, data suggests that typically between 30 and 60 people are rescued from the water each year by our teams. Less frequent major floods, as were last seen in 2007, resulted in the rescue of more than 1100 people. Whilst this is an issue

the Authority would want to keep under review, the current provision of a professional and comprehensive rescue service at a cost of approximately £0.30 per year for a Band D taxpayer represents extremely good value for money.

45. In these circumstances, there is little doubt that the public would expect the Authority to have exhausted all other opportunities to save money before withdrawing such a vital and life saving front-line service.
46. By summer 2010, it is expected that we will see the publication of final national guidance for FRS and a determination on statutory duty and central government funding support through FRNE. It would therefore be appropriate for this Committee to consider the situation further at that time.

Supporting Information

None.

Contact Officer

Paul Hayden, Chief Fire Officer
(0845 1224454)
Email: phayden@hwfire.org.uk