CabinetOffice

Government Response to the Public Consultation on the Revised Guidance on Information Sharing under the Civil Contingencies Act 2004 (Chapter 3 of *Emergency Preparedness)*

Introduction

1. The Civil Contingencies Act Enhancement Programme (CCAEP) was established to review the Civil Contingencies Act, its Regulations and Statutory Guidance (*Emergency Preparedness*) to ensure they remain fit for purpose. Part of this review has included reviewing the guidance on information sharing. This has been undertaken with the help of a Task and Finish Group, including representatives from across industry, Category 1 and 2 Responders and government departments. It was further supported by input from a range of interested parties, including the Information Commissioner, local resilience forum emergency planning managers, government departments and the Emergency Planning College.

2. The primary message from this group was that, although the guidance was, in the main, fit for purpose, there remained some pertinent issues to address. Specifically, it was felt that the guidance should:

   - Place greater emphasis on the benefit of information sharing protocols.
   - Clarify the role of LRFs and RRFs in co-ordinating Category 1 requests for information from Category 2 Responders.
   - Set out Category 2 Responders' duty under the CCA to share information about vulnerable people.
   - Include a section on storing information.
   - Include a section on exercising and testing information sharing.
   - Make stronger links with Chapter 2 (Co-operation) of *Emergency Preparedness* and the document, *Data Protection and Sharing – Guidance for Emergency Planners and Responders.*

3. The guidance was therefore revised by the Task and Finish Group in November 2009 and was subject to a full public consultation, which concluded in February 2010. The consultation was announced on the CCS Gateway and made available on the CCS website. It drew 37 written responses. The results reported below were largely favourable, with a substantial majority agreeing with the guidance policies.

Results of the consultation

Table 1: Responses to the Consultation by CCA Category

CCA Category	Class	Number
Category 1	Local authorities	10
	Police	4
	Fire	3
	NHS	3
	EA	3
Category 2	Telecoms	1
	Transport	2
	Energy	1
	HSE	1
	Voluntary sector	1
Other respondents	Professional body	2
	Local Resilience Forum	6
	Ordnance Survey	1

A detailed list of respondents is shown in Annex B.

Table 2: Responses to the Consultation in Rank Order

Rank	Qu	Question in Summary	Agree %	Disagree %	No Opinion %
1.	**5**	**Would you find it helpful if Cabinet Office developed template protocols?**	92	3	5
2.	**4**	**Do you support the organisation of specific multi-agency training workshops on information sharing?**	86	5	8
3.	**3a**	**Are you content that the main changes to Chapter 3 improve awareness raising?**	84	8	8
4.	**3d**	**Are you content that the main changes to Chapter 3 improve Category 2 responders' duty to share information about vulnerable people?**	78	14	8
4.	**1**	**Are you content that the draft revisions to *Emergency Preparedness* are fit for purpose?**	78	22	0
5.	**3c**	**Are you content that the main changes to Chapter 3 improve training and exercising?**	76	19	5
5.	**3b**	**Are you content that the main changes to Chapter 3 improve information sharing requests and protocols?**	76	16	8
6.	**3e**	**Are you content that the main changes to Chapter 3 improve requirements for information storage?**	70	24	5

Rank	Qu	Question in Summary	Agree %	Disagree %	No Opinion %
6.	**2**	**Is it clear what is required by having protocols in place?**	70	22	8

General

4. 78% of respondents agreed that draft revisions to Chapter 3 of *Emergency Preparedness* were fit for purpose.

5. However, 92% respondents agreed that this would be greatly strengthened by the proposed inclusion of example protocols in the guidance. These are now being developed.

6. Four respondents said that one of the most intractable information sharing problems stemmed from a lack of compliance with existing guidance. This was echoed by a number of respondents who queried how changes to the guidance would be enforced. This is now being examined as part of Phase 2 of CCAEP.

Protocols

7. 92% of respondents agreed that Cabinet Office should produce example protocols on information sharing. Most said that it would be useful to encourage standardisation and consistency.

8. Part of the reason for the comparatively low agreement rate with question 2 was that respondents felt that information on protocols would be enhanced by the inclusion of an example protocol.

Awareness Raising

9. 84% of respondents agreed that draft changes would increase awareness of information sharing requirements. This would be achieved largely by the draft guidance on the information sharing responsibilities of Category 2 Responders. Those who disagreed did not offer a consistent message as to how this may be improved.

Information Storage

10. 70% of respondents said that they were content that the draft changes to guidance would improve information storage. Many of those who disagreed, did so on the basis that there needed to be further information on standards of secure storage.

11. Five respondents felt that the term 'appropriate methods of secure storage' needed to be clarified and expanded upon. This would need to be balanced with the need for responders to have flexibility around their own 'locally defined protocol for handling, accessing, and storing information'. This will be addressed in Phase 2.

Vulnerable People

12. 78% of people agreed that draft changes to guidance would improve understanding about *the need* for Category 2 Responders to share information about vulnerable people.

Training and Exercising

13. 76% of respondents felt that draft changes to the guidance would improve training and exercising.

14. Although respondents were generally supportive, they believed that a central database of exercises would be beneficial, to enable greater co-ordination of events. This is being taken forward as part of the LRF planner.

15. Training on information sharing, in order to improve knowledge on the requirements relating to vulnerable people and the creation of protocols, amongst other issues, was very widely supported. The viability of this is being explored.

Security Clearance

16. One responder commented that the section on security clearance, for those attending incidents, could be misconstrued and taken to mean that all those attending an incident should be Security Cleared. The guidance was revised to

clarify that the intention of the section was to indicate that security clearance may be needed for some responders in some restricted circumstances.

Next Steps

17. As part of CCAEP's Phase 2 Engagement Programme responders have raised a number of supplementary concerns about information sharing. These include information sharing about Critical National Infrastructure assets and the perceived lack of consistency between guidance from different government departments. These issues will be addressed by the production of more detailed guidance. Further consultation on this is scheduled for early 2011.

ANNEX B

List of Respondents

Transport for London
Northumberland County Council
Environment Agency
Disaster Action
London Borough of Brent
Vodafone
CE Electric UK
West Yorkshire Fire and Rescue Service
Bedfordshire and Luton Local Resilience Forum
Suffolk Resilience Forum
Dudley MBC
Thames Valley Police
South Tyneside Metropolitan Borough
Leicester, Leicestershire and Rutland LRF
Leicestershire Constabulary
Northumbria Police
Wiltshire and Swindon LRF
Gateshead Council
Institute of Civil Protection and Emergency Management
Swindon Borough Council
Cheshire Local Resilience Forum
The Emergency Planning Society
Rotherham MBC
NHS North East
Cumbria Fire and Rescue Service
British Telecom
Health and Safety Executive
Humber Emergency Planning Service
Association of Train Operating Companies
Lancashire County Council
Ordnance Survey
Cleveland Local Resilience Forum
North West Ambulance Service NHS Trust
South Yorkshire Fire and Rescue
Telford and Wrekin Council
Nottinghamshire Police
NHS Nottinghamshire County
City and County of Swansea and Neath Port Talbot County Council (joint response)