

National Assembly for Wales
Public Accounts Committee

Civil Emergencies in Wales

July 2013



Cynulliad
Cenedlaethol
Cymru

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Public Accounts Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Tel: 029 2089 8597 / 8032

Fax: 029 2089 8021

Email: Publicaccounts.Comm@wales.gov.uk

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The Public Accounts Committee was established on 22 June 2011.

Powers

The Committee's powers are set out in the National Assembly for Wales' Standing Orders, with its specific functions of the Committee are set out in Standing Order 18 (available at www.assemblywales.org). In particular, the Committee may consider reports prepared by the Auditor General for Wales on the accounts of the Welsh Government and other public bodies, and on the economy, efficiency and effectiveness with which resources were employed in the discharge of public functions.

The Committee also has specific statutory powers under the Government of Wales Act 2006 relating to the appointment of the Auditor General, his or her budget and the auditors of that office.

Current Committee membership



Darren Millar (Chair)
Welsh Conservatives
Clwyd West



Mohammad Asghar (Oscar)
Welsh Conservatives
South Wales East



Jocelyn Davies
Plaid Cymru
South Wales East



Mike Hedges
Welsh Labour
Swansea East



Sandy Mewies
Welsh Labour
Delyn



Julie Morgan
Welsh Labour
Cardiff North



Jenny Rathbone
Welsh Labour
Cardiff Central



Aled Roberts
Welsh Liberal Democrats
North Wales

The following Member was also a member of the Committee during this inquiry:



Gwyn R Price
Welsh Labour
Islwyn

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The Committee's Recommendations

The Committee's recommendations to the Welsh Government are listed below, in the order that they appear in this Report. Please refer to the relevant pages of the report to see the supporting evidence and conclusions:

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 One and Category Two responders. (Page 18)

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

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)

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)

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

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)

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)

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

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)

Recommendation 10. We recommend that the Welsh Government work closely 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 Fora. (Page 32)

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)

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)

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)

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)

Chair's foreword

Recent events such as flooding in St Asaph and Ruthin, the Gleision Colliery incident, the fire at a tyre depot in Swansea, and numerous emergency situations caused by inclement weather have showed us how reliant we are on the responses of our emergency services.

The Auditor General's report, which was published in the wake of the flooding in Denbighshire in late 2012, rightly gives recognition to civil emergency responders for managing recent major incidents effectively, but makes it clear that responders will need to improve their performance and ensure they use resources more efficiently in the future to maintain public confidence in the vital services they provide.

The evidence we have gathered in this short inquiry, coupled with the findings of the Auditor General's report, clearly indicate that efforts are being made to improve how our resilience community plan for and manage civil emergencies. But we also found evidence which suggests that some features of emergency planning and co-ordination at all levels are in need of improvement and that proposals to move towards a more regional basis will require a step-change for all organisations involved in contingency planning.

During our inquiry we heard examples of good practice where the leadership of senior officials from local authorities played a crucial part in the efficient handling of emergency situations. Going forward, it is vitally important that lessons are learnt from emergency situations, such as the importance of having a single person take overarching responsibility for leading the response to an emergency. We hope that this report gives recognition to the tireless efforts that the resilience community are making to ensure the safety of the people of Wales. However, we hope that they consider the conclusions of our report as valuable recommendations from a critical friend.

During these times of austerity, there are many challenges facing civil emergency responders. We were pleased to note that the Welsh Government and the Welsh Local Government Association are acting accordingly by reviewing the way that emergency planning is delivered at a local authority level.

We hope that this review provides an opportunity for all the public agencies which respond to civil emergencies to improve the efficiency, consistency and robustness of the necessary arrangements that must be in place.

Introduction

Background

1. The Auditor General for Wales published his report on Civil Emergencies in Wales on 6 December 2012¹.
2. The report found that when called upon, civil contingency arrangements have, so far, worked satisfactorily in Wales.² It also details that the Welsh Government has supported a very effective and skilful response from the partnership of organisations responding to major services.³
3. However, the Auditor General's study also found:

“significant scope within these arrangements for improved clarity, consistency and quality. Given these findings, we are not confident that the Welsh public sector has set up a significantly strong, efficient and effective framework to improve resilience and response to emergency incidents.”⁴
4. Our inquiry was based on issues raised in the Auditor General's report, and we received a briefing from the Auditor General on 15 January 2013.
5. We took evidence from the Welsh Government, the UK Government's Cabinet Office (Civil Contingencies Secretariat), the Welsh Local Government Association, the North Wales Local Resilience Forum, the Joint Emergency Services Group, and St John Cymru Wales at our meeting on 18 February 2013. We considered that this range of witnesses would enable us to get perspectives on:
 - the Welsh Government's and UK Government's role in supporting organisations involved in the management of civil contingencies;
 - an overall view on the financial challenges facing organisations in managing civil contingencies;

¹ Wales Audit Office report – Civil Emergencies in Wales – December 2012

² Wales Audit Office report – Civil Emergencies in Wales – December 2012, Para 39

³ Wales Audit Office report – Civil Emergencies in Wales – December 2012, Para 1.3

⁴ Wales Audit Office report – Civil Emergencies in Wales – December 2012, Para 39

- and the particular challenges faced by all organisations in developing and implementing emergency plans.

1. The roles of the Welsh Government and UK Government in co-ordinating responses to civil emergencies

Background

The Civil Contingencies Act 2004

6. The Auditor General's report states that the *Civil Contingencies Act 2004* came into force in England and Wales in 2005, entirely replacing the Civil Defence Act 1948 and other related legislation. The *Civil Contingencies Act 2004* aims to improve preparedness for and responses to any serious, disruptive event or emergency. The *Civil Contingencies Act 2004* defines an emergency as:

- a) an event or situation which threatens serious damage to human welfare in a place in the United Kingdom;
- b) an event or situation which threatens serious damage to the environment of a place in the United Kingdom; or
- c) war, or terrorism, which threatens serious damage to the security of the United Kingdom.⁵

7. The report also emphasises that the *Civil Contingencies Act 2004* states that accountability for civil contingencies in Wales rests with a defined set of front-line organisations called 'responders'. The *Civil Contingencies Act 2004* lists these organisations and their duties, which extend beyond emergency planning to cover much broader duties around ensuring 'resilience'.⁶

8. We noted that regulations require responders to cooperate with each other in local resilience forums. There are four local resilience forums based on the police force areas of Wales. In addition, the Wales Resilience Forum is a non-statutory body that provides the focal point for the chief officers of Category One responders to discuss strategic issues of emergency preparedness with Welsh Ministers. The Cabinet Office is a member of the Wales Resilience Forum, and has a role to

⁵ Wales Audit Office, Civil Emergencies in Wales, 6 December 2012, Summary, Para 3

⁶ Wales Audit Office, Civil Emergencies in Wales, 6 December 2012, Summary, Para 4

ensure effective development, coordination and implementation of civil emergencies policy and operations in Wales.⁷

9. The *Civil Contingencies Act 2004* is split into two parts:
- Part 1 focuses on establishing a statutory framework of roles and responsibilities for local responders, building resilience to prepare communities and local arrangements for civil protection;
 - Part 2 focuses on the provisions available for use in extreme circumstances and national emergencies.

10. As part 2 of the Act is beyond the remit of the Auditor General for Wales, the scope of its (and therefore our) examination covered part 1 of the Civil Contingencies Act 2004.⁸

11. Written evidence provided by the Welsh Government and the UK Government Cabinet Office stated that:

“As part of the Civil Contingencies Act a Concordat has been agreed which establishes a framework for co-operation between the UK Government and the Welsh Government on issues pertaining to Part 2 (Emergency Powers) of the Act. The concordat sits alongside the Regulations and Guidance supporting Part 1 of the Act.”⁹

12. Written evidence provided by the Welsh Government stated that Welsh Government officials:

“[...] are permanent members of the UK Capabilities Programme Board and the officials level of the National Security Council sub-committee on resilience. There are regular meetings between Welsh Government, Cabinet Office and the other devolved administrations.”¹⁰

13. The *Civil Contingencies Act 2004* defines two categories of organisation that respond to emergencies:

- a) Category One responders include the police, fire and rescue service, local authorities, the health sector, and other

⁷ Wales Audit Office, *Civil Emergencies in Wales*, December 2012, Summary, Para 7

⁸ Wales Audit Office, *Civil Emergencies in Wales*, December 2012, Summary, Para 11

⁹ PAC(4) 05-13 (p1) – Written evidence provided by the Welsh Government – Page 1

¹⁰ PAC(4) 05-13 (p1) – Written evidence provided by the Welsh Government – Page 2

agencies such as the Environment Agency.¹¹ These critical organisations manage emergencies and take the decisions and actions that are required both during and incident and in the recovery process after the incident.

- b) Category Two responders include the utility, rail, telecommunications companies, and other organisations involved in maintaining the continuity of systems, services and communications.

Distinguishing the roles of the Welsh Government and the UK Government

14. UK Ministers have:

“[...] a range of powers under Part 1 of the Act. Most of these powers relate to the issuing of guidance and Regulations to support the delivery of the main duties under the Act.”¹²

15. Written evidence provided by the Welsh Government and UK Government Cabinet Office stated that:

“Although civil contingencies is not devolved there is a public expectation in Wales that Welsh Ministers will provide political leadership in building resilience and responding to emergencies.”¹³

16. We were told that the Welsh Government had not requested a transfer of executive functions when the Civil Contingencies Bill was being developed. However, the Welsh Government stated that:

“[...] the Act changed the arrangements for civil contingencies across the UK as a whole, replacing some very old legislation and, therefore, bringing into being a new form of co-ordination for a local response, with the emphasis on that. What has been evident is that there has been a role for us to play in Wales in bringing that together on a Wales scale, which perhaps was not envisaged ahead of the Act.”¹⁴

17. In addition, Christina Scott from the Cabinet Office stated that:

¹¹ Environment Agency Wales was replaced by Natural Resources Wales on 1 April 2013

¹² PAC(4) 05-13 (p1) – Written evidence provided by the Welsh Government – Page 3

¹³ PAC(4) 05-13 (p1) – Written evidence provided by the Welsh Government – Page 2

¹⁴ RoP - Public Accounts Committee - 18 February 2013 - Para 35

“What the Act [Civil Contingencies Act 2004] did, for the first time, was to put a set of duties on local responders, and very much running through its core is the principle of subsidiarity and saying that decisions really should be taken at the lowest appropriate level, but for allowing for coordination at a higher level where necessary.”¹⁵

18. We noted that the transfer of functions of the Part 1 responsibilities under the Civil Contingencies Act 2004 would, in practice, give Welsh Ministers the same responsibilities as Ministers in Scotland. We noted that the Act gives Ministers in Scotland certain powers to require information from local resilience fora or local responders about their planning and that some of those powers would be used only in extremis. The Welsh Government stated that:

“Transferring those functions would probably add some of the clarity to which the Wales [Audit] Office draws attention as currently lacking under the current arrangements.”¹⁶

19. As Wales does not have devolved powers for civil contingencies, the Welsh Government is not accountable for implementing or enforcing the *Civil Contingencies Act 2004*. Through a concordat, the Welsh Government has agreed with the UK Governments respective roles and responsibilities under Part 2 of the Civil Emergencies Act 2004 in planning and responding to extreme circumstances and national emergencies. However, in practice the Welsh Government has general functional responsibility for many of the organisations that respond to emergencies. In addition, Cabinet Office guidance¹⁷ for civil contingencies acknowledges a de facto role for the Welsh Government, though its resilience team, that includes:

- a) Supporting local resilience forum activities;
- b) Leading on all-Wales coordination;
- c) Acting as a link between local resilience forums; and
- d) Linking with the Cabinet Office and other United Kingdom Government departments.

¹⁵ RoP - Public Accounts Committee - 18 February 2013 - Para 52

¹⁶ RoP - Public Accounts Committee - 18 February 2013 - Para 61

¹⁷ Emergency Preparedness – Guidance on the Civil Contingencies Act 2004, Cabinet Office, 2012

20. Although the Welsh Government provides support for Category One responders, it is not responsible for managing or monitoring them. The Auditor General's report found that this has consequences for its responsibilities for leadership and coordination, which are not always clear.

21. The Auditor General reported that the UK Government expects the Welsh Government to assist it in coordinating the delivery of civil contingencies in Wales. However, the Auditor General's report concluded that:

“[...] there is a lack of clarity in the relationship between the Welsh Government and the United Kingdom Government about the roles and expectations for leadership and coordination.

“[...] The Welsh Government is also in regular communication with the United Kingdom Government and this indicates to us that the lack of devolved powers for civil contingencies is not a barrier, although it does make arrangements more complicated.”¹⁸

22. The Auditor General's investigation found that another consequence of this lack of clarity is that the different organisations involved in managing civil emergencies will look to a range of government bodies for leadership, advice and guidance. The report stated that this could introduce complexity, particularly during the intensity of an emergency incident¹⁹ and that the Welsh Government's partners differently interpret the leadership and coordination role that it has developed, a situation that has led to a lack of clarity about the remit of the Welsh Government.²⁰

23. The Auditor General's report also emphasises that:

“There is a reasonable expectation from the public sector and from citizens that the Welsh Government will lead during major emergencies that effect Wales.”²¹

¹⁸ Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 14

¹⁹ Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 1.14

²⁰ Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 13

²¹ Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 1.7

24. When questioned on whether there was any confusion caused by the roles of the Welsh Government and the UK Government in reacting to emergencies, we heard from Category One responder witnesses that they value the leadership provided by the Welsh Government and that there was no confusion.

25. When questioned on the Welsh Government's role, the Regulatory Services Policy Officer from the WLGA stated that:

“We would go through them (the Welsh Government) to the Cabinet Office if we needed to do so.”²²

26. The Local Resilience Co-ordinator, North Wales Resilience Forum added that:

“[...] in North Wales, we have the Welsh Government liaison officers based in the Llandudno Junction Office and that is replicated in Aberystwyth as well. That is yet another link into the Welsh Government for us. We would not go directly to the Cabinet Office; we would go through Wyn and Alyson's team (Emergency and Community Safety, Welsh Government).”²³

27. As Chair of the Wales learning and development group and the mass evacuation group, Superintendent Claire Parmenter from the Joint Emergency Services Group agreed with comments made by other witnesses and added that:

“Through the mass evacuation group for example, we had strong links – through Wyn (Emergency and Community Safety, Welsh Government) and the Wales Resilience Team – with the English structure to ensure that anything that we were doing was aligned and was fit for purpose for Wales, but also took cognisance of what was happening on a UK level, so that we could learn lessons from that.”²⁴

28. With regard to the Welsh Government's competence to monitor the performance of Category One responders in complying with their duties, its written evidence stated that:

²² RoP – Public Accounts Committee – 18 February 2013 – Para 242

²³ RoP – Public Accounts Committee – 18 February 2013 – Para 244

²⁴ RoP – Public Accounts Committee – 18 February 2013 – Para 245

“The Civil Contingencies Act 2004 assigns UK Ministers and Ministers in Scotland and Northern Ireland power to monitor performance of the civil protection duties. Welsh Ministers do not have these powers and therefore have no direct role in monitoring performance or enforcing proceedings for non-compliance.”²⁵

29. However, the Welsh Local Government Association (WLGA) told the Committee that, although the Welsh Government provide valuable advice to themselves and the Local Resilience Fora, greater executive competence in this field would be un-necessary. They argued that additional powers for the Welsh Government in relation to civil emergencies could be difficult and onerous and that it would have implications on resources and increase demands on administration.²⁶ We heard that the WLGA currently consults the Welsh Government as part of a process to engage with all relevant stakeholders. The Emergency Planning Officer from the WLGA stated that the Welsh Government are:

“[...] conduits for all of those things that move. Local government could not do that on its own; it needs the civil servants to be our interpreters.”²⁷

30. However, in her capacity as a representative on the Wales Resilience Partnership Team, Superintendent Claire Parmenter argued that additional executive competence for the Welsh Government could add clarity to a number of issues, particularly funding. She gave an example of costs associated with emergency mortuaries and stated that:

“[...] there has been a little bit of confusion as to who would fund issues... There seemed to be a bit of blurring around who would fit the bill for something like that and that I think that it would probably increase clarity if there was a bit more detail around that.”²⁸

31. We were pleased to note that the Welsh Government has taken action to provide clear political leadership to build resilience when

²⁵ Written statement by the Welsh Government – Evidence submitted by the Welsh Government to the Commission on Devolution in Wales – 18 February 2013

²⁶ RoP – Public Accounts Committee – 18 February 2013 – Para 247 to Para 255

²⁷ RoP – Public Accounts Committee – 18 February 2013 – Para 262

²⁸ RoP – Public Accounts Committee – 18 February 2013 – Para 254

emergency situations have arisen, in particular we noted the recent support which was provided to emergency services during the Gleision Colliery incident in 2011. However, we concur with the findings of the Auditor General's report that there needs to be a clear line of accountability and responsibility and that, at present, the Welsh Government's partly passive/partly active role in coordinating and planning for civil emergencies might not be suitable in the long-term.

32. During the course of this inquiry, the Welsh Government submitted evidence to the Commission on Devolution in Wales (The Silk Commission) in respect of Part 2 of its remit dealing with the powers of the National Assembly for Wales. The Welsh Government's evidence makes proposals on legislative and executive competence and requests that the existing executive powers of Welsh Ministers should be retained and that powers be extended in a number of areas, including a transfer of powers from the UK Government for civil contingencies.²⁹

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 One and Category Two responders.

33. We believe that the Welsh Government missed an opportunity by not seeking a transfer of functions of powers and responsibilities under Part 1 of the Civil Contingencies Act 2004. In line with commitments in its Programme for Government, we believe that the Welsh Government should be very active in pursuing additional powers for Wales.

We recommend that the Welsh Government actively consider future opportunities for additional legislative powers to be devolved to Wales.

34. The Welsh Government's evidence to the Commission on Devolution in Wales also stated that:

"We believe that transfer of the Ministerial functions in Part 1 of the Civil Contingencies Act 2004, with full transfer of the

²⁹ Written statement by the Welsh Government – Evidence submitted by the Welsh Government to the Commission on Devolution in Wales – 18 February 2013

necessary resources, would recognise the Welsh Ministers' de facto role and clarify responsibility."³⁰

35. Given that the Welsh Government already takes a de facto role and responsibility for responding to civil contingencies, coupled with the public sector expectation that the Welsh Government provide clear leadership when required, we would welcome clarification on what it sees as 'the necessary resources' for effectively performing this role.

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.

Implementation of the Civil Contingencies Act 2004

36. Part 3 of the Auditor General's report concludes that the approaches taken by Category One responders to implement the Civil Contingencies Act 2004 are inconsistent and that responders are not effectively monitoring their activities.³¹

37. We are concerned by the findings highlighted in part 3 of the report with regard to inconsistent approaches to risk assessment; the quality of emergency plans and procedures; untested recovery phase of emergency incidents; and the performance management of resilience activity within individual organisations.

38. When questioned on why inconsistencies and weaknesses in emergency planning described in the Auditor General's report had not been found by the numerous resilience fora, the Welsh Government agreed that the number of different fora could lead to confusion. The Director General for Local Government and Communities stated that work was underway to strengthen the various arrangements:

"An example it might be worth alluding to is work that was done recently with local resilience fora, in which they have undertaken peer reviews of each other's plans. [...]"

³⁰ Evidence submitted by the Welsh Government to the Commission on Devolution in Wales – 18 February 2013 (Page 23)

³¹ Wales Audit Office, Civil Emergencies in Wales, December 2012, Paras 3.1 to 3.7

“There is always a need to strengthen what is there, and I think that local responders would say the same – that there is always a need to refresh plans, and to stay on top of them.”³²

39. Christina Scott from the Cabinet Office stated that since the implementation of the Act, there had been a process of maturation of emergency planning. We were told that the Act put a set of duties on local responders, and running through its core is the principle of subsidiarity with decisions being taken at the lowest appropriate level, but allowing for co-ordination at a higher level where necessary. She stated that:

“We had very old legislation in place prior to that (the Civil Contingencies Act 2004) and we learned the hard way during the foot-and-moth disease crisis and the fuel dispute back in the early 2000s that planning was not being done systematically, nor was it being done on a multi-agency basis.”³³

40. We were concerned with the findings of the Auditor General’s report that there is no clarity in how the implementation of the Civil Contingencies Act 2004 is monitored. We believe that there needs to be clarity about the specific roles of the Welsh Government and UK Government and that monitoring and scrutinising implementation of the Act at all levels needs to be enhanced.

41. We endorse recommendation 1 made by the Auditor General, which stated that:

“[...] The Welsh Government works with the Cabinet Office to agree how to strengthen strategic oversight of the delivery of civil contingencies legislation in Wales. This should encompass:

- assessing the delivery of resilience planning under the Civil Contingencies Act 2004, with the objective of bringing improved efficiency, consistency and quality;
- the monitoring of national competence standards for emergency planning officers;
- reassuring the public of Wales on the effective preparation for, management of and recovery from, civil contingencies; and

³² RoP – Public Accounts Committee – 18 February 2013 – Paras 46 and 48

³³ RoP – Public Accounts Committee – 18 February 2013 – Para 52

- continuing to: improve access to information for responders; promote the sharing and use of good practice and the specialist skills required to deliver civil contingencies legislation; and organise and coordinate training, exercises and research.”³⁴

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.

³⁴ Wales Audit Office, Civil Emergencies in Wales, December 2012, Recommendation 1

2. Emergency planning

Budgeting for civil contingencies and emergency planning

42. When questioned on funding arrangements, we were told by the Welsh Government that:

“When we moved away from the civil defence grant, there was a transfer from the UK Government to the Welsh Government, through a Barnett formula transfer, so that moneys could be placed in Wales in the same way as they were placed in England in the revenue support grant, so that local authorities could use them as part of the totality of their spending to meet civil contingency responsibilities.”³⁵

43. The Welsh Government continued:

“While there is a relationship between the local risk assessment and the plans that are in place, the money is to support planning arrangements rather than to support a particular response to a particular risk.

“[...] so, one would not know where to put specific money in advance to respond to a particular incident that was going to occur.”³⁶

44. We were informed that Section 31 of the Local Government Act 2003 provided arrangements for emergency financial assistance to local authorities for the immediate impacts of an incident and that the Welsh Government operates a discretionary ‘Emergency Financial Assistance Scheme’.

45. However, the Auditor General’s report found that local authorities and other responding organisations can find that their budget allocations for civil emergencies and emergency planning are exhausted in the event of a major incident.³⁷

46. We were particularly concerned by the scenario which occurred in June 2011 when a tyre fire at a warehouse in Swansea required

³⁵ RoP – Public Accounts Committee – 18 February 2013 – Para 173

³⁶ RoP – Public Accounts Committee – 18 February 2013 – Para 175

³⁷ Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 2.9

removal and disposal of tyre waste, and cost the local authority and emergency services approximately £1.5 million.³⁸

47. However, additional information provided by the Welsh Government stated that:

“In 2011, Welsh Government provided a grant of £1 million to Swansea City Council as a contribution towards expenditure incurred in dealing with the recovery phase following a major fire incident at Fforestfach. The funding provided recognised the exceptional circumstances of the incident and the significant costs borne by the authority and its partners in dealing with the fire and its aftermath.”³⁹

48. We note that this would have left a net cost of approximately £0.5 million.

49. The Auditor General’s report recommended that:

“[...] Category One responders consider the likelihood and potential consequence of risks faced in their area when prioritising the use of resources for emergency planning.”⁴⁰

50. We agree with the findings of the Auditor General’s report in that, although the main area of expenditure is staff costs and is predictable, considerable unplanned costs can be incurred when a local authority is managing an emergency incident.

51. We also believe that some local authorities are going to be more exposed to certain risks than others and that Local Authorities need to use an accurate assessment of risk in planning for such.

We recommend that the Welsh Government ensures that budgets for planning for civil emergencies are in alignment with associated risks.

Regionalisation of emergency planning

52. The Simpson review of local authority service delivery in Wales, which was published in March 2011, includes a section on civil

³⁸ Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 2.9

³⁹ Additional written evidence – Welsh Government – 4 March 2013

⁴⁰ Wales Audit Office, Civil Emergencies in Wales – December 2012, Recommendation

emergencies. The report concluded that the delivery of emergency planning functions is spread too thinly across numerous organisations and should be restructured to a regional level. This reorganisation would also include local authorities, the National Health Service, the police, and the fire and rescue service.

53. The Auditor General's report found that the existing structure of small emergency planning teams results in inefficiencies. Commenting on the move to regionalisation, the Auditor General's report stated that:

“The decision to move to a regional, cross-sector framework for emergency planning could improve the efficiency and effectiveness of resilience arrangements for Wales.

“The move to regional, cross-sector working also provides the opportunity for Category One responders to put in place sound and transparent arrangements for governance and accountability.”⁴¹

54. The Auditor General's report also stated that “There are significant risks and cultural barriers to overcome in the rationalisation of arrangements for emergency planning.”⁴² These potential barriers include maintaining the corporate accountability of individual Category One responders; standardisation of practices where necessary; maintaining local relationships; avoidance of a ‘one-size-fits-all’ approach; the provision of larger accommodation for regional emergency planning teams; the alignment of organisations’ geographical boundaries; and accommodating different cultures and terms and conditions of employment.

55. When questioned on local authorities adoption of existing guidance on emergency planning and the requirement to promote effective scrutiny by the scrutiny committees of local authorities, Gavin Macho from the WLGA appeared to suggest that not everyone working in emergency planning was convinced of the need for change recommended by the Simpson review. He stated that:

“All of our plans are scrutinised locally by our risk officers and all sorts of different people to see that we are capable of

⁴¹ Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 1.38

⁴² Wales Audit Office, Civil Emergencies in Wales – December 2012, Para 1.43

responding. So, to me, it is not a huge issue. In the report, it is captured as this big issue, but I talk to all my colleagues across the country, and one of our disappointments in all of this is that there is this perception that there is a big vacuum where there are all these problems. It started off in Simpson, which said that there was an urgent need to look at emergency planning. We all asked, 'Why?' and there was no evidence. We were never presented with any evidence. We then get the Wales Audit Office report, which again suggests that there is this big vacuum and a problem."⁴³

56. However, we noted from evidence provided by the Joint Emergency Services Group that there is an aim to have consistency and continuity of approach across the four Local Resilience Fora. Superintendent Claire Parmenter stated that:

"Granted, one size does not fit all, so that what suits Dyfed-Powys, for example, geographically may not suit north Wales. South Wales and Gwent work very closely together, because of their proximity. So, they are able to share work groups. We have tried to create mechanisms for the four LRF co-ordinators in Wales to share, to work together through the LRF co-ordinators' forum so that we are not doing things x4."⁴⁴

57. When questioned on local authority buy-in to the regionalisation agenda, the Welsh Government stated that work was being undertaken on a local government compact, which would corral resources at a regional level rather than a local level. We heard that each Local Resilience Forum would be responsible for setting up a task and finish group to evaluate collaboration and assess areas for improvement. Each Local Resilience Forum would then prepare a business case identifying a range of options for delivering civil contingency arrangements.⁴⁵

58. We were assured by the Welsh Government that likely costs, advantages and any possible risks of moving to a regionalisation system would be included in the individual Business Cases and that

⁴³ RoP – Public Accounts Committee – 18 February 2013 – Para 276

⁴⁴ RoP – Public Accounts Committee – 18 February 2013 – Para 302

⁴⁵ RoP – Public Accounts Committee – 18 February 2013 – Paras 134 - 136

these issues would be tracked during the implementation of the plans.⁴⁶

59. When asked whether they had concerns about the move towards regionalisation, St John Cymru Wales told us that:

“I would say that, at a local authority level, there is a good working relationship [...] When you get to the regional level, I think that it is a bit less clear because of the way the local resilience fora are set up with an array of sub groups...It is up to us as a group to ensure that we do more on a regional basis. At present, we are operating on a local basis. If it develops into a regional system, we have to ensure that we work more on a regional basis.”⁴⁷

60. We noted from the written evidence provided by the WLGA that:

“[...] the Compact commitment on emergency planning recognises that regional collaboration and multi-agency work is already integral to the way in which this service is delivered, but it also acknowledges that there is scope for making this collaboration more cohesive, effective and efficient.”⁴⁸

61. We also noted from their written evidence that four local resilience forums established working groups to consider regionalisation, using the existing regional boundaries of each forum as the collaboration model.

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.

Cabinet Office’s expectation set

62. The Cabinet Office expects all Category One and Category Two responders to use its Expectation Set as an aid to assessing their own effectiveness. Cabinet Office guidance also states that all Category

⁴⁶ RoP - Public Accounts Committee - 18 February 2013 - Para 154

⁴⁷ RoP - Public Accounts Committee - 18 February 2013 - Para 138

⁴⁸ PAC(4) 05-13 (p2) - Written evidence provided by the WLGA - Page 4

One responders, as members of a local resilience forum, should take ownership and responsibility for their own performance.⁴⁹

63. However, when questioned on the value of the expectation set as an aid to assessing their effectiveness, Christina Scott from the Cabinet Office stated that:

“The thing that I care that they know about is ‘Emergency Preparedness’, which is the statutory guidance, and ‘Emergency Response and Recovery’, which is the non-statutory guidance. Those are the two key documents that support the Act from my perspective. I would be very surprised if any emergency planner in Wales did not have copies of those on his or her desk.”⁵⁰

64. In its report, the Auditor General found that there was very limited use of the expectation set, with some responders not recognising the document or not considering that self assessment was part of their remit.⁵¹

65. When questioned on the relevance of the expectation set, the WLGA stated that it is:

“[...] a guidance document, not a statutory piece of guidance. It is a guidance document, giving guidance as to how you interpret what is statutory. The Act is the statutory piece, the document on dealing with emergencies is the guidance to the Act, and this is a document that tells you how you might want to write plans.”⁵²

66. The Welsh Government stated that they were surprised that emergency planning officers were not aware of the expectation set. However, we heard that the expectation set was a large document which was published some time ago and that it was:

“[...] not the sort of thing that you would refer to on a daily basis; it is the sort of thing that you might have regard to when you are going into an exercise to refresh your plans.”⁵³

⁴⁹ Wales Audit Office, Civil Emergencies in Wales, December 2012, Para 35

⁵⁰ Wales Audit Office, Civil Emergencies in Wales, December 2012, Para 86

⁵¹ Wales Audit Office, Civil Emergencies in Wales, December 2012, Para 35

⁵² RoP - Public Accounts Committee - 18 February 2013 - Para 272

⁵³ RoP - Public Accounts Committee - 18 February 2013 - Para 73

67. We noted from the evidence provided by the Welsh Government that they acknowledged that measures needed to be taken to ensure that emergency planning officers were made fully aware of the expectation sets. June Milligan stated that:

“[...] we (the Welsh Government) will take further effort to make the expectation set known, so that there would not be anybody involved in emergency planning who would be unaware of its existence. It is a tool that has been provided and therefore should be used.”⁵⁴

Training of resilience staff

68. The Committee heard that there were a range of different training exercises which take place at a UK level approximately twice a year. This includes the UK wide ‘Watermark’ exercise which involved 15,000 people from all levels of Government from Whitehall to those at a local level. This exercise tests how the different layers of central government and local government communicate and share information with each other. We heard that, as a part of this national exercise, a water rescue was staged at Bala Lake. Shortly after this exercise, the same emergency officers responded in reality to emergencies presented by the floods in Ceredigion. The Welsh Government stated that:

“One of the key learning and development opportunities that we are putting in place now is Ymarfer Aur Cymru, or exercise Wales Gold, where we are training strategic-level people for various scenarios in which they might find themselves in reality.”⁵⁵

69. We noted from written evidence provided by the Welsh Government that:

“Joint working between the Welsh Government, WRPT, JESG, Welsh Local Government Association and the LRFs has seen the development of a national programme of strategic training which will commence later this month. Similar collaboration

⁵⁴ RoP - Public Accounts Committee - 18 February 2013 - Para 103

⁵⁵ RoP - Public Accounts Committee - 18 February 2013 - Para 83

took place on the development of strategic co-ordination centres in Wales.”⁵⁶

70. When questioned on how training is financed, we heard that there was a multi-agency approach to providing funds for emergency training to ensure that there is a multi-agency training programme in place. The Welsh Government stated that they were getting better at delivering training and were making it more cost-effective. The Head of Emergencies at the Welsh Government stated that:

“The Wales Gold exercise was considerably more expensive when we had to have the National Policing Improvement Agency to deliver it. What we are trying to do is deliver it ourselves, in a package that is tailored to each area of Wales [...] which means that the money that we have goes much further.”⁵⁷

71. The Welsh Government stated that an annual budget is in place for national level training in Wales. They stated that:

“There is £50,000 available, of which the Welsh Government provides £20,000. The joint emergency support group provides £20,000 and the WLGA provides £10,000. That is then taken together into one fund, so that everyone can benefit from it.”⁵⁸

72. We heard that this was in addition to training budgets allocated by individual Local Resilience Fora.⁵⁹

73. Superintendent Claire Parmenter added that she had noticed huge benefits in procuring training, and learning and development activities, on a pan-Wales basis. She stated that:

“By procuring on a pan-Wales basis, we were able to make it fit-for-purpose and achieve significant cost efficiencies as well.”⁶⁰

74. We are pleased to note that the resilience community in Wales is undertaking robust training to ensure that it can effectively respond to emergencies. However, we are concerned by the Auditor General’s findings that some responders are not taking full responsibility for

⁵⁶ PAC(4) 05-13 (p1) – Written evidence provided by the Welsh Government – Page 2

⁵⁷ RoP - Public Accounts Committee - 18 February 2013 - Para 94

⁵⁸ RoP - Public Accounts Committee - 18 February 2013 - Para 90

⁵⁹ RoP - Public Accounts Committee - 18 February 2013 - Para 90

⁶⁰ RoP – Public Accounts Committee – 18 February 2013 – Para 321

assessing their own performance by following the guidance provided by the Cabinet Office's Expectation Set.

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.

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

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.

Use of technology to support the sharing of information

75. We heard from all witnesses that the use of social media during the time of an emergency incident had both positive and negative impacts and that the effective management of information and mis-information was critical.

76. We were informed that particular challenges had been presented by the Gleision colliery incident, where social media was being used by people at the scene to pass information very quickly. We heard that the incident raised concerns about the impact of the use of social media, specifically regarding people at the scene making assumptions about resources arriving at the scene and in recognising families attending family centres. We heard that, owing to the instantaneous nature of social networking, this mis-information spread very quickly. The Welsh Government stated that during the Gleision colliery incident:

“[...] those who were leading on the ground were finding that information was being circulated ahead of the arrangements they had in place to deal with it.”⁶¹

77. The Cabinet Office stated that the challenge was to use social media to get a better understanding of situational awareness,

⁶¹ RoP - Public Accounts Committee - 18 February 2013 - Para 195

particularly in wide-area incidents. We heard that the Cabinet Office were considering many innovative uses of social media and the internet:

“[...] we have been talking to Yahoo! and Google about how you can use search items to get information about what is going on on the ground. Therefore, the number of people in an area who are searching for ‘winter vomiting’ gives you a sense of the number of people who are falling sick with something. How we tap into that and use that across organisations to try to source situational awareness before its starts hitting us, in the response sense, is exciting and difficult.”⁶²

78. We also heard that the Cabinet Office were piloting ‘cell broadcasting’ which pushes alert messages through to mobile phones in a geographical area without someone being required to register. We were told that this could be used, in particular, for flooding and other risks which would have an impact on transient populations.⁶³

79. The Welsh Government also stated that, in conjunction with the Cabinet Office, it was working on an initiative on data electronic transfer between emergency services, which is currently being piloted in the Newport area.⁶⁴

80. We also heard that there are problems trying to access vulnerable people to keep them informed of emergency incidents, in particular those who cannot self-evacuate who might be stuck in nursing homes or their own houses. However, we heard that technology is being used to mitigate these risks. The North Wales Local Resilience Co-ordinator stated that a mapping exercise was being undertaken in the Kinmel Bay area where there is largely a low income and elderly demographic. She stated that:

“In terms of addressing the evacuation and shelter requirements of people in that area, we would be able to map out who would need our help quickly through the use of what used to be called flood wardens [...] and they would be familiar with the local community and would quickly know who in that area might need assistance or help. It is about going back to

⁶² RoP - Public Accounts Committee - 18 February 2013 - Para 199

⁶³ RoP - Public Accounts Committee - 18 February 2013 - Para 209

⁶⁴ RoP - Public Accounts Committee - 18 February 2013 - Para 207

basics and to knowing who your next-door neighbour is. That is the message that we try to get over when we go into colleges and schools as well—certainly to the young people. We tell them, ‘Don’t disrespect the elderly and don’t disrespect disabled people; they may be the ones who will need your help.’”

We recommend that the Welsh Government work closely 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 Fora.

3. The role of the voluntary sector and wider community engagement

Engagement in emergency planning and emergency responses

81. In its report, the Auditor General concluded that:

“Category One responders are inconsistent in the way that they use the resources offered by the voluntary sector to build resilience and to respond to emergencies.”⁶⁵

82. The Auditor General’s report found that representation of the voluntary sector within the resilience framework in Wales is generally limited to the local level and that there is no longer voluntary sector representation on the Wales Resilience Forum because there has been difficulty in securing national representation.

83. The Auditor General’s report refers to a partnership between the Local Resilience Forum and the voluntary sector in Lincolnshire where a memorandum of understanding between the parties has ensured that there is a better understanding of roles and greater empowerment for the voluntary sector.⁶⁶

84. In its written evidence to the Committee, the North Wales Resilience Forum stated that:

“[...] to optimise the skill set within all sectors of the resilience community, it should be extensively encouraged for Category 2 or Voluntary Sector personnel to take on this role. This would also further widen the skill set and pool of staff. This I feel requires further promotion within Wales to recognise the valuable contribution from Category 2 and Voluntary Sector partners.”⁶⁷

85. When questioned on the potential representation of the voluntary sector on the Wales Resilience Forum, St John Cymru Wales suggested interchangeable representation on sub groups. The Director of Operations from St John Cymru Wales stated that:

⁶⁵ Wales Audit Office, Civil Emergencies in Wales, December 2012, Para 2.32

⁶⁶ Wales Audit Office, Civil Emergencies in Wales, December 2012, Para 2.34

⁶⁷ PAC(4) 05-13 (p5) – Written evidence provided by the North Wales Resilience Forum – Page 2

“[...] it could be a changeable thing, with a period of so long for St John Cymru Wales, then for the Red Cross, and then for WRVS.”

86. Additional written evidence provided by the Cabinet Office stated that:

“Emergency Preparedness, the statutory guidance supporting the Act, is clear that the governance of the Local Resilience Forum (LRF) and the membership of its groups and sub-groups is a matter for agreement by the Chief Officer Group of the forum and Regulation 4(4) states that cooperation “shall take such form as may be agreed between the relevant responders”. Indeed, the regulations were amended in April 2012 to enable a greater degree of flexibility in the ways in which responders might work together to ensure that Category 2 responders, in particular, were able to fulfil their duties in the most efficient and effective way...Members of the LRF can agree their own means of facilitating communication at the right level.”⁶⁸

87. We agree that the voluntary sector should play a greater role in emergency planning and that, to contribute effectively, it should be represented on the necessary fora.

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.

We recommend that the Welsh Government makes it clear that there are no barriers to voluntary sector bodies Chairing emergency planning working Group meetings.

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.

⁶⁸ Additional written evidence – Cabinet Office

Funding arrangements for the voluntary sector

88. Throughout our evidence gathering session with St John Cymru Wales, we were concerned by claims that some volunteers can be left out of pocket when participating in training exercises, major incident exercises, and in responding to emergency incidents. While we had sympathy for such individual volunteers, our greater concern was that voluntary organisations might not participate to the fullest extent possible in training exercises, and therefore Wales' planning could potentially be impaired. St John Cymru Wales stated that:

“We are not saying that we would not participate because of lack of funding. We are a charity and we are involved in covering public events across Wales, so the only time we would probably not participate in an exercise would be if, as an organisation, we did not have the capacity to do so. On funding, people just need to be made aware that, if you are involving the voluntary sector, it should not be out of pocket as a result of being involved in the exercises.”⁶⁹

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.

Wider Community Engagement

89. The Auditor General's report found that some community risk registers do not provide the public with easy access to information about the full range of consequences for the risks that may affect them. The report recommended that:

“[...] Category One responders, through their local resilience forums, ensure that their community risk registers clearly identify the full range of consequences that arise from each of the risks identified. In particular, community risk registers should:

- be based upon guidance and good practice;
- be easy to understand; and

⁶⁹ RoP - Public Accounts Committee - 18 February 2013 - Para 366

- provide straightforward advice about the steps the public can take for their protection.”

90. When questioned on engagement with the private sector, Anne Evans from the North Wales Resilience Fora stated that this was a growing piece of work, particularly with regard to engaging with caravan parks on recent flooding events:

“There are huge caravan parks and camping grounds in north Wales, and there is a sub-group of the Wales flood group that looks specifically at caravan and camping facilities and at the risks involved there. It is that balancing act between owners not wanting to denigrate their business and making people aware of the risk in that area, but not to the point where they do not want to come to that particular site because it could be a flood risk...It is about getting the message over to the caravan park and campsite owners that it will not be detrimental to their business if they recognise the risks and look to have some plans in place.”⁷⁰

91. We endorse the recommendation made by the Auditor General for Wales and would recommend that all community risk registers should be easy to access and that private sector companies, in particular those who might be at high risk, should be made more aware of the register and its importance.

92. We believe that the effective handling of emergency situations is not only the responsibility of the emergency services and that the wider community shares some responsibility. There is a necessity for those at all levels of the resilience community to ensure that the public are made aware of their role in preparing for and responding to civil emergencies.

⁷⁰ RoP - Public Accounts Committee - 18 February 2013 - Para 356 and 358

Witnesses

The following witnesses provided oral evidence to the Committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed in full at

www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?lId=1311

18 February 2013

Dr June Milligan, Director General, Local Government and Communities	Welsh Government
Dr Wyn Price, Head of Emergencies	Welsh Government
Alyson Francis, Deputy Head of Community Safety	Welsh Government
Christina Scott, Director, Civil Contingencies Secretariat	Cabinet Office
Gavin Macho, Emergency Planning Manager, Cardiff County Council	Welsh Local Government Association
Simon Wilkinson, Regulatory Services Policy Officer	Welsh Local Government Association
Anne Evans, Local Resilience Co- ordinator	North Wales Resilience Forum
Superintendent Claire Parmenter, Emergency Services Civil Contingencies Co-ordinator Wales	Joint Emergency Services Group
Rhodri Jones, Operations Adviser	St John Cymru Wales
James Shaughnessy, Director of Operations	St John Cymru Wales

List of written evidence

The following people and organisations provided written evidence to the Committee. All written evidence can be viewed in full at

www.senedd.assemblywales.org/ielssueDetails.aspx?Ild=5270&Opt=3

<i>Organisation</i>	<i>Reference</i>
Welsh Government and Cabinet Office	PAC(4) 05-13 – Paper 1
Welsh Local Government Association	PAC(4) 05-13 – Paper 2
North Wales Local Resilience Forum	PAC(4) 05-13 – Paper 3
Joint Emergency Services Group	PAC(4) 05-13 – Paper 4
St John Cymru Wales	PAC(4) 05-13 – Paper 5
Welsh Government	Additional information
Cabinet Office	Additional information