

**Subject:** Seasonal Beach Lifeguard Service – proposed future arrangements

**Date of meeting:** 18<sup>th</sup> April 2024

**Report of:** Corporate Director City Services

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**Ward(s) affected:** All

**1. Purpose of the report and policy context**

- 1.1 The beach lifeguard service on Brighton and Hove's beaches is currently managed directly by the council. The Seafront Office oversees 13km of coastline and 10 lifeguarded beaches from Hove Lagoon to Saltdean. The season runs annually from the end of May to early September. The lifeguards are responsible for managing emergency responses to water and land-based incidents. A review of the service has been undertaken to look at options available to manage the lifeguard service from summer 2025 that result in efficiencies whilst ensuring delivery of a safe service.
- 1.2 Two proposed approaches for managing the seasonal lifeguard service from summer 2025 have been explored further. The two options are either to contract out the beach lifeguard service to the Royal National Lifeboat Institution (RNLI) or to continue to manage and deliver the service in-house.
- 1.3 This report sets out the current arrangements, future options and next steps to be followed.

**2. Recommendations**

That the committee:

- 2.1 Notes that the soft market research identified in the options review shows that the RNLI are currently the only external organisation found to be operating beach lifeguard services for local authorities.
- 2.2 Agree that delegated authority be given to the Corporate Director of City Services, in consultation with the relevant cabinet portfolio holder, to conclude negotiations with the RNLI leading to either the service being contracted out as detailed in paras 4.6 to 4.11 or continuing in-house as detailed in paras 4.3 to 4.5.

### **3. Context and background information**

#### **The current arrangements for the seasonal beach lifeguard service**

- 3.1 The beach lifeguard service is currently managed by the council's Seafront Office, and the season runs annually from the end of May to early September. A key responsibility of the lifeguards is to manage emergency responses to water and land-based incidents.
- 3.2 The Seafront Office has 7 core staff and is responsible for the end-to-end lifeguard recruitment process, lifeguard inductions, weekly training and management of the operation. In addition to managing the lifeguard service over the summer season, the Seafront team is responsible for managing and maintaining a controlled and safe seafront environment, daily patrols, incident management, stakeholder engagement, byelaw enforcement, seafront maintenance, public safety and incident prevention throughout the year.
- 3.3 The key requirements of the lifeguard role are:
- ability to swim 400m in under 7m 30sec (16 lengths of a 25m pool)
  - hold a valid UK Beach Lifeguard Qualification
  - complete a DBS check.
  - complete induction training with the Seafront Team, covering normal beach operating procedures, health and safety, water, and beach-side practical training.
- 3.4 The key tasks for lifeguards include:
- water safety advice
  - drowning prevention
  - emergency response to water-based incidents,
  - emergency response to life-threatening land-based incidents
  - minor first aid
  - missing persons search and reunite
  - sun safety advice, weather and tide information
  - hazard identification
  - byelaw enforcement on beach (including dogs and barbeques)
- 3.5 The Seafront Office and the Lifeguard service is currently funded through the council Seafront budget. The Lifeguard Service cost for the summer season in 2024 is £482,193.

### **4. Analysis and consideration of alternative options**

- 4.1 The options review below provides the details of the three different models of lifeguard service delivery currently operating in England and looks at the efficiencies in operation whilst ensuring delivery of a safe service.
- Voluntary - A service run by unpaid volunteers.
  - In-house - A service run directly by a council with directly employed staff
  - RNLI - The Royal National Lifeboat Institution, a charity dedicated to saving lives at sea.

- 4.2 **Voluntary option** - using volunteers to lifeguard Brighton and Hove's beaches is not seen as a viable option to replace the service. It is unlikely that enough volunteers could be found, and as volunteers it would be difficult to maintain the level of service needed consistently. Based on these findings this option has been ruled out being explored further.
- 4.3 **In House Option** – to continue to manage and deliver the service as it is currently. This would continue to be through beach lifeguards employed and managed directly by the council. This service has been delivered by the council since it came into being. The costs, risks, roles, and responsibilities are well understood.
- 4.4 The service provided is reviewed each year and is based on beach risk assessments. The service is highly regarded and contributes significantly to the reputation of the city. Being in house means the service can work effectively with other council services and contribute towards the wider council aims. Not having the buying power of a larger specialist organisation may result in the council paying more for or not being able to source equipment.
- 4.5 The limited ability the council holds to secure sponsorship and elicit donations in support of the beach lifeguards service opportunities due to capacity and expertise may be a limiting factor with the service being delivered in house. This is particularly important given the council's financial situation.
- 4.6 **The Royal National Lifeboat Institution (RNLI) Option** - the RNLI are a national water safety charity with a track record of providing lifeguarding services to local authorities. In 2022, 1,632 RNLI lifeguards provided cover on 242 beaches across the UK and Channel Islands. They attended 18,897 incidents, helped 23,204 people, and saved 117 lives.
- 4.7 RNLI lifeguards patrol beaches, share safety advice, provide first aid to those who need it, and save lives of those who get in trouble in the water.
- 4.8 Research shows that the key requirements of an RNLI lifeguard role are:
- lifeguards are qualified in lifesaving and casualty care
  - ability to swim 400m in under 7m 30sec (16 lengths of a 25m pool)
  - hold a valid UK Beach Lifeguard Qualification
  - can run 200m on sand in under 40 seconds
  - pass a health assessment
- 4.9 The RNLI provide lifeguard services around the country over the summer season and state that all their lifeguards are equipped with the best training and equipment, so that they can deal with any situation. Best practice is that while lifeguards are lifeguarding, they don't dual purpose. RNLI lifeguards monitor sea conditions and set up the appropriate flags, watch the people on the beach and offer safety advice on the beach.

- 4.10 RNLI lifeguards do not take on other tasks such as enforcing byelaws, lost children, and anti-social behaviour. The RNLI work closely with other services to ensure these tasks are dealt with. The proposal from RNLI is to have lifeguards based on robust beach risk assessments that identify the environmental, physical, and human hazards along the coastline and plan appropriate mitigating actions in line with available resources.
- 4.11 The RNLI provide an extensive programme of training for their lifeguards and ongoing peer to peer support to ensure that they are well trained and supported in all aspects of their role in the provision of lifeguard services.
- 4.12 The provision of lifeguard services is one of the RNLI's core services and they are well placed to provide enhanced wellbeing support and ongoing care to meet the needs of the lifeguard teams. They have extensive experience of managing beaches throughout the country and are able to draw on those experiences and share best practice with the teams that they manage. This is a very important aspect when considering the future management arrangements of the service.

## **5. Conclusion**

- 5.1 The voluntary option has been ruled out, based on the associated risks detailed above in paragraph 4.2.
- 5.2 The in-house option will continue to be provided should terms and costs not be agreed with the RNLI. The current arrangements will be reviewed and any improvement opportunities identified that result in efficiencies whilst ensuring delivery of a safe service.
- 5.3 The RNLI lifeguard model has a proven track record of working successfully for other local authorities. Market research shows that apart from a few local authorities managing their lifeguard service in-house and some using the voluntary route, all others are managed by the RNLI. The options analysis has not determined the likely costs and terms on which a service would be provided by RNLI to the Council. The council will need to explore this further with RNLI to assess whether this is the right option, looking at any potential cost savings, risks, and benefits.
- 5.4 The RNLI are a large national organisation with a core business that focuses on saving lives at sea. They have well established processes and procedures and the necessary resources in place to provide their lifeguards with round the clock support, which includes a counselling service and a lifeguard benevolent fund. This is well-tailored for staff who have seen a death or serious injury at work.
- 5.5 The lifeguard service is different to other services provided by the council and responds to many challenging issues. Throughout the summer season the lifeguards employed are called upon to respond to emergencies in the sea. This response to what can sometimes be traumatic events can be very stressful for those involved in a rescue incident. The RNLI respond to many

incidents nationally on their beaches over the season and are very experienced in managing these incidents.

- 5.6 In the event of a contract arrangement being entered into with RNLI, the Seafront Office year-round service currently provided by the council would continue to be directly delivered and retained. This function would act as the client side for the contracted seasonal lifeguard service.
- 5.7 The Seafront office will continue to be responsible for managing and maintaining a controlled and safe seafront environment, daily patrols, incident management, stakeholder engagement, byelaw enforcement, seafront maintenance, public safety, incident prevention throughout the year. Appendix 1 sets out the roles and functions that are proposed could be contracted to transfer to the RNLI from summer 2025.

## **6. Financial implications**

- 6.1 Following the savings agreed at Budget Council on 23rd February 2023, the decision to maintain the lifeguard provision in 2023 as per the 2022 season and service pressure allocation agreed at Budget Council on 22nd February 2024, the expenditure budget for Seafront Services for 2024/25 is £0.928m. The costs for the 2024 lifeguard season delivered in-house of c£0.482m is anticipated to be contained within the Seafront Services budgets with potential pressures for the provision of Lifeguards to be mitigated by efficiencies within the wider seafront services budgets. Any significant variations to budget will be reported as part of the council's monthly budget monitoring process.
- 6.2 To fully achieve previously agreed savings, either a reduction of lifeguard support or an alternative delivery model would need to be considered. Negotiations with RNLI may achieve the savings through an alternative delivery model. Should the option of RNLI not be cost effective then other delivery models will need to be considered or other budget consideration needed to ensure the in-house service operates within budget. Any significant variations to budget will be reported as part of the council's monthly budget monitoring process.

Name of finance officer consulted: John Lack    Date consulted: 05/04/2024

## **7. Legal implications**

- 7.1 This report explores the options for seasonal beach lifeguard services. There is no statutory duty on the Council to provide the lifeguard service. Section 234 Public Health Act 1936 gives local authorities a general power to provide lifesaving equipment at such places as they see fit.
- 7.2 One of the options explored by this report is for the potential provision of the lifeguard service by RNLI. Under the current Procurement Regulations 2015 the Council can award a contract directly to a service provider if for technical reasons there is an absence of competition for providers and no reasonable alternative substitute provider exists. The Council needs to be satisfied from

its engagement with the market that there is no reasonable alternative and can issue a Notice of its intention to direct award the contract. If the procurement process was to commence under the new legislation, which is anticipated to apply from autumn 2024, there are broadly equivalent legislative provisions for the direct award of a contract and the Council will be required to issue a compulsory notice of its intention to award the contract directly.

Name of lawyer consulted: Siobhan Fry      Date consulted 09/04/24

## **8. Equalities implications**

- 8.1 Brighton and Hove beaches are enjoyed by people from all protected groups under the Equality Act 2010. In recent years the Council has sought to improve beach access for disabled people, having recently installed an accessible boardwalk as part of the Black Rock rejuvenation, made all terrain wheelchairs available along the seafront, and improved the number of Blue Badge parking bays along Madeira Drive.
- 8.2 An Equalities Impact Assessment will be completed prior to a decision being made as to which is the preferred option for the Lifeguard service future management arrangements.

## **9. Sustainability implications**

- 9.1 The Lifeguard service maintains as low an impact on the beach environment as possible. Lifeguard stations are only set up and operate on the beach during May to September and are stored away from the seafront for the remainder of the year. The lifeguards also help to ensure the city's beaches remain a safe and clean by working with the Seafront Team to enforce byelaws along the coastline.

## **10. Social Value and procurement implications**

- 10.1 The service have offered information on the lifeguarding market and have indicated that the market research conducted by the service department has been sufficient to establish the absence of market competition. No other suitable supplier in the lifeguarding market exists.

## **Supporting Documentation**

**Appendix 1** - the roles and functions that are proposed could be contracted to transfer to the RNLI from summer 2025