

Equality Impact Assessment (EIA) Template – Part 1

Policy title and purpose (brief outline):	Statutory duty for Fire and Rescue Authorities to respond to flooding and water rescue emergencies
Name of official:	Steve Pomeroy
Department:	EPS
Date:	30 January 2016

1. Please provide a brief description of the policy/decision.

The policy would create a new statutory duty on fire and rescue authorities (FRAs) to respond to flooding emergencies, and emergencies requiring persons to be rescued from bodies of inland water. At present, while FRAs routinely respond to many such incidents, they do so only on a voluntary basis.

2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

We consulted on this policy in principle as part of the development of the National Framework for Fire and Rescue Services, between September and December 2015. Following that, we consulted on the detail of the new duty, and the terms of the related legislation, between September and December 2016.

3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

Sources of evidence have included:

- Statistics relating to flooding and water rescue incidents on StatsWales, and bespoke analyses derived from the FRA Incident Recording System
- Discussions with FRAs, firefighters' unions and other stakeholders, and their responses to our consultation.
- Discussions with colleagues in the Scottish Government; a broadly similar duty (as regards flooding but not water rescue) has existed in Scotland since 2006.

- Reviews of literature and research from organisations concerned with water safety, eg Royal Society for the Prevention of Accidents (RoSPA) and National Water Safety Forum.

It is important to note any opportunities you have identified that could advance or promote equality.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to carrying out an EIA. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people <i>(Children and young people, up to 18)</i>	✓			Children are markedly more at risk of drowning in inland water than people in other age groups. That risk also disproportionately affects boys compared to girls; and is a much greater risk in Wales than in England ¹ . Injury is the commonest cause of death in non-
People 18-50			✓	

¹ RoSPA, *Assessing Inland Accidental Drowning Risk*, www.rosipa.com/rospaweb/docs/advice-services/.../inland-waters-risk-assessment.pdf; National Water Safety Forum, *UK Drowning Prevention Strategy*, <http://www.nationalwatersafety.org.uk/strategy/info/uk-drowning-prevention-strategy.pdf>.

Older people (50+)			✓	<p>infant children, with drowning being the second commonest type of fatal injury after road accidents². Since 2009, 20% of all those rescued from water have been aged between 5 and 16, with a further 16% aged between 17 and 24³. While the risk of drowning remains low in absolute terms, underpinning water rescue services with a statutory duty will particularly benefit these groups.</p> <p>There is no evidence of other age groups being disproportionately at risk.</p>
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4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment	✓			People with visual or mobility impairments may be more at risk of flooding, in that they may be unable to evacuate unaided, or to reach
Hearing impairment			✓	
Physically disabled	✓			

² Royal College of Paediatrics and Child Health, *Overview of Child Deaths in the Four UK Countries*, [http://www.rcpch.ac.uk/system/files/protected/page/CHRUk_Module%20A%20low%20res%20\(2\).pdf](http://www.rcpch.ac.uk/system/files/protected/page/CHRUk_Module%20A%20low%20res%20(2).pdf)

³ FRS Incident Recording System; bespoke analysis undertaken by Welsh Government Knowledge and Analytical Services.

Learning disability			✓	<p>a place of safety such as an upper floor. However, flooding casualties are too rare for there to be any data to substantiate this.</p> <p>There is no evidence to suggest that people with other forms of disability are particularly vulnerable to the risks covered by the order, nor any plausible connection between such disabilities and those risks</p>
Mental health problem			✓	
Other impairments issues			✓	

4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male	✓			<p>As noted above, boys are much more at risk of drowning in inland waters than girls. Across all age groups, 81% of victims of drowning are male, although this includes drowning in baths and swimming pools,</p>
Female			✓	

				which would not be covered by the order ⁴ .
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4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
			✓	There is no evidence of trans people being particularly vulnerable to the risks covered by the order, nor any plausible connection between being trans and those risks.

4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage			✓	There is no evidence of people of any marital status being particularly vulnerable to the risks covered by the order, nor any plausible connection between such status
Civil Partnership			✓	

⁴ National Water Safety Forum, *ibid*.

				and those risks.
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4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy			✓	There is no evidence of pregnancy or maternity being associated with vulnerability to the risks covered by the order, nor any plausible connection between such status and those risks.
Maternity (the period after birth)			✓	

4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,			✓	There is no evidence of people of any ethnicity or nationality being particularly vulnerable to the risks covered by the order, nor any plausible connection between ethnicity or nationality and those
National Origin (e.g. Welsh, English)			✓	
Asylum			✓	

Seeker and Refugees				risks.
Gypsies and Travellers			✓	
Migrants			✓	
Others			✓	

4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)			✓	There is no evidence of people of any religious belief being particularly vulnerable to the risks covered by the order, nor any plausible connection between religious belief and those risks.
Belief e.g. Humanists			✓	
Non-belief			✓	

4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How
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				might it impact?
Gay men			✓	There is no evidence of people of any sexual orientation being particularly vulnerable to the risks covered by the order, nor any plausible connection between sexuality and those risks.
Lesbians			✓	
Bi-sexual			✓	

4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions			✓	The policy is concerned with providing an emergency response to those who need it. It cannot have any continuing effect on their human rights or those of others.

If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.

Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.

Equality Impact Assessment – Part 2

1. Building on the evidence you gathered and considered in Part 1, please consider the following:

1.1 How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The policy is concerned with the provision of emergency response services. It does not and cannot have any wider or continuing social effects.

1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

As above.

1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?

As above.

2. Strengthening the policy

2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?

What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?

Not applicable.

2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)

Not applicable.

3. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

The order would largely formalise, and give a statutory basis to, FRAs' existing practices. In that sense, it aims to prevent change (eg, ceasing to provide flood response services) rather than to cause it. Nonetheless, we will monitor the effect of the order on the incidence of flood and water rescues in particular, as part of our routine monitoring of FRA activities and performance.

The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.

4. Declaration

***Please delete as appropriate:**

The policy ~~*does/~~ does not have a significant impact upon equality issues

Official completing the EIA
Name: Steve Pomeroy
Department: Fire Services Branch, Community Safety Division, Education and Public Services
Date: 30 January 2017
Head of Division (Sign-off)
Name: Martin Swain
Job title and department: Deputy Director, Community Safety, Education and Public Services Department
Date: 17 February 2017
Review Date: N/A

