Appendices	 NORTHAMPTON B O R O U G H C O U N C I L	Item No. **8**

CABINET REPORT

Report Title	**CONTAMINATED WATER TASK AND FINISH GROUP -** Response to recommendations made to Cabinet by Overview and Scrutiny Committee 2

AGENDA STATUS: **PUBLIC**

Cabinet Meeting Date:	8 July 2009
Key Decision:	YES
Listed on Forward Plan:	YES
Within Policy:	YES
Policy Document:	NO
Directorate:	Chief Executive
Accountable Cabinet Member:	Councillor Hoare
Ward(s)	Whole Borough

1 Purpose

1.1 The report proposes a Cabinet response to the recommendations set out in the report of the Overview and Scrutiny Committee 2 (Housing and Environment) – Contaminated Water Task and Finish Group.

2 Recommendations

Cabinet is recommended to

2.1 Note and support the Overview and Scrutiny Committee's concern to support vulnerable people in emergency situations;

2.2 Inform the Committee that Cabinet supports the continuing development and testing of the multi-agency arrangements designed to ensure that vulnerable people can be identified in an emergency, but in line with national guidance does not support the creation of a single central register of vulnerable people.

3 Background

3.1 Overview and Scrutiny Committee 2 set up a Task and Finish Group to investigate the contamination of water supplies in and around Northampton in early summer 2008. Following its research, the first report of that group made the following recommendations to Cabinet in November 2008:

> "1. Officers, together with ward Councillors, Registered Social Landlords (RSLs) and any other interested groups and agencies, develop a register of vulnerable residents. The register should be based at Northampton Borough Council's offices and be used in circumstances such as the recent contaminated water incident.
>
> 2. The register of vulnerable residents should be regularly reviewed and updated."

3.2 At its November meeting, Cabinet agreed to respond formally to Overview and Scrutiny in due course. This report proposes such a response.

4 Issues

4.1 Being able to identify people who because of their personal circumstances may be at particular risk in an emergency is a critically important part of emergency planning. The Overview and Scrutiny report is right to identify this as a priority, not only for events such as the contaminated water incident, but for any of the diverse possible incidents which may threaten life, livelihood, health or property.

4.2 The current position with regard to identifying vulnerable people in an emergency is that the Emergency Planning Team based in Northamptonshire County Council contacts all the agencies signed up to sharing this data, asking for lists of vulnerable people known to them in the relevant area. The collated lists are then used by emergency responders to communicate with and assist those people as required.

4.3 Relevant legislation includes the Data Protection Act 1998, which influences how data about people can be shared and used, and the Civil Contingencies Act 2004 which sets out agencies' duties before during and after emergencies. Under the latter Act, the Cabinet Office has issued non-statutory guidance entitled 'Identifying People who are Vulnerable in a Crisis'[1]. This directly addresses the issue raised by the Task and Finish Group.

4.4 The summary to this guidance states that

> "it would be impossible to maintain a central up-to-date list of vulnerable people. Therefore it is recommended that lists of organisations and establishments are made, who can then be contacted in the event of an emergency to provide relevant information."[2]

4.5 The principal reason for avoiding a single centralised list is the difficulty of maintaining it due to the wide variety of systems which would feed it, from

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[1] Cabinet Office (2008) 'Identifying People Who Are Vulnerable in a Crisis'
[2] page 3

different agencies and often on incompatible technological platforms. The Task and Finish Group's recommendation cannot therefore be supported as it stands, although its intentions are right.

4.6   Instead, a register of relevant establishments can be held by the Emergency Planning Team, which identifies who is the right contact for that establishment and that the responsibility for keeping a list up to date lies with that person. The Borough Council itself has such establishments, as well as its register of tenants, and so needs to maintain an effective system. A recent emergency planning exercise tested these arrangements, and identified that the Council's Call Care service was rapidly able to provide a list of vulnerable people.

4.7   Data sharing, in compliance with the Data Protection Act, has been addressed through a comprehensive protocol to which the following agencies are signatories:

- Northamptonshire Police
- NCC Children's Services
- NCC Adult Services
- NBC Call Care
- Northamptonshire Teaching Primary Care Trust
- Central Networks
- Anglian Water
- Probation Service
- Age Concern

The effectiveness of this protocol is also tested through multi-agency exercises. Further work to develop an Evacuation Plan will incorporate good practice from national guidance and local experience.

5   Options

5.1   The option to create and maintain a single central database of vulnerable people in Northampton cannot be supported, due to the impossibility of keeping it effective and up to date.

5.2   However, the alternative arrangements which have been developed and which take account of Government guidance should achieve the same result, namely the protection of vulnerable people in a crisis. These arrangements are being improved through regular exercising of different scenarios.

5.3   The preferred option is therefore to note and endorse the Overview and Scrutiny Committee's interest in supporting vulnerable people, inform the Committee that Cabinet does not support the creation of a single central register but that it does support the continuing development and testing of the alternative multi-agency arrangements designed to achieve the same result.

6   Implications (including financial implications)

6.1   Policy

6.1.1   No apparent implications.

6.2 Resources and Risk

6.2.1 The Task and Finish Group's proposal would have significant implications for maintaining a comprehensive and up to date register compiled from a variety of sources. The alternative proposed in this report spreads the resource requirement around the various relevant agencies, utilising systems which are (largely) already in place.

6.2.2 Failure to be able to identify vulnerable people in an emergency can carry the risk that these people do not receive appropriate communication or assistance. In the most extreme cases this could threaten their health, safety or even lives. It is considered that the arrangements proposed in this report provide the most effective way of mitigating that risk.

6.3 Legal

6.3.1 The legal requirements imposed by the Data Protection Act and the Civil Contingencies Act are met by the arrangements described in this report.

6.4 Equality

6.4.1 Vulnerability can be associated with equality issues, such as age (potential infirmity) and national origin (eg ability to understand urgent messages in English). These factors are taken into account in developing emergency plans.

6.5 Consultees (Internal and External)

Cllr Trini Crake, Environment Portfolio

Dave Green, Team Leader Commercial Services, Public Protection

Paul Howard, Emergency Planning Officer

6.6 How the Proposals deliver Priority Outcomes

6.6.1 These arrangements will help to deliver safer communities.

6.7 Other Implications

6.7.1 None apparent.

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7 Background Papers

Overview and Scrutiny Committee 2 (Housing and Environment) Contaminated Water Task and Finish Group reports of November 2008 and May 2009

DW1 Report of 4 November 2008 in relation to the drinking water quality incident and Pitsford Treatment Works

Cabinet Office (2008) 'Identifying People Who Are Vulnerable in a Crisis'

Thomas Hall
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