

Civil Contingencies Act Enhancement Programme (CCAEP)

PROGRAMME INITIATION DOCUMENT

Author: Andy Fraser
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Document Revision History

Revision date	Version	Summary of Changes
23/05/2008	v0.1	First draft for Review Steering Group consideration
08/07/2008	v0.2	Adding sections for extra information post Steering Group
21/07/2008	v0.3	Adding new interface to PID
22/07/2008	v0.4	Amendments made following meeting with Kathy Settle including: Embedding ERR into the general project approach; Changing name of Issue Resolution Groups to Task and Finish Groups; and Other wording and grammatical changes.
29/08/2008	v0.5	Amendments following evidence gathering in the light of the recommendations of the Steering Group and discussion with CCS management on the scope, structure and governance of the work. Proposal that 'CCA Review' project should consist of phased delivery of number of projects given weight and complexity of themes that have emerged through early evidence gathering as part of the work. Version v0.5 reflects changed strategic approach and conversion to 'CCA Enhancement Programme'.
20/09/2008	v0.6	Further amendments following discussion with CCS management.
26/09/2008	v0.7	Amendments following Programme Board held 26/09/2008
14/10/2008	v0.8	Amendments following comments from Steering Group members.
24/10/2008	v1.0	Amendments following Steering Group meeting on 23/10/08 and reflecting agreement on final draft of PID.

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Civil Contingencies Act Enhancement Programme (CCAEP)

Purpose of this Programme Initiation Document

1. The purpose of the Programme Initiation Document (PID) is to define the **Civil Contingencies Act Enhancement Programme (CCAEP)** in order to form the basis for the management and delivery of the work and assessment of its success. The PID will act as a source document against which the **Programme Manager, Senior Responsible Owner (SRO), CCAEP Programme Board** and **CCAEP Steering Group** can assess progress on delivery, discuss change management issues and assess ongoing viability of the work.
2. **Version 1.0 of the PID** reflects changes in the structure of the work following discussions at the CCA Review Steering Group meetings held in June and October 2008, further evidence gathering on the key themes under consideration, and further assessment of the organisation of the work and the viability of the provisional timetable for delivery. Consequently, this revised PID reflects the key structural change to the work: transposition from the “**CCA Review**” project to the “**CCA Enhancement Programme**”. While the original aims and objectives of the work – as previously agreed by the CCA Review Steering Group - have not altered significantly, the revised PID sets out the rationale for a phased-delivery of a number of projects to enhance the statutory framework, supporting policy measures and the associated guidance.
3. **Version 1.0 the PID reflects final comments from the CCAEP Board and Steering Group.**

Background

4. The Civil Contingencies Act 2004 (CCA) is separated into two main components:
5. **Part 1: local arrangements for civil protection** – Part 1 establishes a statutory framework of roles and responsibilities, based on the principles of **Integrated Emergency Management (IEM)**, for those organisations involved in civil protection at the local level. Part 1 of CCA and the accompanying regulations divides local responders into two categories and establishes a different set of duties on each. ‘**Category 1**’ responders (listed in Schedule 1 of the Act) are those organisations that collectively form the core of local emergency preparedness and response. These organisations include the emergency services, local authorities and a number of government agencies.
6. The CCA requires Category 1 responders to fulfil their civil protection duties by reference to their specific functions or where the organisation is listed as a Category 1 responder and it is considered “necessary or desirable...” for the organisation to take action in relation to the emergency. Functions are defined as “any power or duty whether conferred by virtue of an enactment or otherwise”. This reference covers statutory powers and duties, in addition to common law powers. The CCA imposes a number of specific statutory duties on Category 1 responders:
 - **Risk assessment** (which, supported by a collective process, provides the grounding for delivering the substantive elements of the CCA)
 - **Emergency planning**

- **Business continuity management**
 - Maintaining public awareness and arrangements to warn, inform and advise the public if an emergency is likely to occur or has occurred (**Communicating with the public**)
7. A fifth duty applies to local authorities alone:
- Provision of advice and assistance to the commercial sector and voluntary organisations in the event of an emergency (**Business continuity promotion**).
8. Bodies in the public and private sectors who are less likely to be involved in general resilience planning and front-line response work, but who may be heavily involved in incidents that affect their sectors (for example, utilities and transport companies), are assigned '**Category 2**' responder status through the CCA. The Contingency Planning Regulations (2005) made under the CCA ("the Regulations") impose two duties on these organisations:
- **Co-operation**
 - **Information sharing**
9. The Co-operation and information sharing duties apply to Category 1 responders also, the aim being to cement local-level partnership working through the **Local Resilience Forum (LRF)** – the principal mechanism for local multi-agency co-operation under the Regulations. While the LRF does not have a legal personality, nor powers to direct its members, the LRF must meet at least every six months. The main purpose of the LRF is to ensure effective delivery of the duties under the CCA/Regulations that need to be delivered in a multi-agency environment, such as the production and update of the **Community Risk Register (CRR)**, the production of multi-agency plans and arrangements to warn and inform the public during emergencies.
10. Part 1 duties came into force in November 2005, with the exception of the Local Authority duty to promote business continuity management, which came into force in May 2006.
11. Part 1 of the CCA and the Regulations are supplemented by the statutory guidance (*Emergency Preparedness*), which provides further detail on fulfilment of the duties and roles. Additional non-statutory guidance (*Emergency Response and Recovery*) was published in the autumn of 2005 to further assist local responders in making effective arrangements to respond and recover from emergencies. In addition to any agreed legislative change, the CCAEP will seek to update both guidance documents.
12. Part 1 of the Act applies fully in England, Wales and Scotland. In Scotland Part 1 CCA powers reside with Scottish Ministers. In Northern Ireland, Part 1 applies to those bodies who exercise non-devolved functions. These organisations are the Maritime and Coastguard Agency, Police Service of Northern Ireland and telecommunications operators. Civil protection arrangements for the Channel Islands and Isle of Man are not covered by the CCA. However, given that the approach to civil protection on these islands is not dissimilar to that in the UK, the CCAEP team has established contact with the relevant departments to enable sharing of information on the programme as the work proceeds.
13. **Part 2: emergency powers** – establishes a modern framework for the deployment of special temporary legislative measures that might be necessary to deal with the effects of

the most serious emergencies. Part 2 of the CCA came into effect in December 2004. Certain safeguards exist to limit the application of emergency powers, chief among these is the 'triple lock' which demands that the principles of seriousness, necessity and proportionality are met. **Part 2 of the CCA will not be included within the scope of the CCAEP as (i) Part 2 is untested: emergency regulations under Part 2 have never been invoked since coming into force; and (ii) recommendations from recent reviews focus on refinement of Part 1 – there is no specific evidence to suggest that changes to Part 2 of the CCA are required.** A separate workstream, being led by CCS, is, however, addressing operational aspects relating to invoking CCA emergency powers.

Programme Justification and Business Case

14. During the passage of the Civil Contingencies Bill in 2003-4, officials stated the intention to review the CCA two to three years after commencement, which would allow responders sufficient time to establish new structures needed to fulfil their respective duties. The *National Security Strategy*, published in March 2008, sets out the Government's intention to undertake a review of Part 1 of the CCA. This is consistent with Government policy that it is best practice to review legislation every three years to ensure that the original intentions are being met.
15. Evidence from various sources – including independent reviews and findings from the 2008 National Capabilities Survey - indicates that, on the whole, implementation of the CCA has been successful and that it has made a significant contribution to enhancing emergency preparedness in the UK. Given that the CCA has generally embedded well, CCS proposed that this should be a light-touch review to fine-tune the framework and update the supporting guidance.
16. However, during the initial stages of the work, evidence has emerged - including the findings of reviews of recent emergencies - indicating that there are a broad range of CCA areas that would merit a more thorough review to ensure that the CCA continues to provide a modern, consistent and effective platform for UK civil protection. Given that a more comprehensive review demands greater resource for delivery – both in terms of CCS policy effort and stakeholder contributions - CCS proposes that a prioritised, phased-approach to tackle the range of topics would be more effective and improve the likelihood of successful delivery. The prioritisation of work also enables a better fit with the delivery of related Government resilience initiatives and response to reviews of recent emergencies (including Sir Michael Pitt's review of the response to the floods in England during the summer of 2007 and Lord Newton's reports on the Buncefield explosion in late 2005).
17. **In consequence, CCS proposes that the original 'CCA review' concept be put on a programme footing, with a phased timetable for delivery. The CCA Enhancement Programme will consist of a number of policy projects delivered through four phases to address specific programme objectives, each of which will require a fully consultative approach and will be supported by Task & Finish Groups (or their equivalents) and a 'virtual' CCAEP Policy Forum, with oversight provided by the CCAEP Programme Board, Steering Group and, ultimately the Committee on National Security, International Relations and Development.**

Objectives of the CCA Enhancement Programme

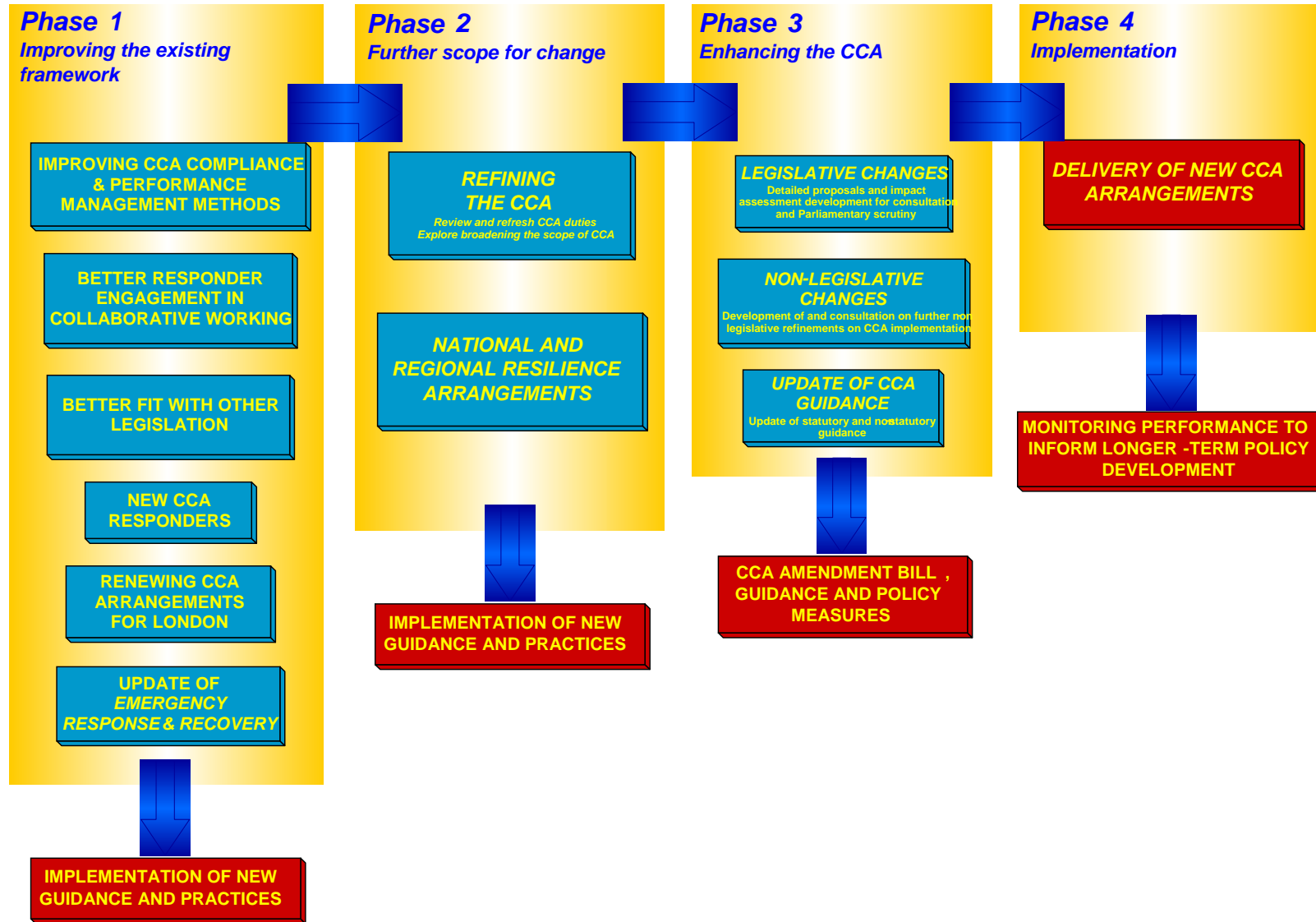
18. The objectives of the CCAEP will be to:

1. **Assess whether there are aspects of the CCA where original intentions are not being met and develop solutions where these are needed;**
2. **Consider whether the CCA needs to be modified to reflect relevant experience and changes in relevant structures which have emerged since the Civil Contingencies Bill was passed in 2004;**
3. **Consider how to reflect best practice in the CCA regime and supporting guidance to help raise the standard of UK resilience activity;**
4. **Evaluate whether the scope of the CCA should be broadened beyond emergency preparedness to cover the remaining aspects of integrated emergency management not already covered in Part 1; and**
5. **Ensure that the CCA framework is effectively aligned and integrated with relevant legislation and policy initiatives.**

Scope and overview of CCAEP Projects

19. Twelve policy projects have been identified to meet the CCAEP objectives above, which will be delivered through four 'phases'. Figure 1 sets out the phased-delivery structure of the programme, including project titles and outputs from each phase. Working titles for Phases 2-4 are provided in italics; project titles for these phases of the programme may change depending on the conclusions of the Phase 1 work. The following section of the PID sets out the rationale for each phase and project, in addition to providing an indication of likely outputs and outcomes. Separate and more detailed project specifications will be used to inform the work of the individual Task & Finish Groups.
20. The timeframes for delivery of work for each phase of the programme are presented in the tables describing Phase 1 projects and in Figure 2 (page 18).

Figure 1. Civil Contingencies Act Enhancement Programme: Schematic showing phased-project delivery and associated outputs



Phase 1 – Improving the Existing Framework

21. The first phase of the CCAEP will focus on improving the standard and consistency of implementation of the existing CCA framework and, where needed, seek to improve local resilience structures and responder engagement in collaborative working, including the functions of the Local Resilience Forum (LRF). This will be achieved, primarily without legislative change, although individual Phase 1 projects may conclude that, in addition to practical improvements to the existing framework, recommendations for legislative change may be desirable. Any legislative changes identified in this way will be taken forward in Phase 3 of the Programme.
22. The exception to this will be consideration of recommendations for assigning Category 1 or 2 responder status to organisations which are not currently covered by the CCA through the 'New Responders' project. Any agreed amendments to the list of Category 1 and 2 responders may be achieved by Ministerial Order under Section 13 of the CCA (affirmative resolution procedure). It is anticipated that any required amendments in this area will be achievable within Phase 1.
23. Descriptions, rationale and likely outputs for each Phase 1 project are set out below. Prioritisation of these projects has been determined by:
 - (i) consideration of recommendations stemming from recent reviews – such as Sir Michael Pitt's review of the response to the summer floods in 2007, and the findings of the Buncefield Major Incident Investigation Board;
 - (ii) CCS' assessment of practical improvements to the CCA framework that may be delivered quickly and without the need for protracted legislative change; the need to refresh outdated non-statutory guidance, *Emergency Response & Recovery*; and
 - (iii) cost-effective use of available resource (both within CCS and contributing organisations) to address the themes identified during the evidence gathering phase.
24. CCS envisages that specific Task & Finish Groups will not be required for the 'Improving CCA Compliance and Performance Management Methods' or the 'New Responders' projects. Instead, the former project will be supported by the CCA Regulators' Forum which consists of responder regulators, such as Her Majesty's Inspectorate of Constabularies (HMIC), the Audit Commission and Healthcare Commission. Stakeholders will be fully consulted, however, on any new proposals or measures, including the development of the CCA Compliance Expectations Set, Civil Protection Self-Assessment Tool and the peer review framework.
25. The 'New Responders' project will require bilateral negotiations between relevant candidate organisations, relevant Government departments and CCS. At the same time, the Programme Team will invite comments from the CCAEP Policy Forum, Board and Steering Group on the overall policy for amending Category 1 and 2 membership.
26. The membership and terms of reference for each Task and Finish Group will be confirmed following agreement from the CCAEP Steering Group. The Steering Group should note that the London Task & Finish Group has already been established to allow adequate time for Ministers to consider funding options for the beginning of the 2009/10 financial year.

Project 1 – Improving CCA Compliance and Performance Management Methods
(Project Leader: Anita Friend)

27. **Outline:** Designing and delivering a new performance management framework that aims to improve CCA compliance and raise the standard of UK resilience activity.
28. **Rationale:**
- a) Calls from the responder community and stakeholders to clarify what is expected from statutory responders in relation to CCA duties.
 - b) Effective integration of CCA performance management with the new Local Government Tasking Framework (in England) and the new National Indicator set, including Indicator 37 on public awareness of responders' arrangements for managing emergencies.
 - c) The need for a self-assessment and peer review framework.
 - d) A need to clarify the process and triggers for intervention and enforcement provisions (Sections 9 and 10 of the CCA).
 - e) The need to ensure that Category 1 and 2 responders comply fully with their respective duties under the CCA/Regulations.
29. **Timeframe for delivery:** September 2008 – March 2009
30. **Deliverables:**
- a) Development and roll-out of CCA Compliance and Capabilities Expectations Set;
 - b) Pilot and national delivery of Civil Protection Self-Assessment Tool (CPSAT), providing sector-specific comparators on performance, and links to good practice and relevant guidance;
 - c) Development and delivery of Peer Review framework for CCA compliance;
 - d) Performance management arrangements for any new responders assigned Category 1 or 2 status through 'New Responders' project; and
 - e) Evidence to inform 'Refining the CCA' and 'National and Regional Resilience Arrangements' projects in Phase 2 and an assessment of whether sections 9 and 10 of the CCA need to be modified based on evidence gathered (informing Phases 2 and 3 of the CCAEP).
31. **Outcomes:**
- a) Addresses CCAEP objectives 1, 2 and 3.
 - b) Clarification of CCA/Regulations and Capability requirements for Category 1 and 2 responders and provision of examples of good practice;
 - c) Strengthened Government partnership with Category 1 and 2 responders;
 - d) Improved local response capability for assessing CCA compliance and resilience capabilities levels and improved sharing and uptake of good practice through the online Civil Protection Self-Assessment Tool (CPSAT);

- e) Strengthened collaboration at the local tier and increased sharing of good practice through peer-review of CCA compliance and capabilities; and
- f) Clearer Government policy and transparency on the process and triggers for invoking intervention and enforcement action under Sections 9 and 10 of the CCA, where non-compliance is evident.

Project 2 – Better Responder Engagement in Collaborative Working

(Project Leader: Bob Overy)

32. Outline: Seeking improved collaborative working between all Category 1 and 2 responders and other non-statutory responders (such as the voluntary sector and armed forces), including more consistent participation in Local Resilience Forums (LRFs) and greater clarity of expectations on Category 2 responders.

33. Rationale:

- a) Evidence to suggest some difficulty for Category 1 responders in engaging all civil protection partners needed to achieve sound planning and response arrangements;
- b) Some conflict and confusion in interpretation of legislative requirements for information sharing;
- c) Different approaches to LRF leadership, coordination and procedure;
- d) Consideration of whether the coordination of LRF activity (eg. LRF secretariat / coordination function) should be centrally resourced.

34. Timeframe for delivery: September 2008 – January 2009.

35. Deliverables:

- a) New guidance on co-operation and information sharing, including a *Local Authority Mutual Aid Guide*;
- b) Code of Good Practice for Local Resilience Forums;
- c) Possible proposals for central resourcing for LRF coordination;
- d) Definitive legal guidance on information sharing for civil protection;
- e) Potential recommendations for Phase 2 of the CCAEP relating to the legal status of LRFs; and
- f) Findings to inform 'Refining the CCA' and 'National and Regional Resilience Arrangements' projects in Phase 2.

36. Outcomes:

- a) Addresses CCAEP objectives 1, 2 and 3.
- b) Greater clarity of expectations on collaborative working, particularly for Category 2 responders;
- c) Improved assistance and support from Government and Regional Resilience Forums for enabling effective partnership working at the local level; and
- d) Greater clarity about leadership and governance in LRFs and level of resources required.

Project 3 – Better Fit with Other Legislation

(Project Leader: Bob Overy)

37. **Outline:** Ensuring consistency across planning and response arrangements established by the CCA and other legislation, including Control of Major Accidents Regulations (COMAH), Radiation (Emergency Preparedness and Public Information) Regulations (REPPiR), Pipelines Safety Regulations (PSR), coastal pollution response frameworks and other hazard-specific regimes.
38. **Rationale:**
- a) Evidence to suggest that local planning and response arrangements for different regimes are not always effectively integrated;
 - b) Different standards apply to readiness and response;
 - c) Some hazard specific regimes are not integrated well into the work of Local Resilience Forums;
 - d) Warning and informing arrangements for some regimes differ from CCA requirements; and
 - e) Inconsistency can cause confusion for the public and responders and increase the risk of poor planning and response.
39. **Timeframe for delivery:** September 2008 – March 2009, including development and delivery of required non-legislative changes, including guidance to local responders. Any legislative changes identified through this project taken forward to Phase 3 of the Programme.
40. **Deliverables:**
- a) Recommendations for amendment of relevant sections of *Emergency Preparedness* and *Emergency Response & Recovery*;
 - b) Detailed guidance on more joined-up implementation of CCA and other relevant legislation; and
 - c) Possible proposals for legislative amendment to the CCA (and possibly sector specific legislation) for consideration in 'Refining the CCA' project in Phase 2.
41. **Outcomes:**
- a) Addresses CCAEP objective 5;
 - b) Greater consistency of arrangements across different civil protection regimes including compatibility of warning and informing arrangements;
 - c) Greater consistency in standards of performance; and
 - d) Improved integration of all hazard-specific regimes within local resilience networks.

Project 4 – New Responders

(Project Leader: Paul Arnold)

42. **Outline:** Considering suggestions for new Category 1 and 2 responders under the CCA and deciding on whether to add these to Schedule 1.
43. **Rationale:** Recent crises and experience since the CCA came into force, including structural changes in some resilience sectors indicate that it would be useful to consider whether a number of organisations should be designated as either Category 1 or 2 responders. This project will consider, on a case-by-case basis, whether organisations should be added to the list of statutory responders in Parts 1 and 3 of Schedule 1 of the CCA by Order (affirmative resolution procedure).
44. **Timeframe for delivery:** September 2008 – March 2009
45. **Deliverables:**
- a) Assignment of Category 1 and 2 responder status to new organisations through Ministerial Order under the CCA regulations;
 - b) Possible re-assignment of existing responders from Category 2 to Category 1, or *vice versa*;
 - c) Guidance to new responders to ensure that they are able to meet the respective CCA requirements;
 - d) Recommendations for amendment of relevant sections of *Emergency Preparedness* and *Emergency Response & Recovery* so that new responder roles are taken into account in the updated guidance; and
 - e) Findings to inform 'Refining the CCA' and 'National and Regional Resilience Arrangements' projects in Phase 2.
46. **Outcomes:**
- a) Addresses CCAEP objectives 1, 2, 4 and 5.
 - b) Strengthened local responder collaboration by ensuring all relevant organisations are assigned statutory responder status through the CCA.
 - c) Implementation of relevant recommendations and lessons identified from reviews, emergencies and exercises.

Project 5 – Renewing CCA Arrangements for London

(Project Leader: Andy Fraser)

47. **Outline:** Review existing CCA arrangements and organisational roles in London, as set out in Chapter 9 of *Emergency Preparedness* and consider whether any changes are required.
48. **Rationale:**
- a) The CCA Regulations and statutory guidance, *Emergency Preparedness*, make specific provision for resilience arrangements in London. In particular, the London Fire & Emergency Planning Authority carry-out a number of statutory functions, which

outside of London are undertaken by Local Authorities. A specific grant - administered by CCS - is provided to the Authority to deliver these responsibilities.

- b) In addition, while six LRFs have been established in London to reflect LRF structures elsewhere and the need to ensure effective responder engagement and share good practice across 33 London Boroughs, a significant amount of emergency preparedness work is delivered at the regional (ie. London) level, indicating that consideration of the role and structure of London LRFs would be useful as part of the wider CCAEP work to refresh the CCA framework.
- c) This project will consider whether the existing arrangements are effective and whether any practical or legislative changes are necessary. The work will consider wider roles of London organisations in resilience activity (ie. beyond the statutory requirements of the CCA/Regulations) and take full account of the planning being undertaken in preparation for the London 2012 Olympics.

49. Timeframe for delivery: May 2008 – March 2009. A Task and Finish group was established in May 2008 to address the issues, leading to an informal consultation focusing on the effectiveness of London LRFs and the delivery of CCA/Regulations requirements.

50. Deliverables:

- a) Recommendations for amendment of relevant sections of *Emergency Preparedness* and *Emergency Response & Recovery*;
- b) Implementation of any new arrangements to reflect modified resilience structures for London;
- c) Recommendations to Ministers on funding options relating to grant provision to the London Fire & Emergency Planning Authority; and
- d) Possible proposals for legislative amendment for consideration in 'Refining the CCA' project in Phase 2.

51. Outcomes:

- a) Addresses CCAEP objectives 1 and 2.
- b) Improved CCA local and regional arrangements which enhance London's resilience arrangements, including any necessary requirements to support resilience planning for the London 2012 Olympics; and
- c) Where necessary, improved Regional Civil Contingencies Committee (RCCC) arrangements for London through updated guidance, including the revised *Central Government Concept of Operations (CONOPS)*, *Emergency Response and Recovery* and *Emergency Preparedness*, as appropriate.

Project 6 – Update of *Emergency Response and Recovery* guidance

(Project Leader: Tony Part)

52. Outline: To update the non-statutory guidance – first published in the autumn of 2005 - to reflect recent developments and new standards in response and recovery methodology.

53. Rationale:

- a) A requirement to reflect new recovery methodology since *Emergency Response and Recovery* was first published, and a need to incorporate the guidelines established by the National Recovery Working Group;
- b) A need to integrate lessons identified from a range of recent emergencies, including the Buncefield explosion in 2005, the Foot and Mouth Diseases and Bluetongue outbreaks in 2007, and the 2007 summer floods;
- c) A need to reflect the Science and Technical Advice Cell concept, the evolving Resilient Telecommunications Strategy and new standards in command and control in emergency response;
- d) A requirement to reflect new practice in multi-agency working and on-shore / off-shore interaction when responding to maritime emergencies.

54. Timeframe for delivery: Work is already underway and authors have been commissioned for update of individual sections of the guidance. The Programme Team, in conjunction with the Emergency Planning College, has also consulted on the preferred format for the updated guidance in order to suit responder needs and to allow for future updates without the need for a full re-write. Publication of the revised guidance is anticipated in spring 2009 following public consultation.

55. Deliverables:

- a) Publication of updated non-statutory guidance in a “user-friendly” format; and
- b) Publication of online version of updated guidance on UK Resilience website.

56. Outcomes:

- a) Addresses CCAEP objective 3.
- b) Consistent application of modern response and recovery standards and good practice;
- c) Dovetailing of *Emergency Response and Recovery* and current issue-specific Government guidance; and
- d) Implementation of relevant recommendations from recent reviews, emergencies and exercises.

Phase 2 – Further Scope for Change

57. The second stage of the programme will consider, through two substantial projects, how the CCA might be improved through more fundamental change. Addressing CCAEP objectives 1-5, this phase will explore recommendations for improvement that, if implemented, would require amendments to either the supporting regulations or the primary CCA legislation. While the findings of Phase 1 are likely to shape further the scope of Phase 2 work, the following section outlines the anticipated focus and deliverables for these projects.

58. Given the read-across to the issues being addressed in Phase 1 of the programme and the likelihood that some practical, non-legislative measures for improvement, (particularly those relating to the ‘Refining the CCA’ project), CCS proposes that discrete elements of Phase 2 will commence before Phase 1 concludes. This will enable relevant findings from

Phase 2 to be delivered along-side guidance and policy measures emerging from Phase 1. For example, work being led by CCS' Capabilities Team, focusing on the alignment of national, regional and local risk assessment methodology is already underway to ensure that the 2008 edition of the Local Risk Assessment Guidance (LRAG) can be issued in time to inform updates of Community Risk Registers (CRRs) in early 2009.

Project 7 – Refining the CCA

59. **Outline:** The 'Refining the CCA' project will:

- a) assess whether existing CCA duties need to be enhanced and added to, such as:
 - i) reviewing the alignment of the national, regional and local risk assessment process;
 - ii) consider mandating the British Standard (BS 25999) on Business Continuity Management for Category 1 responders, and consider whether the Business Continuity Management requirements should be extended to Category 2 responders,
 - iii) requiring other Category 1 responders, in addition to Local Authorities, to provide advice and assistance on Business Continuity;
 - iv) establishing a better distinction between public awareness raising and warning roles through the Communicating with the Public requirements; and
 - v) including the preparation of recovery plans under the CCA Emergency Preparedness requirements;
- b) consider whether the scope of the CCA should be broadened beyond emergency preparedness and include response and recovery elements; and
- c) review the number of responder categories and the statutory requirements falling on each, and assess whether adjustments are required.

60. **Deliverables:**

- a) Proposals to be taken forward in Phase 3 relating to modification of existing CCA/Regulations duties;
- b) Proposals to be taken forward in Phase 3 on additional duties;
- c) Possible proposals for new responder category(ies) and;
- d) Potential additional guidance on CCA duties.

Project 8 – National and Regional Resilience Arrangements

61. **Outline:** This project will consider whether the UK resilience 'chain' would be improved by establishing in the CCA statutory responsibilities and roles for regional tier, Devolved and UK Government. These aspects were considered in the course of developing the Civil Contingencies Bill in 2003-4. At the time, the decision was taken that it was necessary to assign statutory responsibilities to local responders only. Now, in the light of recent experience and as part of the wider review of the CCA, it is appropriate to reassess the position. This will require careful consideration of the evidence relating to the response and management of emergencies, the management of resilience capability building and a thorough debate and consultation via the programme Policy Forum, Steering Group, and Ministerial consideration via the Committee on National Security, International Relations and Development. This work will be supported by a Task & Finish Group to collate and

assess the evidence, develop any proposals and consider implementation issues, including taking account of local responder perspectives, funding and resource issues and additional responders identified in phase 1, on any proposals.

62. Deliverables:

- a) Possible proposals to be taken forward in Phase 3 on statutory roles and responsibilities for Government Offices, Devolved Administrations and UK Government.

Phase 3 – Enhancing the CCA

63. The third phase will focus on preparation of policy proposals in the light of findings from Phases 1 and 2, development of a full Impact Assessment and drafting of new statutory guidance. The Impact Assessment and updated statutory guidance will need to take full account of the Government's New Burdens and Better Regulation principles and consider, where appropriate, adequate resourcing for responders to enable them to meet any additional duties that are not offset by efficiency savings arising from more cost-effective means of delivering existing CCA responsibilities. It will therefore be important for the Programme Team to work closely with officials from the Better Regulation Executive, HM Treasury, Communities and Local Government and, where appropriate, sponsor departments.
64. It is current Government policy to legislate as a last resort. Consequently, the development of CCA enhancement measures, for all phases, will follow the above principles. The Programme Board and Steering Group will note that non-legislative policy measures will be considered before development of proposals to amend the primary or secondary CCA legislation.

Project 9 – Legislative Changes

65. **Outline:** Following a full public consultation on the proposals, the 'Legislative Changes' project will focus on preparation of an amendment Bill for Parliamentary scrutiny and debate in the House. Any proposed legislative change emerging from the programme will need to be cleared through the appropriate processes and the Programme Team will need to secure a slot to ensure that there is enough Parliamentary time to allow passage of this legislation. The Programme Board and Steering Group will note that the next Parliamentary Session after the completion of Phase 1 is likely to be a short Session. At the same time, legislation relating to civil protection is likely to be debated strongly in Parliament. The Programme Team will engage with members of the Cabinet Office Legislation Secretariat and the offices of Parliamentary Business Managers to ensure that colleagues are kept aware of progress.

66. Deliverables:

- a) Public consultation on proposals to amend the CCA;
- b) Supporting Impact Assessment to accompany consultation document; and
- c) CCA Amendment Bill for Parliamentary scrutiny in light of public consultation findings.

Project 10 – Non-Legislative Changes

67. **Outline:** The ‘Non-Legislative Changes’ project will consider whether policy measures are required to address those aspects of the legislative change proposals, which do not receive full support through the public consultation. In parallel, an implementation strategy will be developed setting out how the new arrangements will be delivered.

68. **Deliverables:**

- a) Policy measures and guidance for non-legislative enhancements to the CCA.

Project 11 – Update of CCA Guidance

69. **Outline:** This project will deliver revisions to the statutory and non-statutory guidance in the light of Projects 8, 9 and 10.

70. **Deliverables:**

- a) Publication of revised and updated statutory guidance and non-statutory guidance;
- b) Publication of online version of updated guidance on UK Resilience website; and
- c) Publication of revised “Short Guide to the Civil Contingencies Act”.

Phase 4 – Implementation

Project 12 – Delivery of New CCA Arrangements

71. **Outline:** The conclusion to the Parliamentary debate on the CCA amendments Bill and approval for the amendments will mark the transition to Phase 4 of the programme (Project 12 – Delivery of New CCA Arrangements). During the final stages of Phase 3, the Programme Team, Board and Steering Group will need to consider the implementation strategy for the new CCA arrangements. In particular, this strategy will need to ensure that all organisations are fully aware of their CCA responsibilities, and that they are supported through relevant guidance material and the sharing of good practice. In addition, any new training and doctrine requirements will need to be developed by the Emergency Planning College and individual responder training programmes.

72. **Deliverables:**

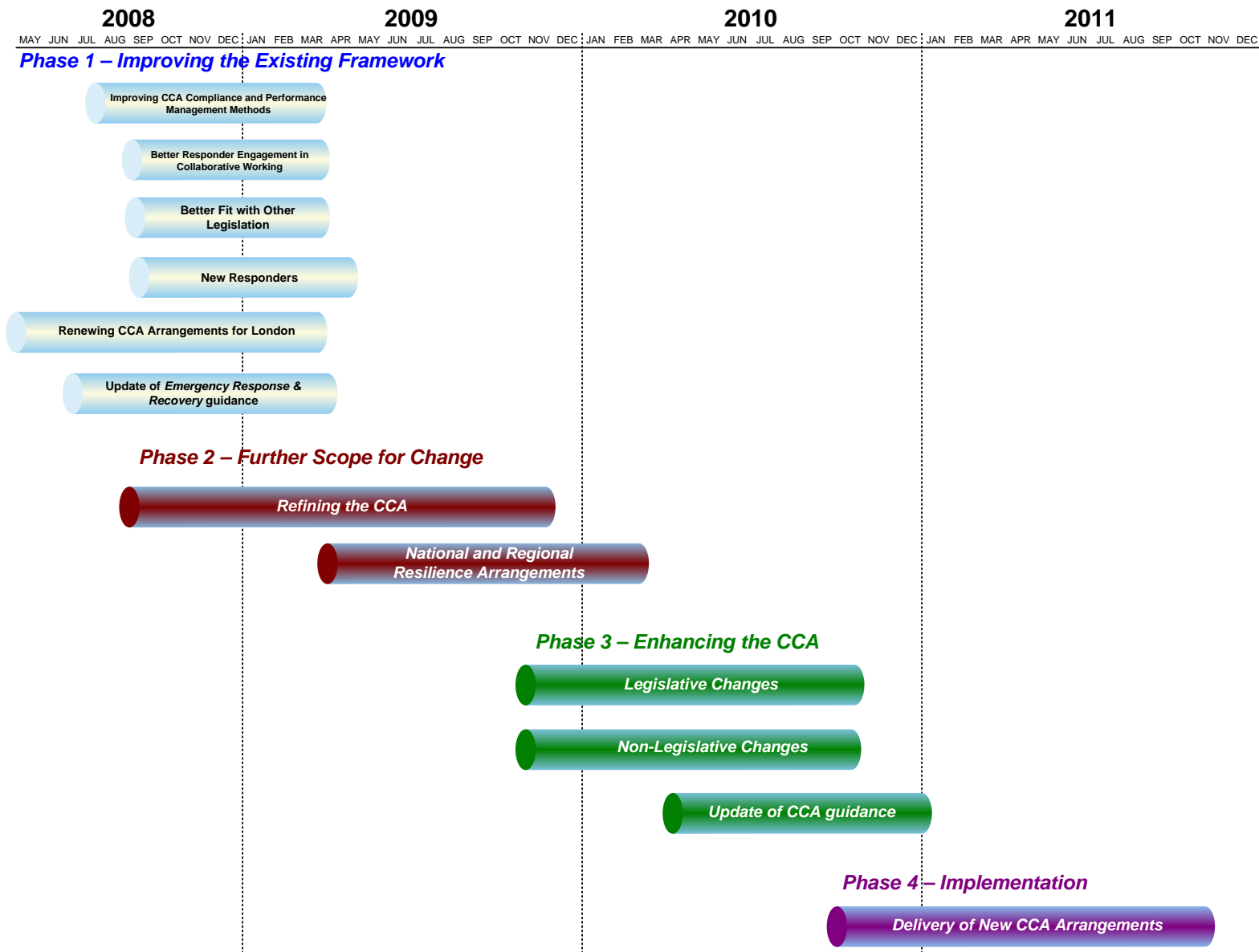
- a) Implementation strategy for new CCA arrangements;
- b) Revised concordats on CCA implementation between UK Government and Welsh, Scottish and Northern Ireland administrations; and
- c) Monitoring of implementation process to inform longer-term policy development.

73. As reflected in Figure 1, a comprehensive monitoring programme will be required to assess the effectiveness of implementation to inform longer-term policy making in this area.

Programme Timetable

74. A provisional programme plan is presented in Figure 2 overleaf. Individual project specifications will incorporate more detailed timetables and milestones. This detail will be reflected in progress reports to the Programme Board and Steering Group.

Figure 2. Proposed timeline for delivery of CCAEP projects



Success Criteria

75. In addition to the intended outcomes for each project (described above), the key success criteria which will be used to measure the success of the programme are as follows:
- a) delivery of an up-to-date and fit for purpose statutory framework, supporting guidance and policy measures which together provide enhanced and more consistent standards for resilience activity in the UK;
 - b) improved collaborative working between responders at all levels which can be measured through key performance indicators in the National Capability Survey, regulator audits and inspections, and the Local Government Tasking Framework indicator on civil protection; and
 - c) successful implementation of those recommendations from earlier reviews, incidents and exercises that the Government has accepted as requiring implementation.

Constraints

76. **Part 2 of the CCA:** For reasons outlined in paragraph 13, the programme will focus on Part 1 of the CCA only and will not be reviewing the separate framework for invoking emergency powers (Part 2 of the CCA). However, Part 2 arrangements may need to be taken into account in the 'National and Regional Resilience Arrangements' project as part of Phase 2 of the CCAEP.
77. **Devolution:** The programme will focus on statutory arrangements in place in England and Wales as covered by the England and Wales legislation. The review recognises that there are different policy and legal structures that impact on civil contingencies even between England and Wales, in particular that some responder organisations have been devolved and this will be taken into account during the review. In line with existing concordats between UK and Scottish Ministers, and between UK and Northern Ireland officials, officials from Scotland and Northern Ireland will be represented on the CCAEP Steering Group and will be invited to contribute to the work, particularly where it affects local and regional cross-border working. In addition, findings from the CCAEP may be considered for implementation in Scotland and Northern Ireland by their respective devolved administrations. Equally, while the provisions of the CCA do not extend to the Channel Islands or the Isle of Man, the Programme Team will maintain links with equivalent responder organisations on these islands so that findings of the programme can be considered for application if required.
78. **2010 Spending Review:** in developing proposals to enhance the CCA, each project will need to assess whether new resources are required for the implementation of new policy measures where these cannot be delivered through efficiency savings. Given the current tight fiscal climate, it is unlikely that additional resources will be secured unless a robust business case is provided. As part of this process, consideration will be given on how best to prioritise policy changes emerging from the Programme.
79. **New Burdens:** new guidance and changes to the legislation will need to take account of the Government's New Burdens principles and deliver, where required, adequate resources for local authorities (including Police and Fire authorities) to enable them to comply with new guidance and statutory responsibilities, where additional burdens are not offset by efficiency savings arising from more cost-effective means of delivering existing requirements. Consequently, the Programme Team will need to work closely with officials

from Communities and Local Government, HM Treasury and sponsor departments in developing proposals.

80. **General Election:** The Programme Board and Steering Group will note that a general election will be called between September 2008 and May 2010. Amendments to the CCAEP timetable may be needed, and the timescales for delivery of the public consultation and legislative amendments in Phase 3 may be significantly affected.

Interfaces and parallel projects

81. There are a number of external work areas that either influence the direction and scope of the CCAEP or will be affected by outcomes of the programme. These are set out below under “Drivers for Change” and “Workstreams Affected by CCAEP”. Interfaces between the CCAEP and these external work areas will be managed by the relevant project areas with oversight provided by the Programme Board and Steering Group. Individual project specifications will provide the detail on how specific recommendations and work areas will be addressed. Owing to national security sensitivities, there are a number of parallel work areas which have not been included in this PID.

Drivers for Change

82. **Learning Lessons from the 2007 Floods:** Sir Michael Pitt was asked by Ministers in August 2007 to identify lessons from the 2007 flooding emergencies and to make recommendations that would help the country adapt and deal more effectively with this type of emergency in the future. An interim report was published in December 2007 and the Secretary of State for the Environment accepted the urgent recommendations on behalf of the Government. A number of these urgent recommendations and interim conclusions have a read across to the CCAEP. The programme will also consider relevant recommendations relating to the CCA and local response capabilities set out in Sir Michael Pitt's final report published in June 2008.
83. **Buncefield Major Incident Investigation Board:** The initial report issued by the Major Incident Investigation Board (chaired by Lord Newton) into the explosion at the Buncefield oil storage depot in Hemel Hempstead in December 2005 identified a number of work streams for developing recommendations. ‘*Emergency preparedness for response to and recovery from incidents*’ was the second of these. This report sets out recommendations for improving planning for, response to and recovery from emergencies occurring at high-hazard industrial facilities that fall under COMAH Regulations. The CCAEP will seek to address relevant recommendations through the ‘Update of Emergency Response & Recovery’ and ‘Better Fit with Other Legislation’ projects in Phase 1 of the programme.
84. **Review of the Fire & Rescue Service Operation Response to the Summer Floods 2007:** Sir Ken Knight, the Government’s Chief Fire and Rescue Adviser, was asked by the Secretary of State for Communities and Local Government to undertake a review of the Fire and Rescue Service’s operational response to the widespread flooding events of summer 2007. His review set out to consider, among other issues, the need for interoperability between Fire and Rescue Services’ training and equipment and that of other local responders. There are a number of recommendations emerging from Sir Ken Knight’s review that have implications for the operation of the CCA. Accordingly, the CCAEP will address a number of specific recommendations relating to the Fire and Rescue Service’s role in multi-agency and collaborative working with other Category 1 and 2 responders.

85. **Foot and Mouth Disease (FMD): A Review and Lessons Learned:** Following the outbreak of Foot and Mouth Disease (FMD) in Surrey in August 2007, the Prime Minister asked Dr Iain Anderson (who chaired the previous Inquiry into the 2001 outbreak) to undertake a review of the Government's handling of the outbreak. The review, published in March 2008, found that there had been a lack of engagement between LRFs and Animal Health Divisional Officers in risk and planning work before the FMD outbreak and called for improved engagement at a local and regional level. These findings will be considered as part of the CCAEP, specifically the case for designating the Animal Health Agency as a Category 1 responder to embed the agency's operations more closely with multi-agency planning work at the local level. The CCAEP will also consider relevant findings from the review of the response in Scotland to the 2007 FMD outbreak (Foot and Mouth Disease Review (Scotland) 2007).
86. **Business Continuity Standard (BS 25999):** Part 1 of the standard is a code of practice that takes the form of guidance and recommendations, establishing the process, principles and terminology of business continuity management (BCM). Part 2 of the standard establishes the process for achieving certification, and enables a full assessment of whether BCM capability is appropriate to the specific needs of an organisation. Building further on this standard, consideration is being given to developing a Publicly Available Specification (PAS) for the health sector with the potential for developing this into a full BS Standard at a later date. There is also potential for BS25999 to be developed into an International Standard (ISO) or European Standard (EN). These developments will influence standards in business continuity management and the CCAEP will consider whether links between the CCA business continuity management requirements and BS25999 should be strengthened and/or formalised.
87. **National Recovery Guidance:** *National Recovery Guidance* was published in October 2007 by the National Recovery Working Group. The Guidance provides a single point of reference for local responders dealing with the recovery phase of an emergency. The Phase 1 project 'Update of *Emergency Response and Recovery*' will capture and embed the principles and strategic information from this guidance. At the same time, this work will inform the consideration of whether Part 1 of the CCA should be broadened to address recovery aspects, or whether recovery planning should be mandated through the emergency planning requirements of the CCA.
88. **UK Capabilities Programme:** the Capabilities Programme - coordinated by CCS with Government departments leading specific workstreams - aims to ensure that a robust infrastructure of response is in place to deal rapidly, effectively and flexibly with the consequences of civil devastation and widespread disaster inflicted as a result of conventional or non-conventional disruptive activity. The programme aims to achieve this by identifying the full range of capabilities necessary to build UK resilience and by ensuring that each of these is developed in accordance with the delivery techniques developed by the Prime Minister's Delivery Unit (PMDU) in connection with the Government's Public Service Agreement (PSA) targets. Over the last two years, the interface between the CCA and the Capabilities Programme has strengthened, in particular for work relating to the development of resilience capabilities regarding flu pandemic planning, flood preparedness, response, recovery and warning and informing the public. The CCAEP will seek to ensure that the CCA continues to provide a sound platform on which responders can build specific resilience capabilities in the future.

89. **International comparators and experience:** the CCS drew on international experience of comparative civil protection legislation as part of the initial scoping work to develop the Civil Contingencies Bill in 2003. In the same manner, the Programme Team will draw on international legislative standards and practice and consider relevant experience, where appropriate, in enhancing the CCA regime.
90. **National Capability Survey:** The programme will also consider relevant findings from the 2008 National Capability Survey of Category 1 and 2 responders' compliance with CCA/Regs requirements and capability building activity.

Workstreams Affected by CCAEP

91. **National Resilience Extranet (NRE):** The need for resilient communications in an emergency was reinforced by the findings of a review into the provision of contingency communications. In response to the review and the introduction of the Civil Contingencies Act 2004 the CCS undertook work to enhance the resilience of communications in responding to an emergency. The ability to securely share information between all local, regional and national responders supports the requirement for a National Resilience Extranet to serve Category 1 and 2 responders across the UK.
92. A number of responders have already implemented multi-agency private networks at a local level. However, the coverage of such systems is far from comprehensive and there are no agreed standards in place covering their functionality.
93. To overcome these challenges CCS, in partnership with CLG, is in the process of delivering a resilient browser-based tool (to be rolled-out in the second half of 2009) – the National Resilience Extranet (NRE) - to enable efficient and secure (accredited to RESTRICTED level) exchange of information during routine planning activity, response to, and recovery from, emergencies, spanning events characterised as sudden impact to rising tide.
94. Outcomes from the CCAEP may impact upon the numbers of responders wishing to take up access to the NRE, and therefore the volume of traffic that the NRE will need to be capable of managing. Consequently, the Programme Team will maintain strong links to the NRE delivery team to ensure that any emerging requirements, particularly for new responders, can be taken into account in the development of the NRE.
95. **National Capability Survey:** New standards and requirements emerging from the CCAEP will need to be fully integrated with the next National Capability Survey in 2010 and will provide useful feedback on implementation work.
96. **Crowded Places: Reducing Vulnerability to Terrorist Attack** - Lord West's recent review of how best to protect crowded places from terrorist attack has indicated that while a substantial amount of work has already been undertaken to increase levels of protective security, more is needed to turn available advice into practical action. For the crowded places strategy to be most effective, the Government and the police need to work in closer partnership with local authorities, local partners and businesses to encourage them to implement counter-terrorist security measures proportionate to the risk of attack. To

facilitate this work, the Home Office's Office of Security and Counter-Terrorism will be delivering guidance in 2009 to help local organisations (including Category 1 and 2 responders), understand their role to improve community safety. While Local Resilience Forums will not necessarily lead this work, they will want to consider the local assessment of vulnerability to ensure that resilience work takes account of the findings. The CCAEP will consider how this work is effectively aligned with core LRF activity. Equally, delivery of the Crowded Places strategy will need to take account of the statutory duties enhanced by the updated CCA regime.

97. **Community resilience:** highlighted in the National Security Strategy and building on the foundations of the CCA and lessons of emergencies in recent years, CCS is also leading new work to enable communities and individuals to harness local resources and expertise to help themselves, in a way that complements the response of the Category 1 and 2 responders. This work will take account of emerging findings from the CCAEP. At the same time, given that the CCAEP will consider broadening the scope of the CCA, the programme will need to consider the evolving community resilience strategy going forward.

Programme structure and governance

98. To ensure the programme is managed effectively, a number of formal structures are required. These are:

- **CCAEP Team**
- **CCAEP Senior Responsible Owner (SRO)**
- **CCAEP Board**
- **CCAEP Steering Group**
- **CCAEP Policy Forum**
- **Specific Task & Finish Groups**, established to deliver individual projects.

99. The programme governance structure is presented in Figure 3.

Figure 3. CCAEP governance structure (reflecting 2008 Task & Finish Groups)



CCAEP Team

100. The CCAEP Team will be responsible for:

- a) day-to-day management and delivery of the programme and coordination of the CCAEP project delivery;
- b) creating and updating programme and project plans and timelines, and providing progress reports;
- c) producing highlight reports for the programme Board and Steering Group and for drafting papers for submission to the official and Ministerial Committees on National Security, International Relations and Development (Protective Security and Resilience);
- d) leading and managing Task & Finish Groups and the CCAEP Policy Forum;
- e) providing the secretariat for the programme Board, Steering Group and Task & Finish Groups;
- f) development and delivery of the consultation documents and, where required, Impact Assessments;
- g) providing recommendations to and briefing Ministers;
- h) delivery of a communications package to support CCAEP delivery, including organising and attending regional workshops and a national conference; and
- i) coordination of implementation and assessment of CCAEP benefits realisation.

The CCAEP Team, as of 20/09/2008, comprises:

Name	Job Title & Role
Andy Fraser	Assistant Director and Programme Leader Civil Contingencies Act Enhancement Programme
Paul Arnold	CCAEP Programme Manager and Project Leader (New Responders) (CCAEP Team)
Tony Part	Project Leader (Update of Emergency Response & Recovery) (CCAEP Team)
Anita Friend	Project Leader (Improving CCA Compliance and Performance Management Methods) (CCA Implementation Team)
Robert Wyett	Policy Adviser (CCAEP Team)
Jude Heaton (from 24/09/2008)	CCAEP & CCS Communications Policy Manager (CCA Implementation Team)
Bob Overy	Project Leader (Better Fit with Other Legislation and Better Responder Engagement with Collaborative Working) (CCAEP Team / EPC Associate Lecturer)

101. In addition, CCS will be recruiting a full-time secondee from the responder community, initially to support delivery of policy work in Phase 1 and 2 of the programme.

CCAEP Senior Responsible Owner (SRO)

102. Kathy Settle, CCS Deputy Director - Local Response Capability will be Senior Responsible Owner (SRO) with responsibility for oversight of the programme. The CCAEP Team and SRO report to Bruce Mann, Director of Civil Contingencies.

CCAEP Board

103. The programme Board will be responsible for overall management and strategic direction of the programme including assessment of progress, management of risks and consideration of any resourcing aspects.
104. The Programme Board comprises senior representatives from the relevant work areas of CCS, the head of Cabinet Office's Security, Intelligence and Resilience Communications and representatives from Treasury Solicitors, and Communities and Local Government.
105. CCAEP Project Leaders will be invited to contribute to Programme Board meetings as required to discuss specific workstreams.
106. The CCAEP Board will aim to meet every 6 weeks from September 2008 to receive progress reports from the Programme Team, and to discuss the status of individual projects, upcoming milestones and any relevant risks and issues.

CCAEP Steering Group

107. The Steering Group will be responsible for:
- a) advising on overall direction of the programme and, where relevant proposal development;
 - b) publicising and disseminating information relating to the programme; and
 - c) advising on programme deliverables.

108. Proposed membership of the Steering Group is as follows:

Organisation
Ambulance Services Network
Association of Chief Police Officers
Centre for Protection of National Infrastructure
Chief Fire Officers Association
Civil Contingencies Secretariat
Communities and Local Government
Department for Business, Enterprise and Regulatory Reform
Department for Energy and Climate Change
Department for Environment, Food and Rural Affairs
Department for Transport
Department of Culture, Media and Sport
Department of Health
Emergency Planning College
Emergency Planning Society
Health and Safety Executive
HMT
Home Office
Local Government Association
Ministry of Defence
Office of the First Minister and Deputy First Minister, Northern Ireland
Scottish Executive
Treasury Solicitors
Welsh Assembly Government

109. The first meeting of the Steering Group took place on 04/06/2008 and the second on 23/10/2008. The discussion at these meetings focussed on the overall approach and main objectives of the work as set out in this document. CCAEP Steering Group meetings will be held at key stages (likely to be every three to four months) during the programme.

CCAEP Policy Forum

110. Given the size and diversity of the UK's resilience community, it will not be possible to include representatives from every organisation on the programme Steering Group and Task & Finish groups. However, to ensure that members of this community have an opportunity to contribute to proposal development and delivery of the programme, the

Programme Team will establish a 'virtual' Policy Forum. While this forum will not physically meet, relevant papers will be shared with members of this group. Furthermore, members will be invited to provide evidence and consulted to help inform the development of proposals for specific projects. This work will be supported by a full communications strategy described towards the end of this PID.

Programme controls

Risk and Issues management

111. Risks and issues that are identified as potential or current threats to the success of the programme will need to be effectively managed. The Programme Manager will assign owners and manage the range of risks and issues through a Risk Register and an Issues Log. These will be used to proactively manage risks including:
- a) Identifying the risks and issues;
 - b) Assessing their probability and likely impact;
 - c) Allocating owners to the risks and issues; and
 - d) Ensuring that outcomes to reduce the risk or mitigate its consequences or prevent the risk or issue from arising have been identified and followed up.
112. A Risk Matrix will be developed to help monitor the status of risks on a Red/Amber-Green/Amber-Red/Green scale, and show the effects of reduction/mitigation/prevention action. The Risk Matrix and Register will be reviewed by the Programme Board and circulated to the Steering Group for information.

Progress reports

113. The Programme Team will issue progress reports to the Programme Board and Steering Group on a 6-weekly basis from September 2008. These reports will:
- a) contain updates of the programme schedule (whether it is still running on time);
 - b) highlight key achievements of current stage;
 - c) outline plans for the next; and
 - d) escalate any risks identified and issues that have arisen.

Communications and consultation package

114. Effective communication and consultation with statutory responders, other organisations and CCS' partners will form a crucial part of the work to enhance the CCA regime. In addition to full representation of local practitioners on the Task and Finish Groups and consultation on proposals developed by each project, the Programme Team will also ensure that responders receive accurate and timely updates on delivery of the work. Coordinated by the CCS Communications Policy Manager and in consultation with Cabinet Office's Security, Intelligence and Resilience Communications Team, these updates will include:
- a) regular bulletins via the Local Response Gateway, including an Information Pack for responders and a Briefing Pack for CCS and its partners (including Government departments, Regional Resilience Teams and the Devolved Administrations);
 - b) updates on the UK Resilience website, including a summary CCAEP Fact Sheet;

- c) a PowerPoint slide pack covering the main objectives, scope, approach and timetable for the programme;
- d) progress reports at Regional Resilience Directors' meetings, Regional Resilience Forums and LRF Chairs' meetings;
- e) presentations at relevant internal and external meetings and conferences;
- f) national and regional workshops to take views on CCAEP proposals;
- g) commissioning of articles in civil protection journals; and
- h) flagging the programme on the CabWeb intranet website and commissioning an article for Cabinet Office's *Inside* magazine to highlight the work to colleagues across the Cabinet Office.

Civil Contingencies Secretariat
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