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Item No: 14

Meeting Date: Wednesday 5th May 2021

Glasgow City Integration Joint Board

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Inclusion of Integration Joint Boards as Category 1 Responders under Civil Contingencies Act 2004

Purpose of Report:

The purpose of the report is to provide the Integration Joint Board (IJB) with information about the inclusion of IJB's as Category 1 Responders in terms of the Civil Contingencies Act 2004 and an outline of the requirements that this involves.

Background/Engagement:

On 24 September 2020, the Cabinet Secretary for Health and Sport wrote to confirm the intention of the Scottish Government to pass legislation that will include Integration Joint Boards as Category 1 Responders under Schedule 2 of the Civil Contingencies Act, 2004 and invited responses to a consultation on this.

The Glasgow City IJB responded to the consultation on 19 November 2020 highlighting the existing local resilience relationships in Glasgow City and highlighting areas of further clarity around the proposed change.

On 15 January 2021, the Cabinet Secretary for Health and Sport wrote to confirm that the Scottish Government had concluded that the results of that consultation showed that there was no clear equality, operational or strategic planning barriers to progressing the proposal and legislating for the inclusion of IJBs within the Civil Contingencies Act 2004 as Category 1 responders. The amendment to the legislation were laid before the Scottish Parliament on 18 January 2021 and came into effect on 18 March 2021.

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Recommendations:	<p>The Integration Joint Board is asked to:</p> <ul style="list-style-type: none">a) Note the inclusion of IJB's as Category 1 Responders in terms of the Civil Contingencies Act 2004 (the 2004 Act); the requirements and the arrangements in place and planned to ensure that the IJB meets its requirements under the Act;b) Instruct the Chief Officer, as its Accountable Officer, to carry out on its behalf, all necessary arrangements to discharge the duties on the IJB under the 2004 Act; andc) Instruct the Chief Officer to bring a report, annually, providing assurance on the resilience arrangements in place to discharge the duties on the IJB under the 2004 Act.
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Relevance to Integration Joint Board Strategic Plan:

The report links to the resilience and protection elements of the Strategic Plan.

Implications for Health and Social Care Partnership:

Reference to National Health & Wellbeing Outcome:	This relates to all nine national outcomes.
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Personnel:	No immediate workforce implications.
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Carers:	N/A
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Provider Organisations:	N/A
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Equalities:	None
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Fairer Scotland Compliance:	None
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Financial:	None
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Legal:	The amendment to the Civil Contingencies Act 2004 to include IJBs as Category 1 responders places duties on IJBs which are detailed in this report.
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Economic Impact:	None
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Sustainability:	N/A
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Sustainable Procurement and Article 19:	N/A
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Risk Implications:	The inclusion of IJB's as Category 1 responders under the Civil Contingencies Act 2004 means that Glasgow City IJB has identified duties that are required to undertake. There is a risk that these duties are not met. The HSCP will monitor progress towards meeting the requirement of the Act and therefore mitigating the areas of risk and will provide further detail to the IJB through an Annual Report.
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Implications for Glasgow City Council:	None. Glasgow City HSCP will continue to work alongside and in partnership with the Council in terms of civil contingencies duties.
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Implications for NHS Greater Glasgow & Clyde:	None. Glasgow City HSCP will continue to work alongside and in partnership with NHS GGC in terms of civil contingencies duties.
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Direction Required to Council, Health Board or Both	
Direction to:	
1. No Direction Required	<input checked="" type="checkbox"/>
2. Glasgow City Council	<input type="checkbox"/>
3. NHS Greater Glasgow & Clyde	<input type="checkbox"/>
4. Glasgow City Council and NHS Greater Glasgow & Clyde	<input type="checkbox"/>

1. Purpose

- 1.1. The purpose of the report is to provide the Integration Joint Board (IJB) with information about the inclusion of IJB's as Category 1 Responders in terms of the Civil Contingencies Act 2004 and an outline of the requirements that this involves.

2. Background

- 2.1. On 24 September 2020, the Cabinet Secretary for Health and Sport wrote to confirm the intention of the Scottish Government to pass legislation to include Integration Joint Boards as Category 1 Responders under Schedule 2 of the Civil Contingencies Act, 2004 and invited responses to a consultation on any envisaged impact or unintended consequences under the Equality Act 2020 including the Fairer Scotland Duty.
- 2.2. The Glasgow City IJB responded to the consultation on [19 November 2020](#) noting no envisaged impact or unintended consequences under the Equality Act 2010 and highlighting existing local resilience relationships in Glasgow City and areas of further clarity about the proposed change.
- 2.3. On [15 January 2021](#), the Cabinet Secretary for Health and Sport wrote to confirm that the Scottish Government had concluded that the results of that consultation showed that there was no clear equality, operational or strategic planning barriers to progressing the proposal and legislating for the inclusion

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of IJBs within the Civil Contingencies Act 2004 as Category 1 responders. The amendment to the legislation was laid before the Scottish Parliament on 18 January 2021 and came into effect on 18 March 2021.

- 2.4. Until now Chief Officers have been contributing to local emergency and resilience planning through their roles as directors of Health Boards and Local Authorities but without the appropriate reference to their accountable officer status within the Integration Joint Boards.
- 2.5. By including IJBs as Category 1 responders, it ensures that where there is a risk of an emergency which will impact functions delegated to the IJB there will be formal coordinated and appropriate arrangements in place for emergency planning, information sharing and cooperation with other responders and joined up information sharing and advice for the public.
- 2.6. It is recommended that the IJB instructs the Chief Officer, as the Accountable Officer, to carry out on its behalf, all necessary arrangements to discharge the duties on the IJB under the Civil Contingencies Act 2004 (the 2004 Act) and instruct the Chief Officer to provide an update on the discharge of these duties via the IJB's Business Continuity Annual Assurance Statement.

3. Civil Contingencies Act 2004

- 3.1. The Civil Contingencies Act 2004 (CCA), is supplemented by the Contingency Planning (Scotland) Regulations 2005 and "Preparing Scotland" Guidance. Taken together the law and guidance provides a consistent and resilient approach to emergency planning, response and recovery – which responders have used to develop good practice.
- 3.2. The Act placed new duties and responsibilities on organisations. It defines an emergency as:
 - an event or situation which threatens serious damage to human welfare;
 - an event or situation which threatens serious damage to the environment;
 - war, or terrorism, which threatens serious damage to the security of the UK.
- 3.3. The Act divides responders to an emergency into two categories, depending on the extent of their involvement in civil protection work.
- 3.4. **Category 1 Responders:** IJB's will now be added to this category. These are the organisations at the core of an emergency response.
 - Local authorities
 - Police (including British Transport Police)
 - Fire and Rescue Services
 - The Scottish Ambulance Service
 - National Health Boards
 - The Scottish Environmental Protection Agency (SEPA)
 - Maritime and Coastguard Agency

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3.5. **Category 2 Responders** have statutory duties to co-operate and to share information with Category 1 Responders in the planning and response to major emergencies. These are organisations which, although not 'primary' responders, could potentially have a significant role. They include:

- Utilities (Scottish Water, gas and electricity distributors and telecommunications companies)
- Transport (airport operators, railway operators, Network Rail, roads companies, Transport Scotland)
- Harbour authorities
- Health and Safety Executive
- NHS National Services Scotland

4. Resilience Partnership Arrangements

4.1. There are 3 Regional Resilience Partnerships in Scotland (West, East and North) and Glasgow City is part of the West of Scotland Regional Resilience Partnership (WoSRRP). RRP's bring together the organisations involved in dealing with emergencies to plan for and respond to all kinds of emergencies. These multi-agency groups have plans in place to respond to all kinds of events and are regularly tested in joint exercises and during real emergencies.

4.2. Within each RRP there are a number of Local Resilience Partnerships (LRP's) determined by the RRP's themselves. Glasgow is part of the Glasgow and East Dunbartonshire LRP (GED LRP). The GED LRP also manages structures for planning and response and prepares plans for the management of risks within its geographic area.

4.3. Both NHS Greater Glasgow & Clyde (NHS GGC) and Glasgow City Council (GCC), as Category 1 Responders, have established governance arrangements in place to enable them to meet the duties required under the Act (the specific duties are detailed below), which allows them to respond through the GED LRP and the WoSRRP.

4.4. Since its establishment, the Glasgow City HSCP has liaised and worked closely with both NHS GGC and GCC, along with other resilience partners, to ensure that the duties of Category 1 responders are adhered to. This has included previous invitations to sit on the GED LRP to provide input and support to specific areas of work. The Chief Officer now has a permanent seat at the GED LRP as a Category 1 responder on behalf of the IJB.

5. Category 1 Responder: Specific Duties

5.1. In terms of the specific requirements of Category 1 Responders, and how these will be operationalised, details are as follows:

5.2. **Assessing the risk of emergencies occurring and use this to inform contingency planning in the form of a Community Risk Register.**

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The HSCP links into existing governance structures relating to risk assessment and planning in both NHS GGC and GCC. This includes representation on GCC's Resilience and Business Continuity fora and NHS GGC's Civil Contingencies Group.

5.3. **Put in place emergency plans.**

As mentioned above the Partnership/IJB is already a member of the GED LRP which identifies risks which are likely to manifest in the geographical area. The LRP has governance structures and emergency plans to help mitigate these risks. The IJB/HSCP is also represented on the West of Scotland RRP Care For People Group.

5.4. **Create business continuity plans to ensure that they can continue to exercise critical functions in the event of an emergency**

The HSCP has a Business Continuity Forum which is comprised of officers from across the Partnership and includes a remit to monitor Business Continuity Plans across all HSCP services.

5.5. **Make information available to the public about civil protection matters, and maintain arrangements to warn, inform and advise the public in the event of an emergency**

The Glasgow City HSCP website and social media channels will carry relevant information as soon as it becomes available in order to inform the public and our staff in a timely manner of important developments and updates. Glasgow City HSCP would also contribute to public information being released by our partner organisations and other Category 1 responders where appropriate.

5.6. **Share information with other local responders to enhance co-ordination and Co-operate with other local responders to enhance coordination and efficiency**

As detailed above the Partnership is a member of various groups, including the GED LRP, groups established in GCC and NHS GGC, and the West of Scotland Care for People Group. Through these the Partnership and IJB can share information with other responders to enhance co-ordination.

6. **Recommendations**

6.1. The Integration Joint Board is asked to:

- a) Note the inclusion of IJB's as Category 1 Responders in terms of the Civil Contingencies Act 2004 (the 2004 Act); the requirements and the arrangements in place and planned to ensure that the IJB meets its requirements under the Act;
- b) Instruct the Chief Officer, as its Accountable Officer, to carry out on its behalf, all necessary arrangements to discharge the duties on the IJB under the 2004 Act; and
- c) Instruct the Chief Officer to provide assurance on the resilience arrangements in place to discharge the duties on the IJB under the 2004 Act via the IJB's Business Continuity Annual Assurance Statement.

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