



Rt Hon Michael Gove MP
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Mr William Wragg MP
Public Administration and Constitutional
Affairs Committee
House of Commons
London
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21 May 2020

Dear William,

Further to my letter of 9 May, I write to respond to the outstanding questions posed by the Committee on 29 April and in your subsequent letters of 5 and 18 May.

You ask about the ‘teeth’ of the Cabinet Office’s Civil Contingencies Secretariat (CCS). CCS holds responsibility for the maintenance and review of the Civil Contingencies Act (CCA) 2004 - the primary legislative framework for civil protection in the UK. The legislative framework of that Act’s regulations was assessed in March 2017, and identified as “fit for purpose”. The CCA primarily places duties on local responders, such as emergency services and local authorities. CCS is not directly responsible for assuring risk mitigation plans but can, when necessary, alert departments or local responders to the obligations placed upon them by the CCA.

You ask about the Coronavirus Act, which the Government introduced rather than using the existing CCA. Although the Coronavirus Act’s measures were urgently required, there was time for conventional legislation. As I expressed to the Committee, COVID-19 was and remains a ‘developing threat’, with the opportunity to bring in a standalone bill. The CCA is a provision of last resort, which should only be used when there are no other legislative options available, which was not the case in this instance. The introduction of the standalone Coronavirus Act was supported by a cross-Government work programme scoping provisions to be included in a free-standing Pandemic Flu Bill. This followed the key learning identified through Exercise Cygnus that ‘the introduction of legislative easements and regulatory changes to assist with the implementation of a response to a worst case scenario pandemic should be considered’.

You ask whether there is any potential overlap between the requirements of the Health Protection (Coronavirus Restrictions) Regulations and the Government’s assessment of an extension to the Coronavirus Act. We will consider this over the coming weeks as we approach the six month mark of the Act later this year.

You ask about the 2019 National Risk Register. The National Risk Register (NRR) provides the public with important information on the types of malicious and non-malicious civil emergencies that might disrupt the UK. The public-facing NRR closely aligns with the National Security Risk Assessment, a classified document that is necessarily internal. Although the National Risk Register is made publicly available once finalised, there was no National Risk Register published in 2019. Work on the latest Risk Register was advanced but will require recalibration due to the significant impact that COVID-19 has had over the past few months on the UK’s risk

landscape. Publication will proceed once that work has been completed.

You ask about the Cabinet's Office role in checking departmental contingency plans. Departments are responsible for overseeing the management of the portfolio of risks of which they have ownership. The Cabinet Office's role is to coordinate the regular assessment of the UK's overall risk landscape for both internal and public purposes, to run the Resilience Capabilities Programme, and to manage central government response. This includes convening COBR, providing crisis management training through the Emergency Planning College, and working with Departments to test emergency response plans.

You also ask about the lessons learned from Exercise Cygnus. As I noted in our discussion, it is important that we respect the need for Ministers and officials to have the space to explore lessons identified with complete candour, then develop policies and/or response plans to address these points. I am, however, keen to be as transparent as possible and will look at options for sharing the outcomes of the exercise.

You also ask for an update on the PPE portal, the so-called Clipper service. The Department of Health and Social Care can provide further detail but we have more than doubled the number of invited users, which now stands at over 2,900. There have been 1298 orders through the portal as of 18 May.

You ask about gown procurement and NERVTAG recommendations. Following advice from the NERVTAG committee on the inclusion of gowns in the pandemic influenza stockpile, the NERVTAG sub-committee for PPE was asked to confirm the exact specification for market analysis. This was received in November 2019 and market analysis was being finalised prior to commencing procurement. This was planned for early 2020 but was disrupted by the outbreak of COVID-19.

With regards to what you refer to as "rural proofing" the Government's response to COVID-19, I can assure you that the Government strongly agrees that our response to COVID-19 must serve all the regions and nations of our United Kingdom, including rural communities.

In response to your point on s97 of the Coronavirus Act, this obliges the Health and Social Care Secretary to report to Parliament every two months on whether non-devolved provisions for which he is responsible are in force, and whether powers relating to suspending and reviving provisions or altering the expiry date have been exercised. Each report will contain a statement that the Secretary of State is satisfied that the status of the provisions is appropriate. The first update report will be published on or before 31 May 2020.

I hope this response is helpful.

With every good wish,

A handwritten signature in black ink, appearing to read 'Michael Gove', written in a cursive style.

**Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster**