

Welsh Government Response to the Report of the National Assembly for Wales Public Accounts Committee Report on Civil Emergencies in Wales:

Welsh Government welcomes the findings of the report which acknowledges the recognition given by the Auditor General to the civil emergency responders for managing recent incidents in Wales. We offer the following response to the 14 recommendations contained within the report:

Recommendation 1 - We note the Welsh Government's desire to seek to enhance its statutory duties in the co-ordination and planning for civil emergencies. We recommend that any new executive powers for Welsh Ministers must include a statutory duty to monitor the performance of Category 1 and Category 2 responders. (Page 18)

Response: *Accepted*

The Welsh Government has a good record of effective multi-agency working in civil emergencies which is built around the close co-operation and collaboration which exists between the emergency services, local authorities, NHS and other responder agencies. The Welsh Government has very limited formal powers in respect of civil contingencies, although it exercises a de facto role of leadership and co-ordination which is recognised by the Wales Audit Office in its report on 'Civil Emergencies in Wales'. We believe the transfer of the Ministerial functions in Part 1 of the Civil Contingencies Act 2004, with full transfer of the necessary resources, would recognise the Welsh Ministers' de facto role and clarify accountability. This is why we are seeking these executive functions through the Silk Commission on Devolution in Wales Part Two due March 2014.

Recommendation 2 - We recommend that the Welsh Government actively consider future opportunities for additional legislative powers to be devolved to Wales. (Page 18)

Response: *Accepted*

Welsh Government made the case within the body of evidence provided to the Silk Commission on Devolution in Wales for the executive functions in Part 1 of the Civil Contingencies Act to be transferred to Welsh Ministers. We will consider future opportunities should this prove necessary.

Recommendation 3 - We note the Welsh Government's desire to seek the 'full transfer of the necessary resources' before seeking the transfer of additional functions of the Civil Contingencies Act 2004 from the UK Government. We recommend that the Welsh Government publish a schedule of those resources required to carry out such duties prior to functions being transferred. (Page 19)

Response: *Accepted*

Arrangements for the transfer of resources in relation to the transfer of functions are already set out in HM Treasury's Statement of Funding policy. When the time comes the Welsh Government will undertake discussions with H M Treasury.

Recommendation 4 - We recommend that both the Welsh and UK Governments ensure that all Category One responders are consistent in their implementation of the Civil Contingencies Act 2004 and that their performance is regularly monitored and scrutinised. (Page 21)

Response: *Partially Accepted*

Whilst we accept that consistent implementation of duties is necessary we recognise that as the legislation is currently drafted responsibility for monitoring and scrutinising performance lies in the first place with the Category 1 responders themselves. The UK Government relies on current good practice in performance management and on established audit and regulatory bodies across the Category 1 and 2 organisations to assess performance. The UK Government also relies upon all Category 1 responders, as members of the Local Resilience Forum, taking ownership and responsibility for their performance and supporting their members and partners.

The Welsh Government does not have devolved powers under the Civil Contingencies Act for monitoring and enforcement. This power currently rests with the UK Ministers who can require information and explanation of responders' activity and delivery of their duties under the Act.

In the absence of these powers the Welsh Government has worked with partners to encourage peer reviews and good practice in performance management. The Local Resilience Forums in Wales undertake a programme of peer reviews of each others performance against the expectation set produced by Cabinet Office; the last review having taken place during 2011. Further reviews will be completed by April 2014 themed around activation protocols. Through the commitments made under the compact for change to deliver local government and multi-agency emergency planning services on a regional basis in Wales there will be greater scope for increased collaboration. This will result in more consistency in the implementation of duties as organisations work more closely together as regional teams.

In seeking executive functions under the Act, the Welsh Government feels it will be better placed to exercise the monitoring powers in Wales to ensure there is consistency in performance by Category 1 responders. In the short-term, the Welsh Government will work with the Cabinet Office Civil Contingencies Secretariat to look at ways in which monitoring performance can be enhanced but ultimately the Welsh Government believes more significant improvements can be made through devolving executive functions allowing more localised monitoring and scrutiny arrangements to be developed in Wales.

Recommendation 5 - We recommend that the Welsh Government ensures that budgets for planning for civil emergencies are in alignment with associated risks. (Page 23)

Response: *Partially Accepted*

The Civil Contingencies Act places a risk assessment duty on all Category 1 responders and for an assessment to be used to '*provide a rational basis for the prioritisation of objectives and work programmes and the allocation of resources.*'

The Welsh Government ensures the funding available for planning for civil emergencies reflects Local Authorities funding requirements and is included within each Local Authority's Revenue Support Grant. This is in line with the Welsh Government's approach that the majority of funding for Local Government should be unhypothecated in order for Local Authorities to have the flexibility and the responsibility to manage the resources to meet local needs. Responder agencies are best placed to determine for themselves how resources are best used to meet the requirements of emergency planning. This approach allows flexibility for Local Authorities to respond to changes in the risk profile.

Ensuring the use of the resources is cost-effective and aligned to risks will be a matter for the organisations' own budgeting arrangements taking account of its knowledge of local risks and priorities identified.

A discretionary Emergency Financial Assistance Scheme (formerly known as the Bellwin Scheme) exists to give special financial assistance to Local Authorities (including police and Fire and Rescue Authorities) carrying out immediate work in response to large scale emergencies.

Recommendation 6 - We recommend that a move to the four different regional models must require all parts of the resilience community to overcome a number of challenges, including cultural barriers. (Page 26)

Response: Accepted

The Welsh Government welcomes the recognition given by the Public Accounts Committee to the clear indication 'that efforts are being made to improve how our resilience community plan for and manage civil emergencies'. The work being done currently across Wales under the Compact for Change between the Welsh Government and Welsh local government to review how we deliver emergency services in the future demonstrates the willingness of all responder agencies to drive for continual improvement and to look for ways to work together as effectively as possible under challenging economic conditions.

Welsh Government recognises changes in practices of any kind will involve overcoming a number of challenges and cultural barriers. In the first part of the Compact commitment, the regionalisation of Local Authorities has been taken forward through task and finish groups within each Local Resilience Forum area. Each task and finish group has produced a business case with a preferred regional model for regionalised working which reflects local circumstances and the understanding that one size does not necessarily fit all. In developing the models the Local Authorities have maintained many of the good practices of collaboration which exist and have incorporated these into their regional approach. The business cases have drawn out the benefits of the preferred regional models. To ensuring these benefits are realised, risks will need to be managed and barriers overcome. There is a mechanism in place to monitor the

realisation of the benefits. A similar approach is to be adopted for delivery of the second part of the Compact commitment; the regionalisation of multi-agency planning.

Recommendation 7 - We recommend that the Welsh Government emphasise to all Category One and Category Two responders the importance of accurate self assessment, in particular the importance of following the Cabinet Office's Expectation Set. (Page 30)

Response: *Accepted*

The Welsh Government will be writing to Local Resilience Fora to emphasise the importance of utilising the revised Expectations Set as part of the ongoing process of self-assessment, which includes the peer review process between Local Resilience Fora as noted in recommendation 4 above.

The Expectations Set was published by Cabinet Office in December 2010. It is currently being revised and will be republished in August.

The duties of responders are set out in the Civil Contingencies Act, which is supported by statutory guidance in 'Emergency Preparedness'. This is the key document with which all responders should be familiar. In addition to updating the expectation sets, Cabinet Office is currently looking at how to bring together relevant guidance, a new self-assessment tool, and the resource provided by the 2014 National Capabilities Survey in an as accessible way as possible to enable effective self assessment to take place.

Recommendation 8 - We recommend that advice on how to effectively use the Expectation Set is a key element of future training provided for resilience officers and that its use is regularly tested as part of civil emergency exercises. (Page 30)

Response: *Partially Accepted*

The Welsh Government will be writing to Local Resilience Fora informing them of the revised Expectation Set and the importance of its use within self-assessment. The Welsh Government does not have devolved responsibility for the Expectations Set, and responsibility remains with Cabinet Office who accepts it would be beneficial to raise awareness. The Expectations Set does not require specific training in its application because working through the Expectation Set and the extra support materials Cabinet Office provides is a straightforward process for civil contingencies practitioners. The Expectations Set relates predominantly to planning activities rather than response or recovery activities. Accordingly, its use does not fall within the usual remit of civil emergency response exercises.

Recommendation 9 - We recommend that the Welsh Government work with the Wales Resilience Forum to develop a set of competencies for resilience officers. These competencies should be consistently applied across Wales. (Page 30)

Response: *Accepted*

Welsh Government has undertaken work through the Wales Learning and Development Group to identify opportunities where learning and development can be co-ordinated across the Local Resilience Fora and resilience partners at the Wales level. This has included the development of Wales Gold, a learning and development programme for Strategic Co-ordinating Group members. The programme uses local scenarios, facilitators and training centres: an example of collaboration across the resilience community in Wales to develop a product to meet local needs and to deliver with local resources. A programme of four courses was run across Wales between February and March 2013 for a total of 75 delegates and a further wave planned in the four LRF areas for January and February 2014. With support from Academi Wales, the Welsh public service's centre for leadership excellence, accredited units of learning have been developed as part of the programme.

The Wales Learning and Development Group is using the experience of Wales Gold to develop a common learning and development package for the tactical or Silver level of command. A working group has been established to take this work forward.

The Group brings together the training and exercising leads from each Local Resilience Fora in Wales to facilitate collaborative working on an all-Wales basis in developing training and exercising and to apply consistent competency-based learning.

Recommendation 10 - We recommend that the Welsh Government work with the local resilience community to collate best practice in effectively managing the implications of social networking during emergency incidents and ensure that it is shared across the Local Resilience For a. (Page 32)

Response: *Accepted*

The Welsh Government is undertaking work through the Wales Warning and Informing Group, which is developing a framework with the Local Resilience Fora and emergency responder communications leads which captures best practice and provides a consistent multi-agency warning and informing approach.

The framework includes a section on social media which recognises its use as a tool for quickly gauging public and media reaction, developing response messages and the early rebuttal of misinformation, rumour and speculation. Emphasis is placed on the need for monitoring and information sharing between partner agencies. The Framework, which will be a working document, will be approved by September 2013. It will be for Local Resilience Fora Warning and Informing groups to implement the framework within their response plans, and tailor the arrangements to local circumstances where required.

Recommendation 11 - We recommend that the Welsh Government improve the representation of voluntary sector bodies on the Wales Resilience Forum and that those representing voluntary bodies should be able to claim expenses in relation to their participation in the forum. (Page 34)

Response: *Accepted*

Completed. At its meeting on 19 June 2013, the Wales Resilience Forum considered a paper presented to it by the Wales Council for Voluntary Action (WCVA) on the role of the Third Sector in civil contingencies in Wales which set out proposals for Third Sector representation and engagement at the strategic level in emergency planning. The Forum agreed the following recommendations submitted by the WCVA:

Recommendation 1 – Engagement with the Third Sector should remain primarily at the local level and Local Resilience Forums and individual responder agencies should be encouraged to maintain and strengthen current links.

Recommendation 2 - The Third Sector should be represented on the Wales Resilience Forum and Wales Resilience Partnership Team by both the British Red Cross (BRC) and The Wales Council for Voluntary Action (WCVA); with the BRC leading on response and WCVA on recovery.

Recommendation 3 – The Third Sector should be represented on the Wales Learning and Development Group to ensure that the sector is engaged in the training and exercise programme.

Recommendation 4 – As currently scheduled, the Wales Civil Contingencies Conference on 27 June should include break-out sessions where future engagement with the Third Sector can be considered.

Recommendation 5 – Consideration should be given by the Wales Resilience Partnership Team to merging the Wales Community Resilience Group and Wales Humanitarian Assistance Group and to increase the representation of the Third Sector on the joint group. Consideration should also be given to the Third Sector chairing the joint group.

In accordance with Recommendation 4 above, and to help promote engagement with the voluntary sector in Wales, the British Red Cross facilitated two discussion sessions at the Wales Civil Contingencies Conference on 27 June and are due to meet with the Welsh Government and WCVA by the end of the summer to implement the lessons learnt.

The Welsh Government will consider reimbursement of expenses for attendance at the Wales Resilience Forum. To date both the British Red Cross and WCVA have agreed that no expenses will be claimed by either organisation for their attendance and participation in the Wales Resilience Forum. However, this will be kept under review.

Recommendation 12 - We recommend that the Welsh Government makes it clear that there are no barriers to voluntary sector bodies Chairing emergency planning working Group meetings. (Page 34)

Response: *Accepted*

The Welsh Government understands there are currently no barriers to voluntary sector bodies chairing emergency planning working group meetings, and experience from Local Resilience Fora supports this view. For example, the British Red Cross has provided the deputy chair for the Humanitarian Assistance Groups in both Dyfed-Powys

and North Wales and there is no reason why they are not able to take on the role of chair if there was a requirement to do so.

One of the recommendations agreed by the Wales Resilience Forum on 19 June was that consideration should be given to the Third Sector chairing a joint Community Resilience and Humanitarian Assistance at the all-Wales level. This will be discussed by the Welsh Government, WCVA and British Red Cross at a meeting to be held before the end of the summer.

Recommendation 13 - We recommend that the Welsh Government work with the Wales Resilience Forum to develop a memorandum of understanding between Local Resilience Fora and the voluntary sector in responding to civil emergencies. (Page 34)

Response: *Partially Accepted*

Primarily engagement between the voluntary sector and responder agencies needs to be conducted at the local level. It should be for Local Resilience Fora and individual organisations to determine themselves whether their relationship with the voluntary sector organisations with which they work warrants a formal memorandum of understanding.

Local Authorities have formal memoranda of understanding with voluntary sector organisations in place, such as Gwent LRF with British Red Cross, St Johns Ambulance and Samaritans etc.

The Welsh Government will be writing to the Chairs of the Local Resilience Fora to actively promote the participation of the voluntary sector in training exercises in their areas and, where necessary, discuss with the organisations concerned where reasonable costs should be reimbursed. We are aware that voluntary sector organisations are regularly invited to participate in training and exercise events organised through the Local Resilience Fora and are subsequently involved in debriefing sessions to gather lessons learnt.

Recommendation 14 - We recommend that the Welsh Government advise Category One responders to ensure that any reasonable costs incurred by voluntary sector bodies during training exercises are reimbursed. (Page 35)

Response: *Accepted*

Where Category 1 responders engage voluntary sector organisations in training and exercising activity at the local level it will be for those organisations and voluntary sector bodies involved to agree any arrangements for the reimbursement of reasonable costs. The Welsh Government has encouraged the voluntary sector infrastructure bodies such as the Welsh Council for Voluntary Action and County Voluntary Councils to participate in emergency exercises in order to test their roles in emergency response and recovery. Where appropriate, such activity will be considered eligible expenditure within the wider framework of infrastructure funding.

The Welsh Government has written to the chairs of the Local Resilience Fora to encourage them to actively promote the participation of the voluntary sector in training exercises in their areas and, where necessary, discuss with the organisations concerned where reasonable costs should be reimbursed.

