



CabinetOffice

**Government Response to the Public
Consultation on Revised Guidance on the
Devolved Administrations under the Civil
Contingencies Act 2004**

Introduction

1. As part of the Civil Contingencies Act Enhancement Programme (CCAEP) a number of projects aimed at better supporting responders to fulfil their duties under the Civil Contingencies Act 2004 (CCA) have been undertaken. These projects were taken forward as part of Phase 2 of the CCAEP.
2. Modifications have been made to chapters relating to the Devolved Administrations to reflect changes to arrangements in these areas. Representatives of the Administrations have been closely involved in this work.
3. The consultation, which ran from Tuesday 7th December 2010 to Monday 14th March 2011, was announced on the CCS Gateway and made available on the CCS website. The questions on chapters 10, 11 and 12 drew responses from 19 stakeholders, details as below. A further 38 organisations that responded to the broader consultation exercise expressed no opinion on these chapters.

Table 1: Responses to the consultation by CCA category

CCA Category	Class	Number
Category 1 responders	Environment Agency	1
	Fire and Rescue Services	1
	Local Authority	2
	Police Forces	5
Category 2 responders	Transport Organisations	1
Other	Associations	1
	Voluntary Organisations	2
	Lead Government Departments	3
	Local Resilience Forums	3

The detailed list of respondents is shown in Annex A.

Table 2: Responses to the consultation

No.	Question	Content %	Not content %	No opinion/Don't know %
1	A number of changes have been made to chapter 11 (Wales) in Emergency Preparedness. The main changes are listed below. Do you feel that these changes adequately reflect current emergency planning arrangements in Wales?	9	0	92
2	In chapter 10 (Scotland) the summary has been significantly shortened; do you feel that this is still a sufficiently informative summary?	7	0	93
3	<p>The Scotland chapter has been significantly shortened; it was felt that the majority of the information should be in non statutory documents. The heading Scottish Civil Contingencies Framework has been removed along with paragraphs 10.5, 10.6 and the second part of 10.7. The sections on The Civil Contingencies Division, Scottish Emergency Co-ordinating Committee and The Sub-Scotland level have also been removed.</p> <p>Do you feel that the new chapter provides a sufficient overview of the role the Act and Regulations play in relation to Scotland and provides all the relevant information?</p>	7	0	93
4	More detail has been added to the Scotland chapter on which category 1 and 2 responders exercise reserved functions in Scotland and are therefore subject to regulations made by UK Ministers. Do you feel this helps add clarity to the chapter?	7	0	91

5	The Summary to the Northern Ireland chapter has been made more detailed. Does it provide a good overview the chapter?	4	2	95
6	In the Northern Ireland chapter there have been minor updates to paragraph 12.2 on what the Act and Regulations require. Do you feel that this section still gives a comprehensive description of what is required?	5	0	95
7	In the Northern Ireland chapter there have been a number of changes to the section on <i>Civil Contingencies in Northern Ireland</i> , paragraphs 12.6, 12.7, 12.8 and 12.12, with more detail being added in places. Do these changes help better reflect current civil contingencies arrangements in Northern Ireland?	4	2	95
8	In the Northern Ireland chapter the section on <i>The Central Emergency Planning Unit</i> has been updated to reflect changes and is now <i>The Civil Contingencies Policy Branch</i> . The text has been updated accordingly. Does this section provide adequate guidance on the role of the Civil Contingencies Policy Branch?	5	0	95
9	In the Northern Ireland chapter the section on <i>The Central Emergency Management Group</i> has been updated to reflect changes and is now <i>The Civil Contingencies Group, Northern Ireland</i> . The text has been updated accordingly as has Box 12.1. Does this section provide adequate guidance on the role of the Civil Contingencies Group, Northern Ireland?	4	0	97
10	In the Northern Ireland chapter the section on <i>Local Arrangements</i> had been made more concise while the section on <i>Cross-border Arrangements</i> has had detail added. Have these sections been enhanced by these changes?	2	2	97

Summary

- Most respondents indicated that they had 'no opinion' on the changes made to the chapters (91 per cent) and 5 per cent indicated that they were happy with the changes.
- Many respondents felt that the changes made added value to the document.
- Most of the comments made suggested the addition of further details to the paragraphs.

Detailed Responses

Chapter 10 (Scotland)

- The importance of cross referencing the statutory guidance and ensuring it was consistent across the Scotland/England border was highlighted
- 8 per cent of respondents were content with the suggested amendments and 89 per cent had no opinion.
- It was suggested that as the chapter had been shortened, reference should be made to the wider suite of documents available.

We have reviewed all comments made and, in light of the comments received we have amended paragraphs 10.4 and inserted a new paragraph '**10.8 Preparing Scotland brings together, in one place, statutory guidance on the implementation of the Regulations, and non-statutory guidance on good practice and the integration of national and local planning for emergencies in respect of devolved functions. It is published at <http://www.scotland.gov.uk/Publications/2007/06/12094636/1>**'

Chapter 11 (Wales)

There were no detailed responses, and none of the respondents indicated that they were not content with the proposed amendments

Chapter 12 (Northern Ireland)

- The comments provided suggested further detail for inclusion in the chapter
- One concern was that since the majority of emergency response organisations and bodies in Northern Ireland sit outside the Civil Contingencies Act, the legislative base is insufficient to support appropriate civil protection activity.

We have reviewed all comments made and, in light of the comments received we have strengthened the text in the 'Summary': *'The Northern Ireland Office has responsibility for national security matters. It maintains crisis management arrangements to govern the strategic response to such emergencies'*.

Additional text has been added to paragraph 12.2: *'This Guidance therefore applies to the PSNI only in relation to emergencies arising from war or terrorism threatening serious damage to the United Kingdom. The Department of Justice in Northern Ireland may issue separate guidance for the PSNI in respect of other emergencies to which the Act applies.'*

Paragraphs 12.6, 12.7, 12.8, 12.10 and 12.18 have also been slightly reworded to reflect respondents' comments.

ANNEX A

List of Respondents

Cumbria Constabulary

West Midlands Police

Northants LRF

Bedfordshire and Luton LRF

St John Ambulance National HQ

Mid and West Wales Fire and Rescue Service

Institute of Civil Protection and Emergency Management

The Radio Amateur's Emergency Network

Northumbria Police

Environment Agency

Transport for London

London Borough of Newham

Strathclyde Police

Department of Health, Social Services and Public Safety, Northern Ireland

Hertfordshire Resilience

Northern Ireland Executive

Scotland Office

Northern Ireland Office