

Civil Contingencies Act Enhancement Programme (CCAEP)

Update of Emergency Response and Recovery Guidance

Paper E

Consultation Report

Introduction

1. This paper provides a summary of the consultation process into the update of *Emergency Response and Recovery (ERR)* and of the responses received. In doing so, it makes recommendations about the changes and modifications that are required.
2. This paper is designed to act as a basis for discussion at the ERR Task and Finish Group Meeting on the 29 June 2009. The primary aim for this meeting is to reach an agreement on what changes and modifications are required. Time for more detailed editorial comments on the text itself has been allowed for after this meeting.

The Consultation Process

3. The ERR consultation process was designed so that it was in accordance with the Code of Practice on Consultation, produced by the Better Regulation Enterprise (BRE) at what was the Department for Business, Enterprise and Regulatory Reform (BERR), now the Department for Business Innovation and Skills (BIS).
4. This code of practice states that: *"...at times, a formal, written, public consultation will not be the most effective or proportionate way of seeking input from interested parties, e.g. when engaging with stakeholders very early in policy development (preceding formal consultation) or when the scope of an exercise is very narrow and the level of interest highly specialised....The issues on which the Government decides to consult depend on the circumstances in each case"*.
5. On the grounds that ERR is targeted at a specialist audience, a full 12 week formal public consultation was not thought to be required. A shorter 8 week consultation period (2 March – 24 April 2009) was therefore used. The consultation document was sent out via the Gateway to all Regional Resilience Directors and to the Devolved Administrations. These contacts were asked to forward the consultation paper to all Category 1 and 2 responders in their area. They were also asked to encourage responders to include the ERR consultation on the agendas of any meetings during the consultation period. The consultation paper was also sent to the CCAEP Programme Board and Steering Group, the ERR Task and Finish Group, and to the National Civil Protection Voluntary Sector Forum (NCPVSF). The consultation approach was approved by the ERR Task and Finish Group, the CCAEP Steering Group, and David Kavanagh, the Cabinet Office Consultation Coordinator.
6. In order to reduce the burden on those that we consulted, a response template was produced. This template provided a "yes"/ "no" option for each of the 20 consultation questions and space for fuller comments if required. To allow for comments that did not specifically relate to the consultation questions, an "other comments" section was included. The consultation questions are listed in Annex A.

Response rates

7. In total, **122** responses to the *Emergency Response and Recovery* Consultation were received. This number is however misleading as many responses (28) were sent on behalf of a group of organisations (e.g. Local Resilience Forums and their equivalent in Scotland, and the National Voluntary Civil Protection Forum). Annex B provides a list of organisations / groups of organisations from whom a response was received.
8. Taking this group representation into account, and assuming input was obtained from all members of these groups (except where explicitly stated otherwise), this represents the following response rates for each sector in the UK:
 - 38% for Local Authorities
 - 32% for Police;
 - 47% for Fire and Rescue; and
 - 11% for Health.
9. Not included in these response rate statistics are responses from:
 - the Emergency Planning Society;
 - the Chief Fire Officers Association;
 - 5 National responders¹;
 - 3 other Government departments²;
 - the Devolved Administrations;
 - 7 individual and 2 groups of Category 2 responders³; and
 - National Voluntary Sector Civil Protection Forum and 4 voluntary sector organisations.

Summary of Consultation responses

10. Overall, most respondents were satisfied with the revised ERR text; between 65% and 100% agreed with each of the 20 consultation questions, indicating a general overall satisfaction with the revised guidance. Annex C provides a full break-down of the proportion of responses that agreed / disagreed with each of the consultation questions.

Detailed analysis and recommendations

11. A number of suggestions for improvement were made in response to the ERR consultation. The table below summarises the main issues that were raised during the consultation; more detailed summaries have been provided to each of the ERR leads on their respective sections in order to ensure the detail was addressed. This detail is not included in the table below as it is either covered by editorial changes or related to particular matters for the relevant policy leads to consider. The table only

¹ The Environment Agency (national and from two 2 regions); the Maritime and Coastal Agency, and the Highways Agency

² The Drinking Water Inspectorate at DEFRA; the Ministry of Defence, and the Government Decontamination Service.

³ First ScotRail; Severn Trent Water; CE Electric UK; Transport for London; United Utilities plc; Western Power Distribution; Western Power Distribution; Association of Train Operators, and Bedford Group of Drainage Boards

includes a top level summary of the comments raised and any potentially contentious issues as identified by the relevant policy leads. For ease of reference, this table is split into general issues and issues specific to particular chapters.

| Themes | Recommended solution(s) |
|--|--|
| <p><u>General</u></p> <p>“ERR is too detailed” versus “more detail is required / further clarification required”.</p> | <p>The ERR guidance is designed to be a “briefing document” for the resilience community. For this reason, it should be a strategic rather than highly detailed document.</p> <p>Given IEM and the subsidiary principle the ERR guidance should avoid being too prescriptive and encourage flexibility, it should instead provide an overview of the key principles and issues.</p> <p>The ERR should not duplicate existing guidance. Hyperlinks should direct those that are interested to where they can find more detail.</p> <p>If providing clarification does not make the ERR guidance prescriptive or overly detailed and it is possible to provide further clarification, do so.</p> |
| <p>Sign-posting to other existing guidance is required.</p> | <p>Provide hyperlinks where possible, providing top level summaries of this external guidance and avoiding unnecessary duplication.</p> |
| <p>Provide a clearer link between local, regional and national arrangements.</p> | <p>Add cross references between the chapters and diagrams.</p> |
| <p>Add more diagrams</p> | <p>Where appropriate, add more diagrams. Diagrams should only be added where they will add value and are well integrated with the text. The text and the diagram should not simply duplicate each other.</p> |
| <p><u>Chapter 1 Introduction</u></p> | <p>No substantial comments</p> |
| <p><u>Chapter 2 Principles</u></p> | <p>No substantial comments</p> |

| Themes | Recommended solution(s) |
|--|---|
| Chapter 3 Responding Agencies | |
| Calls for responders to be categorised different or for new responders to be added to the CCA regime. | This is not for the ERR guidance. It will be passed to the CCAEP new responder project lead for consideration. |
| Focus on the role of each agency in responding to and recovering from an emergency. | Ensure that the text focuses on emergency response and recovery. |
| Chapter 4 Responding to emergencies | |
| A consensus on whether to use the terms gold, silver and bronze (GSB) or strategic tactical and operational (STO) is required. | Provide clear definitions of command, control and co-ordination and differentiate between the single and multi-agency environment. In a single agency environment, recognise that GSB are commonly used. In a multi-agency environment, STO will be the official terms but recognise the colloquial use of GSB. The term GSB should always be qualified, i.e. "gold group" or "police gold". (See paper F for further details). |
| Show how the response mechanisms can be adapted to types of emergency currently not mentioned in this chapter. | <p>IEM means that it is not necessary to show how mechanisms can be adapted to each and every type of emergency. Some flexibility on how to adapt the mechanisms is required. Showing how the mechanisms can be adapted to every type of emergency would make the guidance unnecessarily long.</p> <p>It is necessary to explain why terrorism and maritime emergencies are covered in depth, whilst other types of emergencies are not. (Terrorist and maritime arrangement have slightly different arrangements and involve some additional players).</p> |

| Themes | Recommended solution(s) |
|--|---|
| Much of the resilient telecommunications section is about emergency preparedness. | Although ERR focuses on response and recovery, because it is not designed to be read in the event of an emergency, it should cover a list of considerations necessary for effective response and recovery. The emphasis should however be on response and recovery. |
| The resilient telecommunications sections needs to focus on how resilience can be improved rather than on the technology itself. | Agreed. The focus should be on ensuring that telecommunications are resilient and on enhancing resilient. The chapter should be restructured around the resilience telecommunications strategy. |
| The evacuation section needs updating in line with the evacuation and shelter guidance. | Agreed. |
| Clarification required that the section on STACs mirrors both the revised CONOPS and the STAC guidance. | Agreed |
| Chapter 5 Recovery | |
| Recovery is not just a Local Authority approach, it should be a multi-agency approach | Agreed. |
| Something on the integration between response and recovery phase is needed. This should include how this transition is managed. | Agreed. |
| Recovery reporting template needs to link to existing data and the questions need to be less ambiguous. | Have reviewed the template with the relevant government departments to try and make text less ambiguous. |
| The requirements for obtaining recovery funding needs to be more joined-up and consistent. | Departments are responsible for providing funding arrangements for the elements relevant to their responsibilities. As such, there is no one single department responsible for recovery funding arrangements. The recovery funding arrangements reflect this and hence have different criteria, language and definitions, as appropriate to their specific schemes. |

| Themes | Recommended solution(s) |
|--|--|
| Chapter 6 Meeting the needs of those affected | |
| <p>Make the chapter more “people centric” so that it identifies those that might be affected and their needs and then deals with how their needs can be met, rather than listing and describing each operational facility first.</p> | <p>Agreed.</p> <p>In doing this, the text should emphasise that the operational functions listed are possible options and that each and every one is not necessarily required in every emergency. The nature of each emergency should be used to determine which options are used.</p> |
| <p>The chapter should recognise the possibility of delivery services virtually rather than via a physical centre.</p> | <p>Agreed.</p> |
| <p>The options describe do not exactly matched what happened in their area in previous emergencies.</p> | <p>The text needs to emphasis that the elements of each possible option can be combined or applied in isolation. The key is that this is done in accordance to need.</p> |
| <p>The diagram is not helpful as it oversimplifies things.</p> | <p>As the way humanitarian assistance is applied varies by emergency and by area, it is impossible to accurately represent a timeline for humanitarian assistance. On these grounds, this diagram should be removed.</p> |
| Chapter 7 Dealing with the media | |
| <p>The chapter should emphasis the need to work with the media rather than a need to deal with the media.</p> | <p>Agreed. Rename the chapter and change all references to “dealing with the media” to “working with the media”, accordingly.</p> |
| <p>The case studies need updating.</p> | <p>Agreed.</p> |
| <p>Distinctions between working with the media and public perceptions are required.</p> | <p>This chapter focuses on working with the media. Cross references to be provided to Emergency Preparedness and specific warning and informing guidance.</p> <p>A brief sentence on the importance of working with the media and the link to managing public perceptions to be added.</p> |

| Themes | Recommended solution(s) |
|---|---|
| Chapter 8 Regional arrangements | |
| Clarification required that this mirrors the revised CONOPS. | Agreed |
| Chapter 9, 10, 11 Scotland, Wales and Northern Ireland | |
| There needs to be something on how to deal with cross boundary issues. | This is for negotiation between the Devolved Administrations and the relevant Regional Resilience Teams. |
| The diagrams in these chapters need to show that it is not a top-down process. | Add two-way arrows to the diagrams to show that there is two-way communication. |
| The Scotland chapter, unlike the Wales and Northern Ireland chapters does not cover recovery. A section on recovery should be included in the Scotland chapter. | Agreed. |
| Chapter 12 Central Government Arrangements | |
| Clarification required that this mirrors the revised CONOPS. | Agreed |
| Mention that Central Government can become involved in lower level incidents (e.g. salt). | Agreed |
| Lead Government Departments should be given responder status. | This is not for the ERR guidance. This will be passed onto the project lead for the CCAEP new responder project for consideration. |
| Chapter 13 Emergency powers | |
| Add examples of when emergency powers would be used. | This is difficult to do as the criteria for needing them, described in this chapter, could be reached for a variety of different circumstances. |

Anita Friend
Civil Contingencies Secretariat
July 2009

Annex A
Consultation Questions

| Does ERR Version 2.... | |
|--|--|
| <i>Q1....capture those organisations with a role to play in responding to and recovering from emergencies? If not, what organisations should be added?</i> | <i>Q11 Is diagram 6.1 helpful?</i> |
| <i>Q2... adequately explain the response methodology? If not, what additional information is required?</i> | <i>Q12... adequately explain the arrangements for dealing with the media? If not, what additional information is required?</i> |
| <i>Q3... adequately explain the role of the Science and Technical Advice Cell? If not, what additional information is required?</i> | <i>Q13... adequately explain the arrangements for regional co-ordination? If not, what additional information is required?</i> |
| <i>Q4... adequately explain how to adapt the framework to specific circumstances? If not, what additional information is required?</i> | <i>Q14... adequately explain the response and recovery arrangements in Scotland? If not, what additional information is required?</i> |
| <i>Q5 Are there specific types of emergency that are not covered that need to be covered?</i> | <i>Q15... adequately explain the response and recovery arrangements in Wales? If not, what additional information is required?</i> |
| <i>Q6... provide an appropriate overview of the mechanisms available to local responders for ensuring resilient telecommunications? If not, what additional information is required?</i> | <i>Q16... adequately explain the response and recovery arrangements in Northern Ireland? If not, what additional information is required?</i> |
| <i>Q7... adequately explain the recovery methodology? If not, what additional information is required?</i> | <i>Q17... provide a sufficient overview of central government's role in response and recovery to enable local responders to carry out their role effectively? If not, what additional information is required?</i> |
| <i>Q8... adequately explain the recovery reporting framework? If not, what additional information is required?</i> | <i>Q18... adequately explain Emergency Powers? If not, what additional information is required?</i> |
| <i>Q9... adequately explain the arrangements for obtaining funding for recovery? If not, what additional information is required?</i> | <i>Q19 Are Annexes 1 & 2 necessary, or would it be sufficient to have a link to the information on the website?</i> |
| <i>Q10... adequately explain the arrangements for the care and treatment of people? If not, what additional information is required?</i> | <i>Q20 Will annex 3 (the glossary and index) be useful?</i> |

Annex B

List of those that provided a response to the consultation

The organisations listed below are listed as they were recorded by respondents in the contact detail box of the consultation response template.

| | |
|---|--|
| Atkins Global and Highways Agency | Gloucestershire County Council |
| Airwave Solutions Ltd | GO-East |
| Association of Greater Manchester Authorities | GONW |
| Association of Train Operating Companies | GOSW |
| Avon Fire and Rescue Service | Government Decontamination Service, Food and Environment Research Agency |
| Bedford Group of Drainage Boards | Greater Manchester Police |
| Bedfordshire and Luton LRF | Hampshire County Council |
| Birmingham Resilience Team | Hereford & Worcester Fire and Rescue Service |
| Braintree District Council | Hertfordshire Constabulary |
| Brighton & Hove City Council | Hertfordshire County Council |
| Brighton and Hove City Teaching PCT | Horsham District Council |
| Bristol City Council | HPA (National and Cumbria and Lancashire) |
| British Red Cross | Humber Emergency Planning Service |
| Bucks PCT | Humberside Fire & Rescue Service |
| Calderdale MBC | Kent Fire & Rescue Service |
| Carmarthenshire County Council | Kent Resilience Forum |
| CE Electric UK | Kirklees Council |
| CFOA | Lancashire Constabulary |
| Cheshire Fire and Rescue Service | Lancashire County Council |
| Civil Nuclear Constabulary | Lancashire Fire and Rescue Service |
| Cleveland Emergency Planning Unit on behalf of Hartlepool Borough Council; Stockton-on-Tees Borough Council; Middlesbrough Council and Redcar and Cleveland Borough Council | Lincolnshire Police |
| | London Borough Hammersmith & Fulham |
| County Durham & Darlington Civil Contingencies Unit | London Borough of Bexley |
| Cumbria Constabulary/ LRF | London Borough of Croydon |
| Cumbria Fire & Rescue Service | London Borough of Southwark |
| Cumbria Resilience Unit | London Borough of Sutton |
| Derbyshire LRF | Manchester City Council |
| Doncaster Council | Maritime and Coastguard Agency |
| Dover District Council | Merseyside Fire and Rescue Service |
| Drinking Water Inspectorate | MOD |
| East of England Ambulance Service | Monmouthshire County Council |
| Emergency Planning Society – West Midlands Branch' Oil Pollution Professional Working Group and National | NHS Camden |
| Energy Network Association (*2) | NHS Cheshire |
| Environment Agency (*3) | NHS Leicester City |
| Essex County Council | NHS North West – SHA |
| First Scot Rail (*2) | NHS Nottinghamshire County |
| Gateshead Council | NHS South East Coast SHA |

| | |
|---|--------------------------|
| NHS South of Tyne and Wear (Gateshead, South Tyneside and Sunderland PCTs) | Worthing Borough Council |
| NHS Wiltshire | Zurich |
| Northern Ireland | |
| Norfolk Local Authority Emergency Planning Units | |
| North Yorkshire County Council | |
| Northants LRF | |
| Northumbria LRF | |
| On behalf of Cheshire , Halton and Warrington Local Authorities | |
| Oxfordshire County Council | |
| Oxfordshire PCT | |
| Rotherham MBC | |
| Royal National Lifeboat Institution | |
| Sedgemoor District Council | |
| Severn Trent Water | |
| Sheffield City Council | |
| Sherwood Forest Hospitals Foundation NHS Trust | |
| Somerset County Council | |
| South Somerset District Council | |
| South Tyneside Council | |
| South West Strategic Health Authority | |
| St John Ambulance | |
| St John Ambulance in Wales | |
| Staffordshire Civil Contingencies Unit | |
| Strathclyde SCG | |
| Suffolk Constabulary | |
| Suffolk Joint Emergency Planning Unit | |
| Swindon Borough Council | |
| Taunton Deane Borough Council | |
| Tayside Strategic Co-ordinating Group | |
| Telford & Wrekin Council | |
| Thames Valley Police | |
| Transport for London | |
| United Utilities plc | |
| University College London Hospitals NHS Foundation Trust | |
| Voluntary Sector Civil Protection Forum | |
| Wealden District Council | |
| West Berkshire District Council | |
| West Yorkshire Fire and Rescue Service | |
| West Yorkshire Police | |
| Western Power Distribution | |
| Wirral Borough Council | |
| Worcestershire County Council | |
| | |
| | |

Annex C
Breakdown of consultation question answers

| Consultation question | Number of replies | Number that indicated whether they agreed or disagreed | Percentage that agreed / disagreed / partially |
|---|--------------------------|---|---|
| Does ERR version 2.... | | | |
| Capture those organisations with a role to play in responding to and recovering from emergencies? If not, what organisations should be added? | 120 | 115 | 65% / 35% / 0% |
| Adequately explain the response methodology ? If not, what additional information is required? | 120 | 117 | 76% / 24% / 0% |
| Adequately explain the role of the Science and Technical Advice Cell ? If not, what additional information is required? | 119 | 116 | 75% / 25% / 0% |
| Adequately explain how to adapt the framework to specific circumstances ? If not, what additional information is required? | 118 | 112 | 80% / 20% / 0% |
| Are there specific types of emergency that are not covered that need to be covered? | 116 | 110 | 33% / 67% / 0% |
| Provide an appropriate overview of the mechanisms available to local responders for ensuring resilient telecommunications ? If not, what additional information is required? | 115 | 111 | 76% / 24% / 0% |
| Adequately explain the recovery methodology ? If not, what additional information is required? | 117 | 112 | 88% / 12% / 0% |
| Adequately explain the recovery reporting framework ? If not, what additional information is required? | 112 | 105 | 84% / 15% / 1% |
| Adequately explain the arrangements for obtaining funding for recovery ? If not, what additional information is required? | 112 | 106 | 80% / 19% / 1% |

| Consultation question | Number of replies | Number that indicated whether they agreed or disagreed | Percentage that agreed / disagreed / partially |
|---|-------------------|--|--|
| Adequately explain the arrangements for the care and treatment of people ? If not, what additional information is required? | 112 | 106 | 80% / 20% / 0% |
| Is diagram 6.1 helpful? | 111 | 104 | 72% / 28% / 0% |
| Adequately explain the arrangements for dealing with the media ? If not, what additional information is required? | 119 | 116 | 82% / 18% / 0% |
| Adequately explain the arrangements for regional co-ordination ? If not, what additional information is required? | 109 | 105 | 80% / 20% / 0% |
| Adequately explain the response and recovery arrangements in Scotland ? If not, what additional information is required? | 51 | 43 | 100% / 0% / 0% |
| Adequately explain the response and recovery arrangements in Wales ? If not, what additional information is required? | 50 | 45 | 93% / 7% / 0% |
| Adequately explain the response and recovery arrangements in Northern Ireland ? If not, what additional information is required? | 46 | 41 | 95% / 5% / 0% |
| Provide a sufficient overview of central government's role in response and recovery to enable local responders to carry out their role effectively? If not, what additional information is required? | 113 | 106 | 92% / 8% / 0% |
| Adequately explain Emergency Powers ? If not, what additional information is required? | 116 | 113 | 96% / 4% / 0% |
| Are Annexes 1 & 2 necessary , or would it be sufficient to have a link to the information on the website? | 119 | 108 | 77% / 23% / 0% |
| Will annex 3 (the glossary and index) be useful? | 112 | 111 | 99% / 1% / 0% |