



INTEGRATION JOINT BOARD

Date of Meeting	23 rd March 2021
Report Title	Inclusion of Integration Joint Boards as Category 1 Responders under Civil Contingency Act 2004
Report Number	HSCP21.028
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Consultation Checklist Completed	Yes
Directions Required	No
Appendices	None

1. Purpose of the Report

- 1.1. The purpose of the report is to provide the Integration Joint Board (IJB) with information of 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 inclusion involves.

2. Recommendations

- 2.1. It is recommended that the Integration Joint Board (IJB):
- (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) Instructs 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.



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- (c) Instructs 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.
- (d) Agree whether to include a risk on the Strategic Risk Register relating to the IJB's requirements under the 2004 Act.

3. Summary of Key Information

3.1. Inclusion of IJB's as Category 1 Responders under Civil Contingency Act 2004

3.1.1. As previously reported in the Chief Officer's report, the IJB submitted comments as part of the Scottish Government's consultation on whether IJB's should become Category 1 responders under the Civil Contingencies Act 2004. The IJB was supportive of this proposal. The Scottish Government have concluded their consultation, the results show that there were neither clear equality, operational nor strategic planning barriers to progressing the proposal and legislating for the IJB inclusion within the Civil Contingencies Act 2004 as Category 1 responders.

3.1.2. The amendments to the Civil Contingencies Act 2004 were laid before the Scottish Parliament on Monday 18 January and approved. The Scottish Parliament have indicated that the legislation will come into effect on the 16th of March 2021.

3.1.3. Representatives of the Scottish Government have also indicated that they plan to arrange training for IJB members (comprising a presentation and workshop) through their Resilience Department.

3.2. To assist the IJB, some context about the Civil Contingencies Act 2004 is detailed below, along with details about regional and local resilience arrangements currently in place.

3.2.1. 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.



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3.2.2. 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.

3.2.3. The Act divides responders to an emergency into two categories, depending on the extent of their involvement in civil protection work.

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

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

3.3. In addition to formal statutory duties there is an increasing recognition that responders need to draw on the resources and abilities of their communities to help prepare for, respond to and recover from emergencies as effectively



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as possible. This is known as community resilience (and can be defined as “communities and individuals harnessing resources and expertise to help themselves prepare for, respond to and recover from emergencies, in a way that complements the work of the emergency responders”).

- 3.4.** The Aberdeen City area is part of a Regional Resilience Partnership (RRP) of which there are three in Scotland (the North RRP includes the Grampian area). They bring the organisations involved in dealing with emergencies together to plan for, and respond to, all kinds of emergencies. These multi-agency groups have robust plans in place to respond to all kinds of events, which are regularly tested in joint exercises and during real emergencies.
- 3.4.1. Within each RRP there are a number of Local Resilience Partnerships (LRP’s) determined by the RRP’s themselves. Aberdeen is a member of the Grampian LRP. The Grampian Local Resilience Partnership has high level strategic aims when dealing with incidents, including the following:
- Maximise the safety and wellbeing of people, places and communities across Grampian
 - Ensure the effective co-ordination of emergency response
 - Ensure effective communication with the public and partners;
 - Minimise the risk to emergency workers and partners;
- 3.4.2. The Grampian LRP also manages structures for planning and response and prepares plans for the management of risks.
- 3.5.** Both NHS Grampian and Aberdeen City Council 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 Grampian LRP and the North RRP.
- 3.6.** In terms of how this will be operationalised for the IJB, as explained in the consultation document, Chief Officers have already been contributing to local emergency and resilience planning, they have only formally done so through their roles as directors of Health Boards and Local Authorities and without the appropriate reference to their accountable officer status within the Integration Joint Boards.
- 3.7.** By including Integration Joint Boards as Category 1 responders, it ensures that where there is a risk of an emergency which will impact functions delegated to the Integration Joint Board, there will be formal coordinated



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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.

- 3.8. To put some local context to this, the Aberdeen City Health and Social Care Partnership has been liaising and working closely with both NHS Grampian (NHSG) and Aberdeen City Council (ACC), along with other resilience partners to ensure that the duties of Category 1 responders are adhered to.
- 3.9. Governance arrangements are in place within the Partnership, as well as good links and reporting arrangements to the governance structures in NHSG and ACC.
- 3.10. Turning to the specific requirements of Category 1 Responders, and how these will be operationalised in the Partnership, details are as follows:
- 3.11. **Assessing the risk of emergencies occurring and use this to inform contingency planning in the form of a Community Risk Register.**
 - 3.11.1. The Partnership links into governance structures relating to risks in both NHSG and ACC. This include being represented on Aberdeen City Council's Organisational Resilience Group (ORG) and NHS Grampian's Civil Contingencies Group (the Partnership's Business Manager attends these meetings).
 - 3.11.2. The ORG has a role to review and monitor the Place of Aberdeen risks within risk registers as they relate to organisational resilience.
 - 3.11.3. Part of the risk assessment is done through membership of the Grampian Local Resilience Partnership (GLRP), which identifies risks which are likely to manifest. The Partnership require to have controls in place to manage these risks, particularly the ability to respond to these in an emergency situation.
 - 3.11.4. Aberdeen City Council are currently reviewing the Place risks within its risk registers to ensure that the control actions listed are sufficient to mitigate risks.
 - 3.11.5. During this process, the Group will identify additional risks, based on risk assessment within operational areas, which may impact on the ability to respond.



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3.11.6. The result will be a Place risk register incorporating all risks relating to organisational resilience. The ORG will be responsible for managing these risks through its membership and liaison with other services not represented on the Group.

3.11.7. In relation to the above the IJB might want to capture a strategic risk in relation to this. ACC have the following wording which could be adapted “Risk that ACC can’t meet its responsibilities as a Category 1 Responder under the Civil Contingencies Act, 2004” If the IJB wish to have this risk on the Strategic Risk Register then officers will work on a draft risk to bring to the IJB at the earliest opportunity.

3.12. Put in place emergency plans.

3.12.1. As mentioned above the Partnership/IJB is already a member of the GLRP which identifies risks which are likely to manifest in the area. The Partnership has governance structures and emergency plans to help mitigate these risks.

3.12.2. These include Senior Manager On Call governance documents and arrangements, and links into the equivalent structures in ACC and NHSG.

3.12.3. The Partnership is also represented on the Aberdeen City Care For People Group. The Aberdeen City Care for People Plan outlines that the Care For People Team will:

- provide of a focal point for information and assistance to families, friends and all those directly or indirectly affected by and involved in the incident;
- make arrangements that those affected receive appropriate information and assistance in a timely, co-ordinated manner;
- ensure that those affected get access to – and guidance on – the range of services from which people can make informed choices according to their needs;
- ensure that people are aware of, understand and can access the longer-term support which is available; and
- ensure that as far as possible, a seamless multi-agency approach to caring for people in emergencies is arranged.

3.12.4. The Aberdeen City Care For People Group is aligned to the Grampian LRP Care For People Sub Group.



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- 3.13. Create business continuity plans to ensure that they can continue to exercise critical functions in the event of an emergency** - The Partnership has a Civil Contingencies Group which comprises of representatives from across the Partnership. Within the remit of the Group is the requirement to monitor Business Continuity Plans across the Partnership, including an overarching Partnership Business Continuity Plan (BCP). The Partnership's Civil Contingencies Group's remit is to be revised to reflect the requirements of a Category 1 Responder and develop an action plan to monitor progress and action around these areas. The Group is aligned to the IJB's Risk, Audit and Performance Committee and minutes of the Group can be shared with members of the Committee via service updates.
- 3.14. 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 Partnership's Communications Manager is available to issue media releases and to answer any media enquiries relating to ACHSCP services which would be or could be impacted in an emergency, in close consultation with ACHSCP Leadership Team members. Proactive dissemination of important information would be via releases emailed directly to the local and national media. The ACHSCP websites, both internal and external, would also carry that information as soon as it becomes available, along with the Partnership's social media channels, in order to inform the public and our staff in a timely manner of important developments and updates. ACHSCP would also contribute to public information being released by our partner organisations, where appropriate. ACHSCP Communications would liaise throughout the emergency with our public sector partners, including the police, fire and rescue, neighbouring local authorities, the Scottish Government and other partner organisations as appropriate. IJB members, senior elected members of Aberdeen City Council, and appropriate senior management members at the city council and NHS Grampian would be kept informed in advance of information which was due to be released by ACHSCP into the public domain. A log would be kept of all information released internally and externally in order that an audit trail is maintained of all communications activity.
- 3.15. Share information with other local responders to enhance co-ordination** - As detailed above the Partnership is a member of various groups, including the GLRP, groups established in ACC and NHSG, and Aberdeen City Care For People. Through these Groups the Partnership and IJB can share information with other responders to enhance co-ordination.



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- 3.16. Co-operate with other local responders to enhance coordination and efficiency** - As detailed above the Partnership is a member of various groups, including the GLRP, groups established in ACC and NHSG, and Aberdeen City Care For People. Through these Groups the Partnership and IJB can share information with other responders to enhance co-ordination.
- 3.17. Next Steps** - In order to progress the above, it is proposed to hold an early meeting of the Partnership's Civil Contingencies Group to assist in the operationalisation of the Category 1 duties and to agree the amendments to the Group's Terms of Reference.
- 3.18.** In terms of informing the members of the IJB it is proposed that an annual resilience report be submitted to the IJB to provide assurance on the resilience arrangements in place within the Partnership/IJB in fulfilment of the IJB's duties as a Category 1 Responder under the Civil Contingencies Act 2004.
- 3.19.** Finally, in terms of governance, the Chief Officer will be carrying out these duties and roles and will have a presence at the Local Resilience Partnership and it is proposed that the following be added to the Chief Officer's ACC delegated powers :
- 3.20.** "With the inclusion of the Aberdeen City Integration Joint Board as a Category 1 Responder under the Civil Contingencies Act 2004, to direct and ensure that coordinated and appropriate arrangements are in place to discharge the requirements of that Act and other relevant legislation".
- 3.21.** To that end, 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 bring a report, annually, providing assurance on the resilience arrangements in place to discharge the duties on the IJB under the 2004 Act.
- 4. Implications for IJB**
- 4.1. Equalities** – there are no direct implications in relation to our duty under the Equalities Act 2010.
- 4.2. Fairer Scotland Duty** - there are no direct implications in relation to the Fairer Scotland Duty.



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- 4.3. **Financial** – there are no immediate financial implications arising from this report.
- 4.4. **Workforce** – there are no immediate workforce implications arising from this report.
- 4.5. **Legal** – there are no immediate legal implications arising from this report.
- 4.6. **Covid-19** – The Partnership has been working closely with NHS Grampian and Aberdeen City Council during the response to the pandemic. This work builds on the collaborative working and systems put in place during the pandemic to ensure a continued co-ordinated response to the wellbeing of citizens across Aberdeen.
- 4.7. **Unpaid Carers** – There are no direct implications relating to unpaid carers in this report.
- 4.8. **Other**- there are no other immediate implications arising from this report.

5. **Links to ACHSCP Strategic Plan**

- 5.1. The report links to the resilience and connections aims of the Strategic Plan 2019-2022.

6. **Management of Risk**

- 6.1. **Identified risks(s)** - The inclusion of IJB's as Category 1 Responders under the Civil Contingencies Act 2004 means that Aberdeen City IJB has identified duties that are required to undertake. There is a risk that these duties are not met.

6.2. **Link to risks on strategic or operational risk register:**



At the highest level, the inclusion of IJB's as Category 1 Responders under the Civil Contingencies Act 2004 links to all the strategic risks on the Strategic Risk Register, with Risk 6- "There is a risk of reputational damage to the IJB and its partner organisations resulting from complexity of function, delegation and delivery of services across health and social care" being the most relevant. The report suggests that the IJB might want to capture a risk as follows: "there is a risk that Aberdeen City IJB can't meet its responsibilities as a Category 1 Responder under the Civil Contingencies Act, 2004" Officers will draft a risk for the IJB to consider if agreed.



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6.3. How might the content of this report impact or mitigate these risks:

The Partnership's Civil Contingency Group will monitor progress towards meeting the requirements of the Act and therefore mitigating the areas of risk and will provide further detail to the IJB through the provision of an Annual Report.

Approvals	
	Sandra Macleod (Chief Officer)
	Alex Stephen (Chief Finance Officer)