



The Government's Response to  
the Transport Committee's Report  
on the Work of the Maritime  
and Coastguard Agency





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Presented to Parliament by the  
Secretary of State for Transport  
by Command of Her Majesty  
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# THE GOVERNMENT'S RESPONSE TO THE TRANSPORT COMMITTEE'S REPORT ON THE WORK OF THE MARITIME AND COASTGUARD AGENCY

## INTRODUCTION

The Government has carefully examined the Committee's considered report into the work of the Maritime and Coastguard Agency. The Agency has a well-deserved world class reputation, both for the dedication and professionalism of its staff and the very high standard of its search and rescue operations. However, safety and the operational integrity of the UK search and rescue (SAR) region are, and will continue to be, paramount. Neither the Agency, nor the Government are complacent. We recognise that there are always areas for improvement in any organisation and the Government is committed to supporting the management and staff of the Agency in enhancing its delivery of the front line services on which its effectiveness and reputation rest.

The Government's response to each of the Committee's conclusions and recommendations is set out below.

## RESPONSE TO RECOMMENDATIONS

### Safety

**We are shocked that when we took evidence in 2004 the Agency was unable to demonstrate that it had already analysed the reasons for the increases in incidents, accidents and deaths since 1998. This displays a worrying inability to note trends, and to take the necessary action to make sure the Agency understands them. (Paragraph 9)**

It is true that numbers of incidents, accidents and deaths reported to the Agency have risen in absolute terms, but there are a number of possible reasons for this, many of which are beyond the control of the Maritime and Coastguard Agency. For example, in 2003, the overall figure of 316 deaths included 118 suicides and 115 recovered bodies (cause of death unknown).

However, historically within the Agency, data collection methods were sometimes inconsistent, making comparisons and analysis of trends difficult. The Agency recognises the importance of this analysis for the effective targeting of its accident prevention work. It has already begun to ensure that it has a robust statistical database in place, which will enable it to measure the impact of its prevention work more accurately. To ensure that this work was given the highest priority, it was made one of the Agency's Ministerial Targets for 2004/05.

As another indication of the importance that the Agency attaches to this issue, an incident prevention team was established in 2003 to assess and analyse the available data. In April 2004, the Agency further strengthened its capability in this area, with the creation of the Risk Analysis and Prevention Branch, to focus specifically on the analysis of incident trends and to target accident prevention activity on areas of greatest concern.

In addition, an independent audit was recently commissioned to check the Agency's statistical base and its processes and systems and to check that it was collecting appropriate, reliable data, which could be interrogated to inform policy decisions. Although that audit validated the Agency's work so far, the Agency intends to establish ongoing external validation for its statistics and risk analysis teams, as a further check on the integrity of its data collection and analysis capability.

**We note the MCA's assertion that the closure of three rescue co-ordination centres has not resulted in safety being jeopardised. We would have greater confidence in such an assertion if it were based on a full assessment of the impact of the closures. (Paragraph 12)**

**The MCA should carry out a full assessment of the impacts of the closures of Oban, Pentland and Tyne Tees rescue co-ordination centres. Until such an assessment has been undertaken the MCA's claims that safety has not been jeopardised will be impossible to verify. (Paragraph 13)**

The Government does not accept that there has been insufficient assessment of the impact of the closures of the three rescue co-ordination centres, and that safety has been jeopardised as a result.

Before any decision was made to close the co-ordination centres at Oban, Pentland and Tyne Tees, a full and independent review of the proposed 5 year closure strategy was carried out by Lord Donaldson of Lymington, on behalf of the then Secretary of State. Since the closure of the three co-ordination centres, regular exercises have been carried out to ensure the operational integrity of the areas taken over by other co-ordination centres. Levels of search and rescue activity in all regions are already regularly reviewed and dynamic risk appraisals are carried out. Where a need for improvement is identified, procedures are amended accordingly and good practice is disseminated across the SAR network. The work already in hand to improve analysis of statistics for incidents, accidents and deaths, will further assist this process.

Although the co-ordination centres are an integral part of the SAR chain, it is important to distinguish between the role of Coastguard Rescue Co-ordination Centres on the one hand, and the role of those who undertake search and rescue missions on the other (the local auxiliary coastguard teams, helicopter and lifeboat crews). Rescue resources are not located at the centres but are dispatched from strategic locations on instructions issued remotely from co-ordination centres. There has been no reduction in the actual number of response teams carrying out search and rescue.

New technology enables co-ordination centres to monitor maritime activity and co-ordinate incident response over a wider area than was previously the case. For example, while the co-ordination centres at Oban, Pentland and Tyne-Tees have closed, the radio-communications infrastructure (the aerials), which pick up distress alerts, continue to operate. The aerials were switched in a flanking arrangement, so that the signals they detect are now monitored by other co-ordination centres. It is also now possible to link co-ordination centres, so that one centre can assist another during periods of increased activity.

**The MCA should monitor the time taken for Coastguard response teams to arrive at incidents so that:**

**The exact time of response is recorded in each case where the 30 minute standard is not met and an assessment made of the impact of the failure to reach the standard;**

**The national situation can be assessed to see whether the Standard is breached in certain areas more frequently than others and what the implications are of any such variation. (Paragraph 18)**

The Coastguard response teams are made up entirely of members of the Auxiliary Coastguard Service, all of whom are volunteers from the local communities they serve. We welcome the Committee's recognition of the hard work and dedication of these people and their impressive performance in meeting the relevant Agency Service Standard ("For the Coastguard to arrive on the scene of an incident within 30 minutes of a response unit being activated."). When he appeared before the Committee, the Chief Executive of the Maritime and Coastguard Agency gave evidence that this Standard was met 97.4% of the time. Latest figures for 2003 show that this standard was met in 97.8% of incidents. On those relatively few occasions when it was not met (206 in 2002 and 174 in 2003), the reasons were beyond the control of the Agency and were largely because of traffic difficulties or bad weather. In some cases the response teams were actually called back to base by the co-ordination centre before they had even arrived on scene.

The number of incidents where the 30 minute Service Standard is not met, is recorded locally. These figures are analysed at district level, rather than at the national level, as suggested by the Committee. This is considered more appropriate since the wide variations in the national picture (number of response teams per sector, types of incidents etc) make it unlikely that any analysis would be operationally meaningful. By analysing the figures at district level, action can be taken locally, if there are specific issues (eg specific training needs or local liaison).

A report on incidents where the 30 minute standard is not met, is submitted to the Operations Directorate in MCA headquarters. Where safety implications of wider significance for SAR response teams nationally have been identified, these then inform future operational advice and procedures both at national and local level. No such safety implications have arisen in the period from 1998-2003.

No separate record is kept of how much outside the 30 minute standard rescue teams actually arrive, but the fact that the standard is missed is enough to trigger further investigation. More detailed recording of such figures may put response teams under an inappropriate degree of pressure to reach the scene of an incident.

It is important to remember that members of Coastguard response teams are volunteer auxiliary coastguards, who may travel to the scene of an incident in private vehicles. They do not have traffic priority status – they need to balance speed with safety. The Agency must take care not to adopt standards and targets that encourage auxiliary coastguards to expose themselves, or others, to unacceptable risks in the effort to reduce response times.

**For the year March 2003-February 2004, monthly figures showed that between 5.7% and 12.4% of all watches were staffed below the minimum level. Over the year as a whole 8.6% of watches were staffed below minimum levels. It is unacceptable that, month after month, nearly a third of all watches are operating at or below minimum levels. We expect to receive a full briefing on the results of the staffing review when it has reported. Given the seemingly inexorable rise in the number of incidents, accidents and deaths, we would need to hear very convincing arguments before condoning any diminution of recommended or minimum staffing levels.**  
(Paragraph 26)

**We understand the interim arrangements until the staffing review is completed will be that existing recommended and minimum watch levels are to be treated as guidance and watch levels will be set on the basis of risk assessment. This will only be acceptable if it is guaranteed that managers will receive the staff that the risk assessments show they need.** (Paragraph 27)

The Government does not accept that there is a connection between the number of Maritime and Coastguard Agency staff on duty at rescue co-ordination centres and the increased number of incidents, accidents and deaths recorded at the coast (figures which currently include numbers of suicides and cases where the cause of death is unknown). It is the Auxiliary Coastguards in local rescue teams, who actually respond to emergencies and there has been no reduction in the number of these teams.

The Government would never condone any reduction of manning levels that impacted adversely on safety. The existing recommended minimum staffing levels do not reflect recent technological developments, or the risk assessment approach to deciding manning levels that is now used. New technology, combined with the principles of risk assessment, allow local managers to decide the most appropriate staffing levels for rescue co-ordination centres at any particular time.

There is ongoing constructive dialogue with the Public and Commercial Services (PCS) Union about a revision of the current guidance on staffing levels, which would move away from the concepts of minimum and recommended staffing levels towards staffing levels based on risk assessments. This ensures that the cover would be appropriate at all times, whilst allowing greater flexibility for the staff, enabling them to strike a better balance between family and work commitments. The minimum and recommended staffing levels regime was established at a time when coastguard co-ordination centres were isolated units. Now with improved digital technology each centre can be partnered operationally, both effectively producing a much stronger level of staffing, and enabling one station to assist another in an emergency. Workloads at co-ordination centres can differ by as much as 25%. Therefore, the principle of risk assessment combined with new technology now allow managers locally to decide staffing levels for rescue co-ordination, depending on expected coastal activity and back up arrangements. The MCA Chief Executive will, of course, provide the Committee with a full report when the staffing review is complete.

**We welcome the Agency's commitment to accident prevention, and appreciate the need for a Target, which allows the Agency to assess more accurately which methods of accident prevention are effective. We assume that the new Target is a transitional one and that, once a system is in place by which types of preventative work can be assessed, it will be superseded by a Target which challenges the Agency to implement a range of effective prevention programmes. (Paragraph 30)**

The Maritime and Coastguard Agency is making sustained progress with, and is on track to meet, the 2004/05 Key Ministerial Target concerning the development of a robust statistical base and a system for measuring the impact of its prevention activities. The Department for Transport and the Agency are already working together to present a set of targets for 2005/06 that cover the breadth of the Agency's work, whilst still addressing priority issues. The Government is determined that these targets will focus on achieving outcomes and will aim to drive further improvements in the Agency's performance, including helping to reduce the number of preventable deaths at sea.

**The Maritime and Coastguard Agency has failed to review sufficiently swiftly its actions in the light of the increasing numbers of incidents, accidents and deaths. The Department for Transport should therefore commission an external independent review. As well as considering factors such as suicides and use of coastal areas by the public, that review should include the MCA's responsibilities, and in particular should examine the effect of closing rescue co-ordination centres; the time taken to respond to incidents; and staffing levels. (Paragraph 32)**

The Government recognises that external review and validation is important for the good governance of any organisation. In early April 2004, the MCA invited the British Quality Foundation (BQF) to conduct an independent review of its management and business systems. The BQF is an industry-led body, promoting quality operations, both in the private and public sectors. Their draft report was delivered to the MCA in early September 2004. It was generally very favourable and, where it highlighted areas for improvement (such as developing a better system for communicating key messages to all staff), action is already in hand. The Chief Executive of the Maritime and Coastguard Agency will forward a copy of the report to the Committee Clerk, when it is in its final form.

The Agency already has extensive external validation processes in place through the appointment of external members to its Executive Board and its Audit Committee, its external accreditation to the ISO 9001-2000 Quality Management standard, and also has Investors in People (IiP) accreditation. It is also putting in place specific arrangements for the external validation of its statistical and analytical capability.

Having considered the Committee's recommendation in the light of these developments, the Department is satisfied that there is no need for a further external independent review of the Maritime and Coastguard Agency.

**The MCA must ensure that the Incident Management System is not implemented until all the problems so far encountered have been fully resolved, even if that requires a further delay. (Paragraph 37)**

The Incident Management System (IMS), or "VISION", is a real time electronic message handling system and reference tool. It will be fully implemented, with full training for staff, in all co-ordination centres, by November 2004. It replaces an existing antiquated computer system that monitors the progress of an incident and captures operational information to help track and manage developments at all stages. IMS is a generic system used by a variety of emergency services in the UK and has been customised for use in coastguard co-ordination centres. It is not critical to the successful management of an incident – if it were to fail, there is an effective paper-based back-up system available. More important in these circumstances, is the Integrated Coastguard Communication System (ICCS), which the Committee agreed was working well.

It is true that a number of issues about the functionality of VISION (including those mentioned by the Committee) were raised in earlier phases of this project. These have been recorded and investigated and any necessary improvements to the system have been implemented. Where the problems recorded were associated with operator error or lack of knowledge, further training has been offered. The Agency has redoubled its effort on training staff to operate this system and will be keeping the trainers employed specifically for this task for a further year after full implementation.

In July 2004, the Agency commissioned BMT Reliability Consultants to undertake an independent review of their electronic incident management systems to ensure that the architecture of the system is sound and that the data inputs and outputs are consistent with Agency requirements. The review is also identifying any gaps in the data and will consider whether these can be addressed by using data currently collected from other Agency systems e.g. the Integrated Coastguard Communication System (ICCS).

The consultants' early findings have concluded that the infrastructure provided by the IMS/Vision system and the ICCS is modern and has the capability to capture the majority of the data needed and to provide information to enable efficient and effective management of the MCA's Search and Rescue service. BMT have raised some specific areas of concern, some of which the Agency had also recognised. For example:

- Management reports do not distinguish between incidents that are within the scope of MCA prevention influence and those that are outside it.
- The opportunity for operational personnel to collect incident data associated with preventive measures is not being fully exploited at present.
- Management reports do not provide information on performance trends on a monthly or annual basis.
- There are training and cultural issues to be addressed, before the concepts of prevention and prevention-effectiveness can be fully integrated into the service and accurate and complete data entry can be assured.
- In future, data collected should include indicators of potential demands on the search and rescue services (for example, the numbers of commercial or leisure users that are likely to be in a given location at any one time).

Actions to address some of these concerns are already in place. Actions to address the remaining issues identified by BMT will be implemented as soon as possible.

## **Staff Issues**

**Given the likelihood of a future shortage of suitably qualified candidates for some posts, it is only sensible that the MCA should seek ways to ensure its staff are up to the job. However, in order to ensure that standards are not diluted, the Agency needs to ensure that its internally identified competencies are at least as stretching as comparable externally awarded qualifications. The Agency needs to move quickly to ensure that its competency framework is externally assessed to ensure it is sufficiently rigorous. (Paragraph 42)**

**The MCA needs to draw up proper formal guidance – and stick to it – stipulating: the circumstances in which unqualified staff may temporarily fill posts requiring specific qualifications or competencies; the regime in place to ensure such staff are sufficiently supported and monitored; and the steps to be taken to ensure that they receive the extra validations and/or qualifications required to fill the posts in question substantively. (Paragraph 43)**

It is important that all Agency staff have appropriate qualifications and experience to enable them to do their job effectively. However, there is a growing shortage of suitably qualified candidates for some specialised posts (eg Marine Surveyors) within the MCA, largely as a result of the decreasing number of potential applicants with sea-going experience. This means that the Agency is having to review the existing entry requirements and/or the type of further training that will have to be offered for some posts. The Agency has developed a marine technician entry level for specialist ship surveyors and is actively considering the introduction of a graduate recruitment programme.

However, no other independent organisation delivers training or qualifications in maritime Search and Rescue (SAR) in the UK and therefore the Agency has had to initiate its own training qualification in this area. Indeed, it is a measure of the high esteem in which the Agency is held, that other national and international organisations use the Agency as their source of training and expertise in this specialised field. The technical competency framework for coastguards was developed by a working group of experienced officers, and which included trade union representation. The framework is modelled on the National Vocational Qualifications (NVQ) structure and is reviewed regularly by this working group. The Agency is increasing its own training programme for Watch Assistants to qualify as Watch Officers. Presently, 18 people are sitting exams between September and the end of the year; with another 36 being interviewed for training ahead of need.

To safeguard standards the MCA is working to identify the appropriate external accrediting body (NVQ, SVQ, OCR etc), with whom to discuss the feasibility of gaining external accreditation for Coastguard training and qualifications.

We share the Committee's concern that there should be a proper framework, under which staff may temporarily fill posts requiring specific qualifications or competencies. Guidance on when Coastguard staff may temporarily fill such posts has existed for some years in Coastguard publications (Coastguard Guidance 3 Chapter 2 and Operational Advice Note 122). In addition, Chapter 8 of the Staff Handbook sets out the arrangements more generally across the Agency. Besides going into some detail, the Staff Handbook guidance covers all the areas highlighted by the Committee, including, in Section 8.14.35-36, the circumstances in which staff may temporarily fill posts.

**It is entirely unsatisfactory that because of Treasury adjustments the Maritime and Coastguard Agency did not have its 2002-03 budget settled until the financial year was almost over. In these circumstances, no blame can attach to the Agency for the overspend. While we support attempts to improve the accuracy of Government accounts, those making the improvements should be aware of the potential operational impact of their actions. (Paragraph 44)**

The Committee's finding is fair. From immediately available records, it seems that the £700k overspend was more the result of communication within DfT Central Finance about the required level of vote funding for the MCA in the Spring Supplementary Estimate, rather than any mismanagement by the Agency. Since MCA provides frontline services, all of its costs have now been reclassified as Programme expenditure. That will give the Agency maximum scope to manage its resources to best effect to deliver its targets. With the move to programme spending, such a situation is unlikely to happen again. DfT(C) Finance will do everything possible to prevent a recurrence.

## **Tackling Pollution**

The MCA summarises its objectives as Safer Lives, Safer Ships, Cleaner Seas. However, the Agency's Chief Executive appeared not to be briefed on a key Report about pollution from ships, was apparently unaware of the one example the Agency could muster as evidence of its exploitation of new technology, and could not suggest a single desirable legislative, regulatory or technological change. The Department should review with the MCA the strategic approach provided by the Agency on pollution matters. (Paragraph 48)

The Public Accounts Committee report *Dealing with Pollution from Ships* (January 2003) recommended that “the Agency should exploit new technology to detect pollution offences and to identify and trace offenders.” In fact, the MCA does use satellite technology to help detect pollution from ships and has been working in partnership with Germany and the Netherlands. But it is not a cheap option – one satellite image costs £1,000 – so it is used alongside other technologies (eg with the present trial of the Automatic Identification of System (AIS) for ships, monitoring their movements), enabling the Agency to monitor and detect spillages, and those causing them, more readily in the future.

In terms of the MCA’s strategic approach to pollution matters, the Agency’s objectives in this field are to:

- Ensure that ships which operate in UK waters are safe, both in terms of their own operations and in terms of their interaction with the coast and with other ships (thereby reducing the risks of collisions and groundings);
- Remove any incentive for ships to create deliberate pollution;
- Assist ships in difficulties (again reducing the risks of collisions and groundings);
- identify and penalise ships which offend against safety and pollution law; and
- ensure an effective response in those instances where, despite everything, pollution does occur (the MCA keeps the National Contingency Plan for Marine Pollution from Shipping and Offshore Installations continuously under review).

In meeting these objectives, the Agency works closely with officials from a number of Government Departments and Agencies, as well as other key stakeholders, both on issues of detail and on strategic matters.

For example, the Agency plays a proactive and effective role in preventing, and in responding to, ship-source pollution. The work is spread between various different units within the Agency, and covers a wide variety of issues including: ensuring that ports make waste reception facilities available; checking a sample of ships entering UK ports for their compliance with the relevant maritime safety and pollution regulations; developing the UK’s application of Automatic Identification Systems for ships; developing routing and ship reporting measures for approval through the International Maritime Organization; providing Emergency Towing Vessels where they are needed; providing ships with access to places of refuge when necessary; responding to pollution incidents at sea, and advising on the response to shoreline pollution; monitoring pollution using aerial and satellite technology; and prosecuting those responsible for ships which are unsafe or which cause pollution.

The MCA is also developing a sustainable shipping policy for the UK, to promote and encourage environmentally sound and sustainable practices within the UK shipping industry.

## Policy Formulation

**It is alarming that the Agency's Chief Executive could not give us specific examples of the MCA's influence on policy debates. It is clear from the evidence we took on offshore wind farms that the MCA is not engaging properly with the policy development process. The Department needs to ensure that the Agency's views are fully taken into account at an early stage in the formulation of relevant policy. But the principal onus is on the Agency itself to identify areas of emerging or deficient policy and to make coherent and pragmatic proposals to the Department. The head of the government's maritime safety agency has not only the right but the duty to make his views about matters which could affect the safety of navigation known to those formulating policy. (Paragraph 52)**

The Government does not accept the Committee's conclusion that the MCA is not fully engaged in influencing policy decisions. The Agency is fully consulted on, and involved in, all maritime policy development from the earliest stages, and is a key player in the Department for Transport's Maritime Policy Group, which meets every four months and is comprised of policy officials from the ports, shipping and legal divisions of DfT. The Agency is also represented on several cross cutting groups, including CHIRP, Shipping Task Force, SAR Strategic Committee and the Red Ensign Group, as well as leading for the UK at international negotiations on shipping safety at the IMO and in the EU.

On the specific concern that the Committee had on offshore windfarm policy, we refer to the recent Government response to the Committee's report on Navigational Hazards and the Energy Bill. Both DfT and the MCA have been involved in the planning for offshore windfarms since 2002, when the major decisions about Round 2 developments began to be made. Although the Government accepts that there was initially room for improvement, the response clearly sets out the arrangements for future consideration of navigation issues in the consents process for offshore windfarms and explicitly mentions the central role of the Agency in that process.

**The MCA claims that its proposals for boatmasters' licences will not impose any requirements that are more onerous than those of the Directive on Harmonisation of the conditions for obtaining national boatmasters' certificates for the carriage of goods and passengers by inland waterways in the community. In fact, they will apply standards to vessels not covered by the Directive. This is gold plating at its worst. (Paragraph 60)**

**The justification and cost and benefit analysis given for the proposals for an Inland Waterways Boatmasters' Licence is entirely inadequate. If the MCA does not have the information it needs to make sensible policy, it should do the necessary research before it makes proposals. (Paragraph 61)**

We cannot agree that the Committee's assertion that the Agency's proposals for boatmasters' licences is gold plating. The present proposal for a new boatmaster's licence will provide a nationally coherent system, which implements the EC Directive, meets the UK need to cover vessels under 20m in length and replaces a hybrid of local and national legislation. The proposals follow recommendations from the Freight Standards Steering Group (a body covering a range of interests from boat owners to unions) and the Thames Safety Inquiry (set up after the Marchioness accident).

In line with Cabinet Office Better Regulation Unit guidance, the MCA had completed a partial Regulatory Impact Assessment (RIA), for the early round of consultation. It was always intended that a full RIA, further clarifying the basis for these proposals, would accompany the further public consultation on implementing regulations.

## **Future of the Agency**

**We have criticised the Agency for not taking the initiative in forming policy. It is ironic that the only case of initiative we have found – a discussion of which rescue centres might be closed should the Agency be asked to make cuts – is entirely undesirable and destabilising. It is unacceptable to contemplate further closures when there has been no full assessment of the closures already made, and the numbers of incidents, accidents and deaths are increasing. (Paragraph 64)**

**The Agency's existing remit is extensive. With a very high degree of dedication and professionalism, its staff do the important work of responding to incidents on the coast and at sea, dealing with pollution incidents, managing the shipping register, inspecting foreign registered ships visiting UK ports, and ensuring seafarers are qualified and competent. The comments made in this Report reflect on the need for those at the top of the Agency give its staff the leadership they deserve. On the evidence we have taken, the MCA has failed to intervene effectively in the policy debate. Its own policy proposals are made without proper analysis. Most damningly, when accidents and deaths are rising, it has both failed to conduct timely research into the reasons for this increase and appears entirely complacent about the consistent understaffing of its maritime rescue co-ordination centres. The new Chief Executive has serious problems to tackle; we are far from confident he recognises them. Until he addresses the areas we have identified, we see absolutely no case for considering an extension of the MCA's remit to other areas. (Paragraph 66)**

We welcome the Committee's recognition of the dedication and professionalism that the Maritime and Coastguard Agency staff bring to their work in what can be a stressful and very difficult environment. The Government is justifiably proud of the record that the Agency has built and maintained, giving it an excellent world-wide reputation for the promotion of high level safety standards and best practice.

The recent British Quality Foundation (BQF) report commented that "Visible leadership, clear and motivational high-level aims, supportive management, committed staff, proactive working with partners and stakeholders, and effective business procedures embedded in a quality management system, were all strong positive themes that emerged from both the application document and the site visit."

Whilst there are currently no plans to extend the remit of the Agency, this bears out the Government's confidence in the Agency's efforts to meet its existing obligations and commitments.





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