



28 July 2006

Dear Colleague,

## **CIVIL CONTINGENCIES ACT 2004: PERFORMANCE ASSESSMENT FRAMEWORKS**

**Category 1 responders' performance against the duties mandated by the Act is now integrated into existing mainstream performance assessment frameworks. By putting these in place we can be confident that the objectives of the legislation are being realised on the ground. This note sets out the arrangements, in England and Wales, as to how each sector will be assessed.**

### Our approach

The performance by Category 1 responders of their duties under the Civil Contingencies Act will be assessed by mainstream performance assessment bodies. This approach will ensure that civil protection is brought into the mainstream activities of Category 1 responders. It will also make best use of existing expertise within performance assessment bodies and their established relationships with Category 1 responders.

The Civil Contingencies Act Team has worked closely with all performance assessment bodies to ensure that the Act is integrated into mainstream performance assessment frameworks in a robust, fair and consistent way. This will help to raise the profile of civil protection and ensure the commitment of senior staff. It will also help to generating an evidence base for Government to use when evaluating and reviewing the regime.

### The frameworks

The attached note describes each of these performance assessment frameworks individually. We hope it will be useful to local partners when understanding the framework by which their performance (and that of their partners) will be assessed.

The performance assessment bodies have significant experience of assessing the performance of individual agencies in taking forward agendas which are delivered in



partnership (e.g. community safety) – they will analyse the individual contributions of agencies as part of this collective process.

### Next steps

The Act Team will continue to work with performance assessment bodies and sponsoring government departments to put in place a process to facilitate the sharing of good practice across the assessment frameworks. This will ensure that standards evolve reflecting the developments in civil protection as the Act becomes firmly embedded in Category 1 responders' activities. It will also ensure that these standards remain consistent, fair and robust across each sector.

If you have any feedback on this bulletin or queries on performance assessment issues these should be directed to: [ccact@cabinet-office.x.gsi.gov.uk](mailto:ccact@cabinet-office.x.gsi.gov.uk).

### **DAN GREAVES**

Head of Local Response and Civil Contingencies Act Team

***Local Response Gateway: preparing together***



## **PERFORMANCE ASSESSMENT FRAMEWORKS IN ENGLAND AND WALES**

### **Arrangements in England**

#### **Local Authorities:**

Performance is being assessed by the Audit Commission through the Comprehensive Performance Assessment (CPA) framework. CPA is a tool for improvement, which measures how well councils are delivering services for local people and communities. CPA brings together information from other inspectorates and auditors to form an overall view of the performance of councils.

It combines a council's own judgement of how it is performing with an external assessment of how well it is run as an organisation and how likely it is to improve. The results of the audits and inspections of key services are then brought together, to produce an overall score, which is then published.

Local authorities' performance against its duties under the Act is assessed through a key line of enquiry, which forms part of the 'Safer and Stronger Communities' tranche of the CPA framework. The focus of the inspection will evolve with each cycle of review (a three year period). Key lines of enquiry are also updated to reflect experience and changes such as new legislation. The Commission's website describes in more detail the current arrangements.

The assessment scores for all elements are brought together by the Audit Commission, using a set of rules, to categorise councils according to their performance. Councils must demonstrate consistently strong performances across each element of CPA.

#### *For Further Information*

<http://www.audit-commission.gov.uk/cpa>

#### **Police Services:**

Performance is being assessed by Her Majesty's Inspectorate of Constabulary (HMIC) through the baseline assessment process. It is primarily a self-assessment process with detailed validation from HMIC through site visits. HMIC will target activity where there is evidence of under-performance. The process has been designed to ensure that agreed standards are achieved and maintained; good practice is spread and performance is improved, and provides a point against which progression can be measured.



The focus of the baseline assessment approach that measures performance against the Act will evolve over each annual report. HMIC use an explicit grading process, with four bands of achievement:

- Excellent – requires a high level of performance; innovative activity; the force is a beacon for others.
- Good – requires that the force exhibits a level of performance above the minimum requirements.
- Fair – requires that the force meets the minimum requirements to provide an acceptable level of service.
- Poor – when a force does not show evidence of any one of the minimum requirements.

Baseline Assessment reports are published annually in October.

*For Further Information*

<http://inspectors.homeoffice.gov.uk/hmic>

### **Fire and Rescue Services:**

Performance is being assessed by The Audit Commission. The Fire and Rescue Services Act 2004 imposes a duty on the Audit Commission to inspect and report on fire and rescue authority's compliance with the Fire and Rescue National Framework. The assessment of fire and rescue services in England was last carried out by the Commission through the Fire Comprehensive Performance Assessment (Fire CPA) process in July 2005.

Fire CPA was a corporate assessment, which meant that it examined how the fire and rescue authority was being run. It used a self assessment, a peer challenge element, a standard set of key lines of enquiry ('KLOE') supported by detailed diagnostic guidance to enable judgements to be made, and a rules based scoring system.

The outcome of the Fire CPA was a public report on the fire and rescue authority that stated its overall classification and established the key evidence that the Commission used in reaching this judgement.

The Commission is currently reviewing the way in which it assesses fire and rescue authorities. Its assessment framework will be published in summer 2006. Once the new framework is in place we will issue a further bulletin.

*For Further Information*

<http://www.audit-commission.gov.uk/fire>

### **Health Bodies:**

The Healthcare Commission is assessing the performance of Ambulance Services, Primary Care Trusts, Acute Trusts, and Foundation Trusts.

In England, the Healthcare Commission is responsible for assessing and reporting on the performance of NHS healthcare organisations. It publishes an annual rating for each NHS trust in England. A key part of this assessment is carried out using standards ("Standards for Better Health" framework) set out by the Department of Health. The



framework divides NHS functions/services into seven areas or “domains”. The domain which captures NHS body’s performance against the requirements of the Act is public health.

Each domain has *core standards* which rationalise existing requirements for the health service setting out the minimum level of service; C24 captures the Civil Contingencies Act and is the main tool for capturing the duties set out in the Act. Performance will be assessed using a number of methods including self assessment, site visits and information from other nationally available data sources.

*For Further Information*

<http://www.healthcarecommission.org.uk>

### **Health Protection Agency (HPA):**

Performance is being assessed by Department for Health.

The HPA Business Plan sets out how the HPA proposes to fulfil its role in each reporting year, how it will deliver its Strategic Plan and underpin the health protection needs of the United Kingdom. The plan is the main vehicle by which the HPA performance is assessed. It is published annually in April. The plan is divided into three broad programme categories; strategic; cross cutting work streams in support of the strategic areas and those which provide systems and support for delivery. The duties under the Act are captured by the plan with the merged Strategic Goal 6/Strategic Goal 4 programme (*to prepare and respond to emerging health threats and emergencies, including those posed by deliberate release*) and is the main focus for mapping the HPA’s duties against the Act.

In addition the HPA has issued guidance on the Act to their regional offices which include a checklist of performance indicators. Regional Health Emergency Planning Advisers are working with Health Protection Units at a local level assuring the HPA performance against the Act across the HPA regions. Performance is being assessed using a number of methods, including questionnaires, interviews, site visits and progress/lessons identified reports against performance targets.

The Secretary of State for the Department for Health is ultimately responsible for the performance of the HPA. The Annual Report & Accounts is presented to Parliament and assesses how the HPA has performed over the previous reporting year.

Beginning in April 2007, the Healthcare Commission will be assessing the Health Protection Agency using a slightly revised version of the Standards for Better Health Framework.

*For Further Information*

<http://www.hpa.org.uk>

### **Port Health Authorities:**

We are currently in discussions with all interested parties to establish a framework for all Port Health Authorities that reflects the diversity in their functions and how they are constituted but which is consistent. We will issue a further bulletin once these arrangements are in place.



**Maritime and Coastguard Agency (MCA):**

Performance is being assessed by Department for Transport.

The Secretary of State (SoS) of the Department for Transport (DfT) sets annual Ministerial targets for the MCA. These targets reflect the MCA's main priority areas for each reporting year, and are the main vehicle against which the performance of the MCA is assessed. These targets are published in the *Annual Plan and Accounts* in early summer. The Delivery Targets set out what the MCA will deliver in the coming year. Delivery Target 6 captures the duties under the Act (*as a Category 1 Responder, meet the provisions of the Civil Contingencies Act 2004 on behalf of the Secretary of State, in so far as his functions include responsibilities to maritime and coastline emergencies - excluding the investigation of accidents*).

To support this process the MCA have issued internal guidance on the Act to their local offices. The Target will be measured by means of a survey of key MCA staff which will be issued in July and November 2006, and a Peer/Customer Review in December 2006. An audit will also be carried out by DfT centre before the end of the 2006-07 business year. The SoS of the DfT reports annually to Parliament on the MCA performance against Ministerial targets. The annual report is published in the spring.

*For Further Information*

<http://www.mcga.gov.uk>

**Environment Agency:**

Performance is assessed through an internal assessment process.

The Environment Agency's corporate plan focuses on the work the Agency will be undertaking over a three year period. It is their contract with the Government and sets out actions and targets for delivering Government priorities identified in their Strategic Guidance. The plan provides the Agency and its sponsors with a framework for accountability and is the main vehicle against which the Agency's performance is assessed. The plan is published annually. It is based around a number of themes such as improving the water environment, working with others, limiting and adapting to climate change and managing flood risk. Civil Contingencies Act -related activities fit into many of these themes, for example, under managing flood risk the Agency is committed to working with partners to plan, prepare and respond to future floods.

Underneath the corporate plan sits more detailed work programmes for each of the Agency's work streams. Operations Directorate work programmes capture Civil Contingencies Act issues and these in turn are captured within the Agency's corporate governance framework including being subject to the Agency's Internal Audit function. An annual review process assesses the implementation of the Civil Contingencies Act and related policies and procedures. To support this process the Environment Agency has issued internal guidance to their local offices which set out clear standards and procedures against which they will be assessed.

The Agency's Annual report and accounts is presented to Parliament and assesses how the Agency has performed over the previous year.

*For Further Information*

<http://www.environment-agency.gov.uk>



## **Arrangements in Wales**

The Wales Audit Office (WAO) is responsible for assessing the performance of local authorities, fire services and health bodies, (Local Health Boards in Wales and other Welsh NHS Trusts providing public health services). This reflects the fact that responsibility for these bodies corporately has been transferred to the National Assembly for Wales.

The Auditor General for Wales (AGW), as head of the Wales Audit Office either directly audits bodies e.g. NHS or, as in the case of local government, appoints auditors to do so.

### **Local/Fire Authorities:**

The Wales Audit Office works with a number of other agencies to deliver the Welsh Assembly Government's Wales Programme for Improvement (WPI). This assesses local authorities' performance through a combination of annual self-assessments and joint risk assessments, including external and independent perspectives from the WAO, external auditors and other inspectorates. Under the programme councils examine the corporate organisation and the performance of the range of services they provide.

The WAO reports annually on the progress of WPI and improvement in local government. Reports are also produced for individual councils on their Improvement Plans and a Relationship Manager's Annual Letter, covering all audits and inspection work, is produced for each council annually in December.

The Wales Audit Office works with Fire and Rescue Authorities (FRAs) across Wales to deliver a programme of financial and value for money audits. From 2006/2007 WPI will be applied to FRAs and will link to the Welsh Assembly Government's guidance on Risk Reduction Plans.

The audit approach in relation to the Civil Contingencies Act has been developed by the WAO in close consultation with their counterparts in the Audit Commission to ensure that the assessment process of authorities in both Wales and England is consistent, fair and robust.

### **Local Health Boards, NHS Trust ( which provides public health services):**

The AGW audits the accounts prepared by LHBs and NHS trusts. In addition there is a programme of local and national value for money studies.

In the health arena, the Public Audit (Wales) Act 2004 places reciprocal obligations on the WAO to co-operate with the Assembly, the Audit Commission (in England) and the Healthcare Commission. In Wales a Health Concordat has recently been agreed between external review bodies inspecting, regulating, and auditing health and social care in Wales to support the improvement of services.

*For Further Information*

<http://www.wao.gov.uk>

## **Ministerial Monitoring Powers**

Ministers have a range of powers to assist them in monitoring and overseeing the new civil protection regime. Where the Government has reason in a particular case to require more information about responder compliance with the duties and to seek an explanation



for non-compliance, it may choose to use these monitoring powers. Where necessary, the Government has the powers to take enforcement action against individual responders through the courts. Likewise, a responder could take another responder to court for non-performance of a duty.

However, in practice, these provisions are unlikely to be used in view of the commitment of local responders to ensuring their communities are protected.

