



<b>Meeting of East Renfrewshire Health and Social Care Partnership</b>	Integration Joint Board	
<b>Held on</b>	23 June 2021	
<b>Agenda Item</b>	11	
<b>Title</b>	Inclusion of Integration Joint Boards as Category 1 Responders under Civil Contingencies Act 2004	
<b>Summary</b>		
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.		
<b>Presented by</b>	Lesley Bairden, Head of Finance and Resources (Chief Financial Officer)	
<b>Action Required</b>		
The Integration Joint Board is asked to:		
<ul style="list-style-type: none"> <li>• 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 plans to ensure that the IJB meets its requirements under the Act.</li> <li>• Instruct the Chief Officer, as its Accountable Officer, to carry out all necessary arrangements to discharge the duties on behalf of the IJB under the 2004 Act.</li> <li>• 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.</li> </ul>		
<b>Directions</b>	<b>Implications</b>	
<input checked="" type="checkbox"/> No Directions Required	<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Risk
<input type="checkbox"/> Directions to East Renfrewshire Council (ERC)	<input type="checkbox"/> Policy	<input checked="" type="checkbox"/> Legal
<input type="checkbox"/> Directions to NHS Greater Glasgow and Clyde (NHSGGC)	<input type="checkbox"/> Workforce	<input type="checkbox"/> Infrastructure
<input type="checkbox"/> Directions to both ERC and NHSGGC	<input type="checkbox"/> Equalities	<input type="checkbox"/> Fairer Scotland Duty

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**EAST RENFREWSHIRE INTEGRATION JOINT BOARD**

**23 June 2021**

**Report by Chief Officer**

**INCLUSION OF INTEGRATION JOINT BOARDS AS CATEGORY 1 RESPONDERS  
UNDER CIVIL CONTINGENCIES ACT 2004**

**PURPOSE OF REPORT**

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 outline the requirements that this involves.

**RECOMMENDATION**

2. 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 plans to ensure that the IJB meets its requirements under the Act;
  - b) Instruct the Chief Officer, as the Accountable Officer, to carry out all necessary arrangements to discharge the duties on behalf of the IJB under the 2004 Act; and
  - c) Instruct the Chief Officer to bring a report, annually, providing assurance on the resilience arrangements in place to discharge the duties under the 2004 Act.

**BACKGROUND**

3. In 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.
4. East Renfrewshire IJB did not respond to the consultation however it is not envisaged that the inclusion of the Integration Joint Boards as Category 1 responders will have any significant wider impacts or unintended consequences.
5. In January 2021, the Cabinet Secretary for Health and Sport wrote to confirm that the Scottish Government concluded that the results of the 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 came into effect on 18 March 2021.
6. Until now Chief Officers have been contributing to local emergency and resilience planning as part of the corporate management team for Health Boards and Local Authorities but without the appropriate reference to their accountable officer status within the Integration Joint Boards.

7. 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, co-operation with other responders and joined up information sharing and advice for the public.
8. It is recommended that the IJB instructs the Chief Officer, as the Accountable Officer, to carry all necessary arrangements to discharge the duties on behalf of the IJB under the Civil Contingencies Act 2004 (the 2004 Act) and instruct the Chief Officer to provide annually, a report providing assurance on the resilience arrangements in place to discharge the duties under the 2004 Act.

## REPORT

### Civil Contingencies Act 2004

9. 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.
10. 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.
11. The Act divides responders to an emergency into two categories, depending on the extent of their involvement in civil protection work.
12. IJBs are now Category 1 Responders. 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
13. 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

## Resilience Partnership Arrangements

14. There are 3 Regional Resilience Partnerships in Scotland (West, East and North). East Renfrewshire 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.
15. Within each RRP there are a number of Local Resilience Partnerships (LRP's). East Renfrewshire is part of the West LRP which consists of East Renfrewshire, Renfrewshire and Inverclyde. The West LRP also manages structures for planning and response and prepares plans for the management of risks within its geographic area.
16. Both NHS Greater Glasgow & Clyde (NHSGGC) and East Renfrewshire Council (ERC), as Category 1 Responders, have established governance arrangements in place to enable them to meet the duties required under the Act, which allows them to respond through the West LRP and the WoSRRP.
17. Since its establishment, East Renfrewshire HSCP has liaised and worked closely with both NHSGGC, ERC and other resilience partners, to ensure that the duties of Category 1 responders are adhered to. This has included previous invitations to sit on the West LRP to provide input and support to specific areas of work. The Chief Officer now has a permanent seat at the West LRP as a Category 1 responder on behalf of the IJB.
18. The specific duties of a Category 1 Responder and how the IJB discharges these duties are outlined below:

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

- The HSCP links into existing governance structures relating to risk assessment and planning in both NHS GGC and ERC.

### ***Put in place emergency plans.***

- As mentioned above the HSCP is already a member of the West 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.

### ***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 plan in place which is supplemented by service specific business impact assessments. During times of emergency response the HSCP establishes the Local Resilience Management Team which is comprised of officers from across the partnership.

### ***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 HSCP web pages 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. The HSCP would also contribute to public information being released by our partner organisations and other Category 1 responders where appropriate.

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

- The HSCP is already a member of various groups in ERC and NHSGGC as well as the West LRP. Through these established channels the HSCP can share information with other responders to enhance co-ordination.

**CONSULTATION AND PARTNERSHIP WORKING**

19. Integration Joint Boards were offered the opportunity to participate in a consultation in relation to legislative changes to include Integration Joint Boards as Category 1 Responders under Schedule 2 of the Civil Contingencies Act, 2004.

**IMPLICATIONS OF THE PROPOSALS**

Risk

20. The inclusion of IJB's as Category 1 responders under the Civil Contingencies Act 2004 means that East Renfrewshire 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.

Legal

21. 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.

**DIRECTIONS**

22. There are no directions arising from this report.

**CONCLUSIONS**

23. The purpose of the report is to provide the Integration Joint Board 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.

**RECOMMENDATIONS**

24. 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 plans to ensure that the IJB meets its requirements under the Act;
  - b) Instruct the Chief Officer, as the Accountable Officer, to carry out all necessary arrangements to discharge the duties on behalf of the IJB under the 2004 Act; and
  - c) Instruct the Chief Officer to bring a report, annually, providing assurance on the resilience arrangements in place to discharge the duties under the 2004 Act.

**REPORT AUTHOR AND PERSON TO CONTACT**

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Chief Officer, IJB: Julie Murray

May 2021

**BACKGROUND PAPERS**

The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005  
<https://www.legislation.gov.uk/ssi/2005/494/made/data.pdf>

[Government Response to the Consultation to include Integration Joint Boards and Category 1 Responders under the Civil Contingencies Act 2004](#)

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