

FIRE BRIGADES UNION

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WET, COLD, EXHAUSTED AND LET DOWN: FIRE CREWS WANT TO KNOW WHY GOVERNMENT HAS GONE INTO REVERSE OVER PITT REVIEW

The Fire Brigades Union has criticised Government for refusing to implement the Pitt Review recommendation that the fire service be given a statutory duty to respond to widespread flooding. That refusal is leaving local fire crews struggling with significant flooding without proper equipment to enable them to work safely in water.

FBU General Secretary Matt Wrack said: "In the last few days fire crews have been struggling to cope with bouts of significant flooding as they did in 2008. Fire crews have been run ragged doing the very best they can with the limited equipment, training and personnel available.

"There have been large numbers of rescues, evacuations or giving just a bit of reassurance and help to the public. We have been inundated by fire crews demanding to know when the Government is going to provide the statutory duty, funding for new kit, training and more personnel.

"It is nearly 2 years since the major floods of 2007 and nearly 8 months since the Pitt Review reported. Fire crews feel badly let down by Government backtracking over the Pitt Review's stance that the fire service is given the legal duty to respond to flooding and the funding to go with it.

"It is appalling that Whitehall is dragging its feet and setting up more committees to try and undermine those parts of the Pitt review it doesn't like. It is bad enough battling against the odds and the elements without having to battle against the Government as well.

"The problem has not been created by local fire services but a Whitehall 'do minimum' approach. Government seems content to provide only enough kit and funding to meet the requirements of a photo opportunity and that is not good enough."

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PITT REVIEW

RECOMMENDATION 39: 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.

11.33 "The Review found that the public and rescuers were put at unnecessary risk by the current lack of clarity over who was responsible for the emergency response to flooding."

Par 11.58 "the current provision of boats, PPE and training is predominantly for local rescue, not for the greater scale of response required for multiple rescues in wide-area flooding events."

11.59 With regard to PPE [Personal Protective Equipment] submissions to the Review appear to mirror those cited in the CFRA's report in recounting how FRS personnel worked in difficult conditions, often using PPE designed for routine fire-fighting duties, or for infrequent, short-duration incidents in rivers, lakes and canals rather than an interoperable response. We have heard firsthand how fire and rescue personnel deployed in normal fire fighting PPE rapidly became wet, cold and risked contamination by flood water.

11.60 *“It appears that, in the event of another wide-area flooding emergency, those responding would still not necessarily have the right resources or training to respond safely.”*

11.89 The Review strongly believes that a statutory duty is the best means to achieve these outcomes. Whilst it is conceivable that non-statutory approaches, such as those proposed by the CFRA, might work, such approaches do not provide the certainty the public expect and the Review believes is needed. This is especially true when the evidence from the summer 2007 floods and the East Coast tidal surge of November 2007 have shown that, many lives may depend on an effective search and rescue response in future wide-area flooding, and when climate change is likely to lead to floods becoming both more frequent and more severe.

11.83 ...It should be noted that, while the interim report did not ask explicitly whether a statutory duty was necessary, subsequent representations to the Review in favour of such a duty have been numerous and forthright. In contrast, representations against a duty have been scarce. At conferences held by the Review in each of the nine English regions, multiagency attendees expressing a view were overwhelmingly in favour of a statutory duty for flood rescue. A similar view was expressed at Regional Resilience Forums attended by the Review team.

11.84 Furthermore, chief fire officers who have expressed an opinion told the Review that there was a clear need for a statutory duty on the FRS for flood rescue.

Pitt also refers to, for example, defining the statutory duty so it might not e.g. cover rescue from inland water boating incidents.

11.95 The Review does not make recommendations on whether any statutory duty should extend to incidents beyond flooding which may necessitate rescue from water, for example in response to inland boating incidents. However, the Review believes that responsibility for such incidents should be considered, drawing on experience from Scotland as appropriate.

COMMENTS FROM THE REGULATORY IMPACT ASSESSMENT (RIA)

It should be noted that Regulatory Impact Assessment (RIA) accompanying the Fire and Rescue Services (Emergencies) Order in March 2007 makes a number of strong arguments for statutory duties for specific types of incident.

These include (§27) sending a “clear signal” that such emergencies are “core activities for fire and rescue services”; reducing “the number of seriously injured persons or deaths” and enabling “all parts of the economy to return to their normal functioning capacity more quickly” (§33). It is clear from the impact assessment that these benefits are extensive and justify making an emergency order for specific incident types. (FRS circular 13/2007)

The RIA rightly rejects the option of doing nothing in other major emergencies (such as Buncefield), because “(§24) **relying on FRAs’ discretionary powers, even where they receive central funding, means that they could still decline to use the specialist resources to aid other authorities, or in future decide to stop maintaining the capabilities provided by Government**”. It adds that “**authorities have an incentive due to immediate local pressures to make provision for likely local needs, rather than ensuring that collectively there is provision for very unlikely large-scale incidents. This could, over time, reduce national resilience to such disruptive incidents**”. (FRS 13/2007 p.15)

It should be further noted that **the Secretary of State did initially propose a statutory duty for flooding** - as a core duty under Section 9 of the Fire and Rescue Services Act 2004. However, it was not included in March 2007 when the Fire and Rescue Services (Emergencies) Order was published.