

**NORTH WALES FIRE & RESCUE SERVICE**

**FIRE & RESCUE AUTHORITY REPORT**

DATE:	19 <sup>th</sup> September 2005
REPORT BY:	<b>ASSISTANT CHIEF FIRE OFFICER (SERVICE DELIVERY)</b>
PURPOSE OF REPORT:	To inform Members of the Insurance Provision relating to the Service's marine firefighting capability.

1. **INTRODUCTION**

- 1.1 The Fire & Rescue Services Act 2004, Sections 7 to 9, indicates that a Fire & Rescue Authority has a statutory responsibility to ensure a response is made to emergency incidents within its area. This includes vessels in port or alongside in port. Under Section 20 of the 2004 Act, a fire and rescue authority has the power to exercise its powers or duties "at sea or under the sea".
- 1.2 On the basis of the statutory provision and discretionary powers indicated in the Act, and the 1947 Act before it, the Service has, for some considerable time, declared itself as an asset to the Maritime and Coastguard Agency (MCA) to respond to incidents both outside and inside its statutory boundaries, when it is deemed appropriate to do so.

2 **CURRENT PROVISION**

- 2.1 To undertake this statutory responsibility Service personnel, who are trained to respond to incidents at sea, are covered by the Service's insurance provision to, dependent on their role, either 10 X Annual Salary, or a maximum of £500,000 per person.
- 2.2 Conditional to this is a maximum claim against the policy of £12 million for any one incident. As a result of this, the Service has limited the maximum number of personnel permitted to be on a casualty vessel at any one time to 24.
- 2.3 Additional insurance cover is provided for Service personnel travelling in helicopters during the 'At Sea' role. This cover is for a total of £4 million, resulting in no more than 8 Service personnel travelling at any one time.
- 2.4 The insurance cover mentioned relates to training exercises and events as well as responding to emergency operational incidents.
- 2.5 North Wales Fire & Rescue Service currently pays an annual premium in the region of £8K for this provision.

## 2 **CURRENT PROVISION** *(continued)*

- 2.6 This current, additional provision is underpinned by the Firefighters' Pension Scheme arrangements, which provides for insurance cover in the event of serious injury or death, whether an incident occurs on land or at sea. This provision equates to 5 x times annual salary with appropriate adjustments dependent on the circumstances.

## 3. **NATIONAL POSITION**

- 3.1 Currently, the Fire Brigades' Union is challenging the personal insurance provision of those Services who provide an 'At Sea' response. In effect, it is demanding £1million cover for each of its members who form part of a response team, which in the case of North Wales, amounts to 60 people. To meet this demand would significantly increase the insurance premiums paid by each Service, including North Wales.
- 3.2 Other Fire & Rescue Services, who like North Wales, are part of the Maritime Incident Response Group (MIRG), make insurance provision for personnel trained to deal with incidents at sea. This provision though, differs significantly from one MIRG member to another. This ranges from Mid & West Wales Fire & Rescue Service, who make no additional provision, other than providing the same level of cover as that for land based incidents, to a number of MIRG members in the South East of England, maintaining a £1million maximum provision for each qualifying individual claim. Kent Fire & Rescue Service pays an annual premium in the region of £50K to maintain this level of cover.

## 4 **CONCLUSIONS**

- 4.1 Negotiations are taking place involving CFOA, ODPM and the representative bodies, to arrive at an agreement which will incorporate a common approach to this issue.
- 4.2 Current thinking on this issue indicates that no distinction should be made between where an injury occurs, be it at a land based incident or at sea. Therefore, no additional insurance provision should be necessary, particularly as the MIRG strategy involves enhanced training, equipment and safe systems of work for personnel attending incidents at sea.

## 5. **RECOMMENDATIONS**

- 5.1 That Members note the contents of this information paper
- 5.2 That the current arrangements regarding marine insurance provision within North Wales continues, until a nationally set agreement is reached, at which point the matter will be reviewed.