

Welsh Language Impact Assessment

**Proposals to introduce a Statutory Duty on Welsh Fire and Rescue
Authorities to respond to Flooding and other Water-related
Emergencies**

July 2016

Welsh Language Impact Assessment

Title: Proposals to introduce a statutory duty on Welsh Fire and Rescue Authorities (FRAs) to respond to Flooding and other Water-related Emergencies	WLIA Reference No <i>(completed by WLU): 16/08/01</i>				
Name of person completing form:	Lisa Walters				
Date:	29 July 2016				
Policy lead:	Steve Pomeroy				
Contact details:	steve.pomeroy@wales.gsi.gov.uk				
Programme/Project Type <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Grant <input type="checkbox"/> Business change <input type="checkbox"/> Infrastructure <input type="checkbox"/> Construction, Capital <input type="checkbox"/> ICT <input type="checkbox"/> Other (Please specify below)					
<input type="checkbox"/> Project or programme <input type="checkbox"/> Research, evaluation <input type="checkbox"/> Services <input type="checkbox"/> Contracts, tenders					
Costs: How much is the projected whole life cost for the programme/project? If below £25k, then a full WLIA is not always required (see guidance).					
Under £25k	£25k - £49k	£50 - £249K	£250K - £1m	Over £1m	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Of the above, please provide details if there are any identified costs directly associated with the Welsh language? None.					
How long is the programme/project expected to run?					
Up to 1 yr	Up to 2yrs	Up to 5yrs	Up to 10yrs	More than 10 yrs	Unknown
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Key milestone dates for the programme/ project: Consultation: 15 September-22 December 2016 The Statutory Duty would come into force on 1 April 2017					

STAGE 1: PLANNING

What are the aims and objectives of the policy?

What are the desired outcomes/ what constitutes 'success'?

To introduce an Order to extend the three FRAs in Wales' functions relating to emergencies, to include response to flood and water rescue incidents.

Fire and Rescue Authorities (FRAs) already routinely attend flood and other water-related incidents although currently, there is no specific statutory requirement for them to do so. The Fire and Rescue Service Framework 2016 committed the Welsh Government to review and consult on extending the statutory functions of FRAs to include flooding and water rescue.

Introducing a statutory duty on FRAs to respond to flood and water rescue incidents would formalise the current response arrangements for flood and water rescue for the FRAs in Wales.

What policy options have been considered?

and

What impacts will there be if the policy is *not* implemented?

We have considered the case for change as well as the scope of the duty being proposed:

All three Welsh FRAs already respond to flood and water rescue incidents within their existing resources; for instance all routinely respond to flooding incidents. If we chose to do nothing, in the short term, such a response would continue. However, in the medium to long term, there is potential for this service to be withdrawn.

This is because like other Public Sector organisations, FRAs are under continued pressure to reduce costs and could potentially consider withdrawing the provision of non-statutory services such as flood and water rescue, as a means of doing so. While that may be appropriate for some services, it would not be acceptable for there to be no FRA response to flooding.

In Wales there are around 208,500 properties that are at risk of flooding from rivers or the sea and around 163,000 properties at risk from surface water flooding; these risks are likely to increase in the longer term as a result of climate change with the potential of increased incidence of severe flooding in the future. Major flooding attracts widespread public concern, can cause serious threat to life, the environment and the economy and severe damage to property to which there is currently no guaranteed or standardised response.

We have also considered the scope of the duty; in Scotland and Northern Ireland, the duty on both their FRAs extends a response to serious flooding incidents only. Whilst the need for water rescues other than from flood water may not arise on the same scale, nor generate the same level of public concern, these are still life-threatening situations for those involved and responding to them entails many of the same techniques, equipment and skills as FRAs deploy in response to a flood. We could not justify making a distinction between rescuing

persons from flood water but not from other bodies of water such as rivers and lakes. We have therefore proposed the new duty cover both floods and other bodies of inland water.

Formalising the already established flood and water rescue provision of the FRAs on a statutory footing would protect the current arrangements.

The duty would be introduced by Order under Section 9 of the 2004 Act which empowers the Welsh Ministers, following consultation, to make an Order which confers functions relating to emergencies on FRAs. The proposed duty would focus on flooding and inland water emergencies which cause or are likely to cause death, serious injury or illness as prescribed in Section 58 of the Fire and Rescue Services Act 2004.

Does the programme demonstrate a clear link with the Welsh Government's strategy for the Welsh language - laith fyw: laith byw?

Other than translation of published documents, the introduction of a statutory duty on FRAs to respond to flood and water rescue has no direct link to the Welsh Government's strategy for the Welsh language or to language issues more generally.

The FRAs as organisations are subject to the Welsh Language Standards applied through the Welsh Language (Wales) Measure 2011.

What are the impacts/ effects (both positive and/or adverse) on the Welsh language you have identified at the initial planning stage

i.e. Welsh speakers, Welsh language communities, Welsh medium education, Welsh learners, services available in Welsh?

None.

Who are the stakeholders? Are the needs of Welsh speakers and learners addressed? To what extent are Welsh language interest groups likely to respond positively to the proposals?

Primarily Welsh Government, FRAs, Local Authorities, Natural Resources Wales and the Police, as well as some voluntary organisations like the RNLI. No interest is anticipated from Welsh Language interest groups.

All published documents will be produced in both Welsh and English.

Where an assessment was not completed, or no impacts were identified, please provide a full account for record keeping purposes?

(This could be used in the Welsh Language Tribunal in future)

We are proposing to extend the three Fire and Rescue Authorities (FRAs) in Wales' functions relating to emergencies, to include response to flood and water rescue incidents. The proposed duty focusses on flooding and inland water emergencies which cause or are likely to cause death, serious injury or illness. This service would be provided to all citizens and communities equally, and regardless of language choice. There is no conceivable sense in which language choice would affect or alter its provision in any way.

Introducing the duty would have no impact on the Welsh language; the FRAs as an organisation will be subject to the Welsh Language Standards applied through the Welsh Language (Wales) Measure 2011.

What actions/ further work has been identified at the initial planning stage?

e.g. data requirements, need for peer review, external engagement with Welsh speaking groups, identify stakeholders or consultation list, need to contact Welsh Language Unit for advice)?

None.

STAGE 2: IDENTIFYING AND ASSESSING IMPACTS

Impact Assessment Summary

Summarise the detailed impact assessment carried out together with the scores assigned.

Positive effects/ impacts:

N/A

Adverse effects/ impacts:

N/A

Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life, Welsh at work increased?

N/A

Evidence/ data used including demographic profile when considering the effects/ impacts:

N/A

What is the overall anticipated likely impact on the Welsh language if this policy is taken forward based on the impact assessment/ risk assessment?

Positive:
 Adverse:
 Neutral:
 Unknown:

Decision following IA

- 1. No major change
- 2. Adjust the policy to improve impacts
- 3. Continue the policy with mitigation measures
- 4. Stop and remove the policy

If answered 2,3, or 4 above – then answer the following:

How will you address these impacts in order to improve the outcomes for the Welsh language? Details of mitigation measures/ action points/ alternative options to reduce adverse impacts and increase positive outcomes:

N/A

If engaging or consulting, what are your plans? What questions do you wish to ask stakeholders about the Welsh Language Impact Assessment and Welsh language related issues?

N/A

STAGE 3: POST CONSULTATION AND PREPARING FOR PUBLICATION, MONITORING AND EVALUATION

Following consultation, what changes have you made to address any Welsh language issues that were raised?

N/A

How will you monitor the ongoing effects during the implementation of the policy?

N/A

Please outline how you will continue to capture effects/ impacts in future monitoring and evaluation?

N/A

Any other comments – ongoing results of evaluations, emerging impacts

N/A

4. Declaration

Policy lead:

The policy ~~does~~ / does not have an impact upon the Welsh language. Where there were identified adverse impacts or missed opportunities, the appropriate amendments and actions have been put in place.

Name:

Steve Pomeroy

Department:

EPS - CSD - Fire Services Branch

Date (s):

29 July 2016

Planned Review Dates:

None

SRO ENDORSEMENT and REVIEW

I am satisfied that the WLIA is an accurate reflection of the programme/project at this stage of development. By signing, I am able to confirm that the Welsh Language Standards have been given the appropriate attention.

Signed: Martin Swain
(Senior Responsible Owner)

Date 29 July 2016