



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority
Community Safety Committee

CIVIL CONTINGENCIES ACT ENHANCEMENT PROGRAMME

Report of the Chief Fire Officer

Agenda Item No:

Date: 03 April 2009

Purpose of Report:

To update Members on the Civil Contingencies Act Enhancement Programme and to endorse maximum contribution to the programme.

CONTACT OFFICER

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1. BACKGROUND

- 1.1 The Civil Contingencies Act 2004 (CCA) came into law in 2005. This legislation had a significant impact on how the Service was organised and how it delivered the service to the community in conjunction with its partners.
- 1.2 Ongoing development has seen the Service contribute to the 2008 National Capability Survey which indicated the CCA implementation had been largely successful. The Service is also well recognised within Nottinghamshire for the local and regional contribution it makes.
- 1.3 As part of the CCA implementation a review process was always planned. However recent events, post 2005, which have caused a significant disruption, such as the 2007 floods, foot and mouth and the fire at Buncefield have indicated, via subsequent reviews, that a more thorough analysis of CCA would be advantageous. This has seen the CCA review expanded to become the CCA Enhancement Programme (CCAEP).

2. REPORT

- 2.1 The Civil Contingencies Secretariat has published the CCAEP objectives. These are as follows:
 - 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.
- 2.2 The Service is scoping how it can best contribute to this enhancement programme. This will be facilitated in partnership with other Category 1 and Category 2 responders by offering information regarding the methodologies the Local Resilience Forum (LRF) utilises to meet its statutory obligations and through dialogue with the regional and national resilience community.
- 2.3 The value of this approach is recognised by the Civil Contingencies Secretariat in that the CCAEP will utilise a “highly consultative” approach throughout the lifespan of the process, to gather appropriate and timely information on all aspects of the programme.

2.4 Those who are familiar with the Civil Contingencies Act 2004 should note that Part 2 of the CCA – ie: emergency powers, which establishes a modern framework for the deployment of special legislative measures that might be necessary in the most serious emergencies, will not be included within the scope of the CCAEP. Part 2 has never been invoked and a separate work stream is addressing the operational aspects of its requirements.

2.5 For clarity, the CCAEP is broken down into a four phased approach:

- **Phase 1 – Improving the Existing Framework**

This will focus on improving the standard and consistency of local resilience structures and responder engagement in collaborative working, including the functions of the Local Resilience Forum (LRF). This is a particular area the Service and its partners will be interested in and make the necessary contribution.

- **Phase 2 – Further Scope of Change**

The second stage of the programme will consider how CCA might be improved through more fundamental changes and explore recommendations for improvement that could require amendment to supporting regulations.

- **Phase 3 – Enhancing the CCA**

This area will focus on preparation of policy proposals after the detail of Phases 1 and 2 have been digested and the drafting of appropriate impact assessments of the findings.

- **Phase 4 – Implementation**

This will conclude with Parliamentary debates on the CCA amendments and ultimately the drafting of associated guidance and any necessary user training and doctrine requirements being pursued.

2.6 The review findings are hoped to be published toward the end of 2009. However, any legislation changes could take some time to enact.

3. FINANCIAL IMPLICATIONS

Any financial implications arising out of the contribution the Service makes to the CCAEP will be met from within existing budgets.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no foreseen human resources or learning and development implications arising from this report at this point in time. However, any significant changes to regulatory provisions will be assessed at an appropriate time and possible training etc., considered for Gold and Silver Commanders at incidents.

5. EQUALITY IMPACT ASSESSMENT

The enhancement programme will, of course, have specific equality issues in mind as it is developed. However, no equality issues arise from this report in relation to Service activity.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising from this report.

7. LEGAL IMPLICATIONS

Non participation in the work of the LRF could attract legal action against the Service. Arrangements are therefore fully embedded to contribute positively to all associated work and thus meet the Service's statutory obligations.

8. RISK MANAGEMENT IMPLICATIONS

Failure to contribute to the CCAEP could attract adverse scrutiny on the Service, as Nottinghamshire Fire and Rescue Service has statutory obligations under the Act and must attempt to shape future requirements.

9. RECOMMENDATIONS

That Members note the contents of this report and endorse maximum contribution to the CCAEP.

10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Frank Swann
CHIEF FIRE OFFICER

Initial Equality Impact Assessment Questionnaire

This questionnaire will enable you to decide whether or not the new or proposed policy or service needs to go through a full Equality Impact Assessment.

Title of policy or service						
Name of Employee completing assessment: David Horton				Department and Section: Response		
1. State the purpose and aims of the policy or service. <i>This should identify “(the legitimate) aim” of the policy or service</i> The aim of the report is to raise awareness of the CCAEP arranged by the CCS.						
2. Who is responsible for implementing it? CCS.						
3. Who is likely to be disproportionately affected by the proposal? People from which of the equality strands? (please tick)						
Age	Disability	Family Status	Gender	Race	Sexual Orientation	Religion or Belief
4. If no boxes are ticked – there is no need to continue the EIA						