



CabinetOffice

Civil Contingencies Act Enhancement Programme (CCAEP)

Briefing Pack
November 2009

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government
work better**

Summary

Key facts

- When the Civil Contingencies Act (2004) was passed, it was decided a review would be conducted within three years. The CCA Enhancement Programme fulfils this need.
- The CCAEP has an ongoing programme of delivery over 4 years. This programme is split into four phases.
- The programme will ensure the CCA regime delivers an effective civil protection framework, through a robust assessment of relevant evidence and implementation of appropriate changes.
- It will employ a highly consultative approach to ensure that there is requisite stakeholder input, key messages are transmitted in a timely manner, and responders are fully aware of the upcoming changes.
- At the end of the CCAEP, there will be an up-to-date CCA regime, aligned with related legislation, and ready to meet the current civil protection challenges facing the UK.

Background

The Civil Contingencies Act 2004 (CCA) came into law in 2005. It was a major piece of legislation which brought into being a single statutory and regulatory framework for civil protection in the UK. As such, it was thought that in keeping with Government good practice, the Act should be reviewed within three years. This was confirmed in the 2008 National Security Strategy.

Evidence from various sources, such as the 2008 National Capability Survey and independent reviews, indicated that the Act's implementation had been largely successful, and a light-touch review (the CCA Review) was initially planned.

While the CCA regime provided a robust and effective mechanism for responding to all of the disruptive challenges that have occurred since 2005 (e.g. floods, Bluetongue disease, foot and mouth, and the Buncefield fire), these events and the subsequent reviews (particularly the Pitt and Newton Reviews) provided much new evidence which indicated that there are various aspects of the CCA regime which would merit a more thorough review. Therefore the CCA Review was broadened into the CCA Enhancement Programme (CCAEP).

Objectives

- Assess whether there are aspects of the CCA where original intentions are not being met and develop solutions where these are needed.
- Consider whether the CCA regime needs to be modified to reflect relevant experience and changes in relevant structures which have emerged since 2004.
- Consider how to reflect good practice in the CCA regime to help raise the standards of UK resilience activity.
- Evaluate whether the scope of the CCA should be broadened beyond emergency preparedness to cover other aspects of integrated emergency management.
- Ensure that the CCA regime is effectively aligned and integrated with relevant legislation and policy initiatives.

Programme structure

The objectives are to be met via a range of projects, organised into a four phase structure.

1. Improving the existing framework – focuses on improving the standard and consistency of implementation of the CCA regime, seeking to improve local resilience structures and responder engagement in collaborative working. Policy development for this phase is now complete, although implementation will run through to early 2010.

2. Further scope for change – focuses on refining the CCA and assessing whether the UK resilience chain can be improved. Policy proposals will be prepared for presentation to Ministers in June 2010.
3. Enhancing the CCA – prepares detailed policy proposals for public consultation, including, where necessary, legislative amendments. If amendments to the CCA are proposed, completion of this phase will be subject to the legislative timetable. The earliest date for introducing a CCA amendment Bill would be Autumn 2011.
4. Implementation – delivery of new CCA arrangements, ensuring all organisations are fully supported and aware of their responsibilities. To be complete by the end of 2012.

Stakeholder engagement

The effectiveness of the CCA regime and CCAEP depends on a close working relationship between the Civil Contingencies Secretariat and the local responder community. As such, a highly consultative approach will be employed throughout. This will ensure that there is scope for requisite stakeholder input, key messages are transmitted in a timely manner, and stakeholders are fully aware of the upcoming changes to the CCA regime and have sufficient time to make adjustments where necessary. These principles are embedded in the CCAEP Governance Structure, which has representation from a wide range of the stakeholder community in the Steering Group, Policy Forum and Task & Finish Groups.

The CCAEP also has a communications strategy to ensure effective dialogue is maintained with the broader stakeholder community. This includes regular bulletins via the Local Response Gateway, updates on the UK Resilience website, progress reports at ongoing local responder meetings, presentations at relevant meetings and conferences, national and regional workshops, and commissioning of articles in civil protection journals.

For further information, please visit www.cabinetoffice.gov.uk/ukresilience, or email ccact@cabinet-office.x.gsi.gov.uk.

FAQs

How significant will the changes be?

The CCAEP is considering a range of possible changes – from minor changes to ways of working, to legislative changes of the CCA and from the minor to the more structural. The exact nature and scope of any legislative changes will be informed by evidence gathered in the earlier phases of the programme, therefore at this stage it is impossible to say exactly what the scope or need for larger scale changes will be.

When will the changes come into effect?

The CCAEP uses a phased approach with some changes relating to improving the existing framework coming in quickly, with other changes requiring legislation taking longer to implement. For example, reaching conclusions on reviewing response arrangements for London and ensuring better fit with existing legislation should be complete by Autumn 2009, but structural changes to the CCA which involve legislative change (if found necessary) are not due to be completed until 2011.

How do we get involved?

Some responder organisations are playing a part in the Project Task & Finish Groups which form an integral part of the CCAEP, while a broader cross section will be involved in the Policy Forum (a virtual 'sounding board' for ideas). In addition, there will be key proposals that are communicated through the Local Response Gateway, which will alert recipients to ways to provide feedback. These processes will be augmented by stakeholder events at which views will be taken on board. If you wish to find out more, please email ccact@cabinet-office.x.gsi.gov.uk.

How do we keep informed about upcoming changes?

If you are on the Local Response Gateway mailing list (managed by the GO Regional Resilience Teams) then you should be informed through regular LRG bulletins. In addition, information will be posted on the UK Resilience website. There will also be local, regional, and national events which will provide opportunities to hear presentations on the CCAEP.

Is the CCAEP just a response to recent emergencies, like the floods of 2007?

No. While various disruptive challenges tested the CCA framework, the plan to take a fresh look at the CCA was in place when the Act first came into law. However, the reviews which followed the disruptive challenges of recent years provide valuable evidence which help inform the work of the CCAEP.

Is the CCAEP a recognition that the Civil Contingencies Act has failed?

No. There was a plan to review the Act from the moment it came into law. In fact, evidence so far suggests the CCA regime has worked well. Nevertheless, a key principle of emergency preparedness is 'learn from experience', and that is what we intend to do.

Is the CCAEP the same thing as the CCA Review?

The CCA Review was the initial programme of work, which had a smaller scope. This has now become the CCAEP to emphasise the broader scope of the issues to be reviewed.

Why can't central Government just let responders get on with their jobs?

The CCAEP is not designed to interfere with responders, but rather to provide the framework which empowers them to do their jobs. In fact, most of the projects come directly out of feedback received from the responder community. This is why we are having a consultative, engaged approach ensuring that responders and their insights form the basis of any changes. Any consultations or proposals will be conducted with

the intention of putting the lightest possible burden on responder organisations whilst ensuring we continue to develop capabilities to meet the risks we now face.

Will voluntary sector organisations have statutory duties placed upon them?

Voluntary organisations play a critical part in emergency response and this is an area that the CCAEP will investigate to ensure their contribution is recognised and used where appropriate.

Will the existing distinction between category 1 and category 2 responders stay in place?

We will be investigating this issue as part of the CCAEP.

Will the CCAEP recommend new organisations be given category 1 or 2 status?

We will be investigating this issue as part of the CCAEP, but it is likely that some new organisations may be put forward for category 1 or 2 status.

Why isn't the CCAEP looking at part 2 of the CCA which relates to emergency powers?

Since the CCA was passed, there has not been a need to use part 2 whilst part 1 has been used many times. As there is no new evidence upon which to base a review of the emergency powers aspect of the legislation, we are not revisiting it at this time. While a review of part 2 will not form part of the CCAEP, there is a separate stream of work being conducted by CCS addressing operational aspects relating to invoking CCA emergency powers.

Will additional funding be provided as a result of the CCAEP?

In developing proposals to enhance the CCA regime, each project will need to assess whether new resources are required for the implementation of any 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. The CCAEP will also look into specific financial issues, such as central resourcing for Local Resilience Forum coordinators.

Why is there a separate project focussing on London?

In most respects, the CCA applies to London in the same way as everywhere else. However, London has particular patterns of public service provision and governance which mean that some aspects of civil protection are organised differently, and the working of these structures therefore needs to be considered separately.