

Chapter 2

Co-operation

Summary

- Category 1 and 2 responders are obliged to co-operate with other Category 1 and 2 responders and other organisations engaged in response in the same local resilience area. Each local resilience area (with the exception of London) is based on a police area (paragraphs 2.1–2.3).
- The principal mechanism for multi-agency co-operation between Category 1 responders is the Local Resilience Forum (LRF). The LRF is not a statutory body, but it is a statutory process (paragraphs 2.4–2.8).
- Category 1 responders can draw on the guidance on membership and effective operation of an LRF and existing examples of good practice to help them (paragraphs 2.44–2.58).
- The involvement of Category 2 responders in LRFs will be more limited than that of Category 1 responders. They will participate in the LRF process on a ‘right to attend, right to invite’ basis. Category 1 responders need to understand the way Category 2 responders are involved (paragraphs 2.15–2.19).
- Subgroups will probably be formed within LRFs to allow effective use of time. The number and composition of these subgroups will be decided locally (paragraphs 2.59–2.63).
- Organisations that do not have a duty to co-operate under the Act can – and should – still be as fully involved as possible. How LRFs choose to involve them will depend on local circumstances (paragraphs 2.108–2.111).
- Category 1 responders are also encouraged to co-operate outside the LRF framework. Available models for co-operation include bilateral co-operation; joint discharge of functions; identification of lead responders; and cross-border co-operation between LRFs (paragraphs 2.20–2.39).

What the Act and the Regulations require

2.1 Co-operation at the response phase has been long practised by the emergency services – police, fire and ambulance. Emergency services liaison on matters of policy and planning – and in live exercises – has also existed for many years. Other agencies also co-operate closely, for example maritime search and rescue services and those organisations involved in the response to maritime pollution incidents. Utilities companies have also established links with the local authorities and the emergency services.

2.2 Local authorities have joined the emergency services in formal strategic liaison arrangements at the policy and planning stage over the past 20 years – and gradually in recent years most of the Category 1 responders covered by the Act have been pulled into strategic groups at the local (ie police area) level.

2.3 These strategic multi-agency groups exist everywhere in England and Wales, particularly since they were recommended as good practice in the first edition of *Dealing with Disaster* in 1992. Furthermore, there are a number of standing groups which deal with specific issues such as search and rescue. On a day-to-day basis, direct co-operation between Category 1 responders is the lifeblood of civil protection work – with visits and seminars, phone calls and e-mails, and joint projects including exercises. Much of this existing work, including established groups and processes, will form the basis for the new framework.¹

The Local Resilience Forum

2.4 The principal mechanism for multi-agency co-operation under the Act is the Local Resilience Forum (LRF),² based on each police area.³ The forum is a process by which the organisations on which the duty falls co-operate with each other. It does not have a

separate legal personality, it does not have powers to direct its members.

2.5 The main forum must meet at least once every six months.⁴ The aim should be to space these meetings evenly, and to develop a regular cycle. Meetings can be held more frequently if LRF members agree that is necessary.

2.6 In establishing a regular cycle, forums should have regard to the needs of those members who are likely to be participating in more than one forum. For example, the Maritime and Coastguard Agency (MCA) operates across a number of LRF areas and may attend them all.

2.7 The purpose of the LRF process is to ensure effective delivery of those duties under the Act that need to be developed in a multi-agency environment. In particular, the LRF process should deliver:

- the compilation of agreed risk profiles for the area, through a Community Risk Register;⁵
- a systematic, planned and co-ordinated approach to encourage Category 1 responders, according to their functions, to address all aspects of policy⁶ in relation to:
 - risk;
 - planning for emergencies;
 - planning for business continuity management;
 - publishing information about risk assessments and plans;
 - arrangements to warn and inform the public; and
 - other aspects of the civil protection duty, including the promotion of business continuity management by local authorities; and
- c) support for the preparation by all or some of its members of multi-agency plans and other documents, including protocols and agreements⁷ and the co-ordination of multi-agency exercises and other training events.

2.8 Other optional objectives for the LRF process are set out in paragraph 2.57 below. Model terms of reference are attached at Annex 2A.

¹s. 2(5)(h)

²regulation 4(2)(b) and 4(3)

³regulation 3

⁴regulation 4(4)

⁵regulation 15

⁶regulation 4(1)

⁷regulation 7

Effective representation of Category 1 responders in the LRF process

2.9 The Regulations further qualify the participation in the process of co-operation. In particular, they address the way in which individual Category 1 and 2 responders are represented. The optimum number for attendance is likely to be smaller than the number of Category 1 and Category 2 responders in any given police area. Larger numbers may make the meetings inefficient.

2.10 A key requirement of the Regulations is that Category 1 responders attend meetings of the LRF “or arrange... to be effectively represented”.⁸ ‘Effective representation’ has a number of elements to it:

- not every organisation needs to be represented directly at every meeting;
- organisations do need to be represented at meetings of the main LRF where their involvement in local civil protection work will be discussed; and
- Category 1 responders need to be represented by individuals who have the right combination of seniority and expertise to be able to speak with authority.

2.11 It is particularly important that representatives do represent their sector and are responsive to the views of Category 1 responders in their sector who are not able to attend the LRF meetings. There are a number of tests which can be applied to judge effectiveness of representation. An effective representative organisation:

- has the authorisation of the other local members of its sector to take part in the LRF on their behalf;
- is aware of the proceedings of the LRF subgroups and ready to take forward to the LRF issues raised by local members of its sector in the subgroups;
- is able to explain current structures, policies, priorities and events in the area of civil protection affecting its sector; and
- ensures that the other local members of its class whom it represents are kept fully informed of issues discussed at the LRF and are invited to submit their comments, or to attend particular LRF meetings as appropriate.

Category 2 responders

2.12 The Act broadens the range of organisations that will be regularly and consistently involved in civil protection at the local level. This is particularly true for Category 2 responders, some of which were not included, or did not engage, in a consistent way before the Act. It is important that all Category 1 responders bear this in mind, and allow for the narrower obligations that flow from Category 2 status. Category 2 organisations should be engaged when they can add value, and not drawn into discussions when they cannot. In addition, the organisations should be engaged through the mechanisms established for this purpose.

2.13 In return, Category 2 responders must recognise the clear intention in the Act that all Category 2 responders should play a part in civil protection at the local level. They must respond to reasonable requests, and they must adhere to the principles of effective representation.

2.14 In order to maximise the benefits of the participation of Category 2 responders, while still maintaining a coherent framework, Category 2 responders will not be obliged to attend all LRF meetings. Instead, attendance will be determined on the basis of two complementary principles: the right to attend and the right to invite.

The right to attend

2.15 Category 2 responders in some instances are keen to be part of the main forum – and see the co-operation duty as entitling them to join it. This expectation should be facilitated wherever practical and appropriate.

2.16 The Regulations provide that Category 2 responders can send representatives to any meeting of the LRF as they deem necessary.⁹ Alternatively, one Category 2 responder can ask another Category 2 responder to represent them at the meeting. Category 2 responders will make that decision on the basis of the proposed agenda for the LRF meeting.

2.17 Category 1 responders need to develop effective relationships with Category 2 responders and agree those areas in which the Category 2 responders:

⁸regulation 4(4)

⁹regulation 4(6)

- have statutory responsibilities, which the Category 1 responders will recognise and support as appropriate; or
- have expertise that can aid their co-operation with and provision of information to Category 1 responders.

The right to invite

2.18 The right to invite flows from the concept of effective representation. In setting the agenda for meetings of the LRF, Category 1 responders will be working towards the delivery of the objectives set out in paragraph 2.7. If, as a result, the agenda is likely to include discussion of matters relating to a particular Category 2 responder, that responder (or class of responders) needs to make arrangements to attend or be effectively represented.

2.19 Neither the right to attend nor the right to invite extend to participation in subgroups of the LRF. However, local agreements may be reached between responders to engage Category 2 responders in the subgroup process. Participation in the LRF process will help to identify where this might make sense.

Other forms of co-operation

Direct and bilateral co-operation

2.20 Co-operation will also be expected between Category 1 responders outside the framework of the LRF in performance of their duties under the Act.¹⁰ For example, the police and the local authority may co-operate in the development of a multi-agency evacuation plan for a city centre, and later in exercises to validate the plan. Equally, the Environment Agency is likely to promote flood and pollution prevention by working with key Category 1 responders, such as local authorities.

2.21 Direct or bilateral co-operation is also likely in practice between Category 1 and Category 2 responders. Category 2 responders must co-operate with Category 1 responders in, for example, the development of their risk assessments and plans.¹¹

They may also be involved with activities to maintain and improve those plans. For example, Category 2 responders must take part in exercises under the legislation on request, if that request is reasonable. The test of reasonableness includes not simply whether the Category 1 responder requires this involvement to exercise its plan effectively, but also the number of other exercises the Category 2 responder is being asked to take part in and the extent of attendance and participation requested.

2.22 Category 2 responders may be expected to help Category 1 responders in all aspects of the duty; but not to the extent that the demands of the Category 1 responder effectively place a Category 1 responsibility on them 'by the back door'. For example, if the Category 2 responder has not undertaken a risk assessment in relation to a particular hazard, it cannot be compelled to do so by a Category 1 responder seeking information or co-operation.

2.23 Of course, many Category 2 responders have pre-existing requirements on them under other legislation (including, for example, their licence conditions from the regulator, or by direction of the Minister) to assess risk and to prepare planning arrangements. The regime under the Act is not intended to duplicate these responsibilities, but instead to connect specific regulatory frameworks into generic civil protection work at the local level. Under the Act, Category 2 responders may expect to be asked to share information about what they have done.

Joint discharge and delegation of functions

2.24 In some instances, Category 1 responders will wish to go beyond bilateral co-operation, and enter into joint arrangements with other Category 1 responders. This is permitted by the Regulations, and can take two forms:

- exercising responsibilities jointly. In this case, two Category 1 responders would agree that an aspect of the duties was best performed by working together. For example, a number of local authorities might decide to form a single civil protection unit, and staff and fund it jointly to deliver their responsibilities under the Act;¹² and

¹⁰ regulation 4(2)(a)

¹¹ regulation 4(5)

¹² regulation 8(a)

- delegating responsibilities entirely. For example, a local authority might decide to delegate its responsibilities to the local Fire and Rescue Authority.¹³

2.25 In both these instances, both Category 1 responders would have to agree that joint arrangements are appropriate, and make associated agreements in terms of transfer of funding and other resources.

Protocols

2.26 The Regulations permit Category 1 responders to develop protocols which support co-operation between them in the performance of their duties.¹⁴

2.27 Category 2 responders may also be included in protocols which underpin co-operation in performance of the Category 1 responders' duties.¹⁵

2.28 Protocols of the same type are also permitted on a cross-boundary basis between Category 1 responders in England and Scotland.¹⁶ It is important that when Category 1 responders develop "local" protocols that these are not contradictory to national protocols or those of neighbouring regions. Consultation is therefore essential to reduce potential confusion and conflict.

2.29 A protocol is a formal agreement between Category 1 responders detailing how they will undertake or allocate responsibilities to deliver a task. Protocols may cover matters of broad agreement or detailed procedures for working together, including how to hand over tasks or obtain additional resources. Protocols may or may not be legally binding, depending on the nature of the agreement reached between the parties.

2.30 Protocols may be useful to cement co-operation in relation to all aspects of civil protection under the Act, but are likely to be particularly relevant in relation to (but not exclusively):

- multi-agency emergency planning arrangements; and

- b) communications planning generally
 - for managing response to an emergency;
 - communicating with the public.

2.31 The Regulations outline three aspects of co-operation which are likely to be covered in protocols:

- its timing;
- its form; and
- contact details for individuals involved.¹⁷

The lead responder principle

2.32 The main duties of the Act fall equally on all those Category 1 responders whose functions are likely to be seriously obstructed by an emergency or who would consider it necessary or desirable to take action to deal with the emergency through a special deployment of resources.¹⁸ Consequently, there is a risk that Category 1 responders may duplicate each other's work when, for example, carrying out their duty of risk assessment or providing warnings when an emergency occurs.

2.33 The problem is particularly acute in relation to communicating with the public. It would not be sensible for a number of Category 1 responders each to be arranging to publish the same or similar messages about risks and planning arrangements to the same members of the public. Also it might be dangerous if several organisations were maintaining arrangements simultaneously to issue public warnings about an emergency in an unco-ordinated fashion. To address this difficulty, the Regulations require a particular model to be adopted.¹⁹ These Regulations are described in Chapter 7.

2.34 However, there is a further difficulty where several Category 1 responders in the same LRF each decide they are obliged to assess the same risk or the impact of that risk (for example, severe weather). Or, for example, where more than one Category 1 responder believes it necessary to develop an emergency mortuary plan or a coastal pollution plan. Regulations address these potential problems by permitting all those Category 1 responders whose

¹³ regulation 8(b)

¹⁴ regulation 4(1), regulation 7(1)

¹⁵ regulation 4(1)–(5), regulation 7(1)

¹⁶ regulations 4(2), 4(4), 5, 7(1) and 7(2)

¹⁷ regulation 7(3)

¹⁸ s. 2(2)

¹⁹ regulations 32–34

functions are exercisable in relation to a particular duty (other than the duties to communicate with the public) to identify one of their number as lead responder. The lead responder is the Category 1 responder with lead responsibility for performing a given duty in relation to a given emergency, or an emergency of a particular kind, in that local resilience area.²⁰

2.35 The other Category 1 responders party to the decision are referred to as non-lead Category 1 responders.²¹

2.36 Regulations outline the requirements on a lead Category 1 responder.²² They must:

- take the lead responsibility in that local resilience area;
- consult the non-lead Category 1 responders in performance of the duty;
- keep the non-lead Category 1 responders informed about how they are fulfilling the duty; and
- as far as reasonably practicable, obtain approval from the non-lead Category 1 responders for the way they are performing the duty.

2.37 Regulations also specify the role of the non-lead Category 1 responders.²³ They must:

- co-operate with the lead Category 1 responder in performance of the duty;
- provide information to the lead Category 1 responder which will assist in performance of the duty; and
- assist the lead responder in any exercises or training in connection with the duty.

However, the non-lead Category 1 responders do not themselves need to perform the duty to an extent that would unnecessarily duplicate what the lead Category 1 responder is doing.²⁴

2.38 A decision by the relevant local Category 1 responders not to co-operate to identify a lead responder in relation to a particular duty leaves them potentially all equally responsible for the performance of that duty. Agreement between them to cut back

and allocate the responsibility between them under the lead responder principle will ensure proper co-ordination of risk assessment and multi-agency emergency planning and, under the separate regulations, communication with the public.

Cross-border co-operation

2.39 It is commonplace as a sensible element of civil protection work for individual organisations to plan to work with neighbouring authorities, should that be required to respond effectively to an emergency. The Regulations permit this to happen between authorities in Scotland and England and Wales, thus ensuring that planning can be joined up in border areas.

How the Act and the Regulations apply in Scotland, Wales and Northern Ireland

Scotland

2.40 The provisions of the Regulations relating to co-operation between Category 1 and 2 responders in Scotland are largely the same as the provisions for England and Wales. The main point of difference is that in Scotland, the LRF is called the strategic co-ordinating group.²⁵ The Regulations require the Category 1 responders in Scotland which are subject to the Regulations to attend or be effectively represented at the strategic co-ordinating group. The Regulations also provide for attendance at strategic co-ordinating groups by Category 2 responders to whom the Regulations apply on a right to attend, right to invite basis. Category 1 and 2 responders in Scotland who are subject to the Regulations may also engage in the other forms of co-operation outlined above, both with each other and with Scottish Category 1 and Scottish Category 2 responders in Scotland which fall within devolved competence.²⁶

2.41 Regulations made by the Scottish Ministers make provision for how Scottish Category 1 and Scottish Category 2 responders within devolved competence should co-operate with each other and

²⁰ regulation 9

²¹ regulation 9(4)

²² regulation 10

²³ regulation 11

²⁴ regulation 11(2)(d)

²⁵ regulation 5

²⁶ See Parts 2 and 4 of Schedule 1 to the Act

with Category 1 and 2 responders in the course of carrying out their duties under the Act.

Wales

2.42 The Act and the Regulations apply in Wales in the same way as they apply in England.

Northern Ireland

2.43 As the Act and the Regulations only apply to a limited number of the bodies in Northern Ireland which are engaged in civil protection, it would not be appropriate for the Regulations to require Category 1 and 2 responders in Northern Ireland to establish LRFs in Northern Ireland. However, Category 1 and 2 responders in Northern Ireland are required to co-operate with each other in the discharge of their duties under the Act. The Regulations also require Category 1 and 2 responders exercising functions in Northern Ireland to “have regard” to the activities of other specified bodies involved in civil protection.²⁷ In addition, Category 1 and 2 responders in Northern Ireland may delegate their duties under the Act to other bodies in Northern Ireland who are engaged in civil protection but who are not Category 1 or 2 responders,²⁸ or may perform their duties jointly with such bodies in much the same way as outlined in paragraphs 2.20 to 2.25. The “lead responder model” does not apply in Northern Ireland.²⁹

How the requirements of the Act and the Regulations may be carried out

2.44 This section provides guidance on good practice that should enable Category 1 responders to make the LRF process work.

2.45 The LRF works alongside other elements of the multi-agency planning framework at the local, regional and central government levels. However, this framework is generally not a hierarchy. The LRF is not subordinate to the Regional Resilience Forum (or Welsh Resilience Forum), which in turn is not subordinate to central government. Direction and

support should flow in both directions. For example, LRFs may pass issues with wider strategic implications up to the regional forum, which may in turn pass them up to the central level. Likewise, requests for information or planning work or advice may be cascaded downwards.

Making the LRF process work in practice

Process

2.46 The LRF itself is a strategic co-ordinating group. It matches, in the anticipation, prevention and planning phases, the Gold group usually established by the police during the response and recovery phases of an emergency. (The configuration of the Gold group during the response and recovery phase, including how it builds on the LRF, is set out in *Emergency Response and Recovery*.) It also reflects the key principle of UK civil protection arrangements that the initial response to most emergencies is delivered at the local level.

2.47 Because of its importance, the LRF should attract a sufficiently senior level of representation. For example, local authority representatives should be at chief executive or deputy chief executive level, and police representatives should be chief constables or their deputies. Because the discussions are strategic, the LRFs should meet relatively infrequently and the meetings should be thoroughly prepared so that the time of senior officers is used well.

2.48 It is critically important that the co-operation process is well organised and achieves its aims. The meetings should have a clear agenda and papers should be circulated sufficiently in advance to allow for proper discussion. A clear record of meetings should be kept, and minutes circulated promptly.

2.49 Regardless of the way in which organisations are represented in the LRF process, all papers should be copied to all Category 1 and 2 responders in the LRF area (and any standing members of the LRF which are not Category 1 or 2 responders). This will allow Category 1 and 2 responders to make the right decisions about participation, and for non-attending bodies to be properly engaged in the LRF process.

²⁷ regulation 6

²⁸ Part 10 of the Regulations

²⁹ regulation 2

Leadership

2.50 There are two aspects of leadership: chairing the forum and supporting its work.

2.51 The task of chairing the meetings does not necessarily need to fall to a particular Category 1 responder. Traditionally, in many areas, this role has fallen to the police – and the matching of the LRF boundary to police boundaries reflects the police's co-ordinating role in many types of emergency. Even so, there is no requirement on the LRF to follow this procedure. The choice of chair is a matter for local determination.

2.52 A number of broad principles should determine the choice. The chair should be able to:

- take on the job on a permanent basis;
- speak with authority about the forum area (because their organisation covers the whole area or a critical part of it);
- speak with authority about civil protection issues because of involvement in strategic-level exercises and other events; and
- commit sufficient time to prepare fully for the forum meetings.

2.53 The chair will also be the lead point of contact for some of the information cascaded down from the regional and national levels.

2.54 The secretariat support role is crucial in ensuring that the LRF performs effectively. This role is also one that can fall to any of the member bodies. However, the expectation is that a local authority (or a number of local authorities working together) will take on this role. It includes a number of key tasks:

- fixing the dates of meetings;
- agreeing the agenda and attendance with LRF members;
- organising the production of any discussion papers and presentations that the LRF has deemed necessary;
- briefing the chair;
- taking the minutes of the meeting;
- following up matters arising and action points;
- disseminating papers before and after the meeting to both Category 1 and 2 responders in the area (and other bodies which are part of the LRF);
- ensuring that meetings of the various LRF subgroups (see paragraphs 2.59 to 2.63 below) are:

- effectively organised and recorded; and
- scheduled to fit with the meeting cycle of the strategic LRF group; and
- ensuring that relevant matters from these subgroups' proceedings are brought to the attention of the strategic group.

2.55 The task of providing secretariat support to the LRF may fall to a single organisation, or – particularly given the probable number of subgroups – to several working together. In some cases, it may be appropriate for the chair's own organisation to provide the administrative support. Again, a number of principles should help to determine the choice of secretariat. Those taking up the task should:

- be able to take on the job on a permanent basis;
- be of a level of seniority or competence to support the chair at meetings of the strategic-level forum;
- have the back-up of an administration team within their organisation or from a partner body which, as necessary, can produce and circulate documents quickly; and
- be competent to organise, or to support, officers from other organisations, or their own, administering the work of the subgroups.

2.56 Regardless of the individuals and organisations which take on the chair and secretariat functions, it is vital they build a close working relationship.

Additional tasks

2.57 Over and above the statutory obligations set out in paragraph 2.7 above, the LRF process can also deliver a number of useful additional outcomes.

These include:

- sharing, wherever appropriate, of lessons learned from emergencies and exercises in other parts of the UK and overseas, and making sure those lessons are acted upon to improve arrangements where relevant;
- consideration of policy initiatives in the area of civil protection from regional and central government and all other relevant sources, with Regional Resilience Teams acting as one of the principal conduits for information; and
- a place within the formal civil protection framework for organisations that have an important role in civil protection but are not captured by the duty as Category 1 or 2 responders, for example voluntary organisations, Control of Major Accident Hazards

Regulations (COMAH) operators or other private businesses.

2.58 These useful outcomes are reflected in the model terms of reference attached at Annex 2A.

Subgroups

2.59 The time constraints on the main LRF and the strategic level of their discussions are likely to necessitate the formation of subgroups. These groups will operate at the middle management level, with Category 1 and 2 responders represented by individuals usually employed solely or in part to work in the field of civil protection. On the one hand, they will often take forward action points from the main LRF and discuss specialist civil protection topics in the necessary detail. On the other, they will 'feed up' matters for information, decision or endorsement by the strategic group.

2.60 Decisions about the number and composition of subgroups should be made locally. Nevertheless, there are several examples of subgroups that might be useful:

- **General working group:** This group would replicate the broad membership of the LRF and discuss in advance and in more detail proposals to be taken to the strategic group for their decision or endorsement. It would provide a process at the 'working level' through which multi-agency planning could be delivered. For example, this group would work on multi-agency emergency plans, training and exercising programmes.
- **Risk group:** This group would lead the work to develop and maintain the multi-agency Community Risk Register.
- **Capabilities groups:** These groups would lead the work to develop generic capabilities within the overall generic planning framework. For example, groups might be created on dealing with fatalities, or site clearance, or decontamination.
- **Area groups:** These groups would be established on the basis of administrative areas underneath the LRF area. For example, a large police area might be made up of a number of counties. Each county could have its own area group. Membership would be determined locally, but it would probably be local authority-led and cover the generality of civil protection issues.
- **Responder groups by sector:** These groups would bring together all the organisations of a

particular type within an LRF area. Examples include a local authorities group, an NHS group, a maritime group, a utilities group, a transport group, a business group or a voluntary sector group.

- **Specialist groups:** These groups would bring together organisations with an interest in a particular aspect of civil protection. Examples include chemicals, exercises, events, welfare support for victims, media relations or chemical, biological, radiological and nuclear hazards (CBRN).
- **Existing standing groups:** In many areas, some groups will already exist to deliver certain aspects of civil protection, for example local search and rescue committees, flooding and environment groups (part of the National Contingency Plan for Marine Pollution). Category 1 responders may agree that the most appropriate way for these groups to operate will be as formal subgroups within the LRF structure.
- **Project groups:** These groups would be formed on an ad hoc, temporary basis to bring together Category 1 and 2 responders to develop a multi-agency approach to a particular short-term priority. Examples include a particular multi-agency exercise, a specific large public event, or an urgent and unforeseen new planning requirement.

2.61 Subgroups should only be established with the approval of the LRF. Care should be taken to ensure that the number of subgroups is kept to a reasonable level, and that each has a clear purpose connected to the overall strategic priorities set by the LRF. Particular care should be taken when proposing groups which might be expected to be mainly made up of Category 2 responders or other organisations engaged in response not covered by the Act.

2.62 Although the aim of the LRF is to ensure co-ordination between the main organisations undertaking civil protection work within a given police area, it is unlikely to be possible to bring every single Category 1 and 2 responder around one table. On the one hand, there are standing arrangements for, say, COMAH sites or nuclear power stations which lie outside the Act. On the other, there are fixed sites or planned events which require detailed arrangements, where it is not appropriate to bring all the parties to a general forum, since most of the business will not be relevant to them. Examples of this type of standing or temporary group include those for airports, sports stadiums, town and city centres, festivals and

concerts. The important consideration is that the LRF should receive reports from those of its members involved in the activities of these separate emergency planning groups, not that they be drawn directly under its umbrella. Some formal relationship with existing standing groups may be sought, though. A formal relationship with relevant existing standing groups which do not themselves become part of the LRF structure should be established and maintained.

2.63 LRF members who do not attend the main group (whether because they are effectively represented by another Category 1 responder or because they are Category 2 responders who do not routinely attend under the 'right to attend, right to invite' principle) should be encouraged to take part in the subgroups. Membership of these should be open to all responders, including both Category 1 and Category 2, as appropriate. However, representation at this level is also permitted.

Representation at the LRF

2.64 This section looks at how participation in the LRF process is likely to be organised in practice for different classes of organisation. The descriptions below are guides rather than definitive structures, and will need to be tailored to reflect local circumstances. But they do represent what Category 1 and 2 responders have indicated as reasonable expectations at the local level.

Category 1 responders

2.65 Local authorities play a critical role in civil protection. They have a wide range of functions which are likely to be called upon in support of the emergency services during an emergency, including key statutory responsibilities such as environmental health, housing, social services and highways. As the response phase comes to an end, the impact on the community becomes a key issue. At this stage, the recovery phase, the local authority is likely to take the lead co-ordination role as part of its wider community leadership responsibility.

2.66 Each local authority retains the right to attend the LRF. But it may not be practical for every local authority in any given LRF area to be a member of the full LRF. Despite their legal autonomy and individual approaches to civil protection, it will

probably make sense for local authorities to find ways of nominating one or more of their number to act as effective representatives on the LRF. The new duty should ensure a greater consistency between them that will support sound representation.

2.67 Police forces co-ordinate the response to most emergencies on land. Their key role in co-ordinating response is based not only on the need to protect the scene for emergency workers and vehicles and preserve evidence of a potential crime; the police are also often expected to co-ordinate information to the public about the emergency, including dealings with the media. This strong presence in co-ordinating response has meant that the police are often called upon to co-ordinate multi-agency policy work at the strategic level as well.

2.68 As the LRFs have been based by definition on police areas, there will be a single local police force member for each LRF. Each police force will have a single representative, though it may have a second if it has taken on the role as chair.

2.69 The **British Transport Police** (BTP) plays a role akin to local police forces, albeit in a more specialist and limited environment. It takes responsibility for the management of incidents on the rail network and at train stations.

2.70 In most LRFs, the local police force will represent the BTP. The exceptions to this are likely to be those meetings where particular consideration is given to rail transport issues, including risk assessments and plans.

2.71 Fire and rescue authorities are key Category 1 responders. They have a pivotal role to play in the risk assessment and response to a wide range of emergencies, both fire and non-fire related. Their co-ordination role of fire and rescue generally is restricted to operations inside the inner cordon. Their expertise and equipment for dealing with chemical emergencies, including decontamination, and their search and rescue capabilities, give them a key role in multi-agency planning.

2.72 In many cases, the boundaries of the local fire and rescue authority will be coterminous with or very similar to the LRF area. It will generally be appropriate for the fire and rescue authorities to have a single representative. Any other fire and rescue authorities which also fall within the same LRF area will be most

efficiently represented by the lead authority, with that authority taking responsibility for keeping its colleagues informed of LRF deliberations.

2.73 Although a part of the NHS, the **ambulance services** have a distinct place within the multi-agency civil protection effort. As one of the emergency services, they are at the vanguard of emergency response.

2.74 If a number of ambulance trusts operate within the same LRF area, it will probably be appropriate to agree a lead trust (reflecting both the geographical coverage within the LRF area and commitments with other LRFs). In Wales, there is a single ambulance trust covering all four police areas.

2.75 The **National Health Service** (NHS) is a large and diffuse organisation. A range of NHS bodies are subject to duties under the Act, including Primary Care Trusts (PCTs), hospital trusts, local health boards (LHBs) and Strategic Health Authorities (SHAs).

2.76 The NHS should endeavour to have a single representative in the LRF process (in addition to the ambulance service), with this responsibility probably falling to a Strategic Health Authority (see paragraph 2.107), lead PCT or LHB. With a number of PCTs, SHAs or LHBs in each LRF area, a lead organisation should be agreed (reflecting both the geographical coverage within the LRF area and commitments with other LRFs).

2.77 Notwithstanding its close links with the NHS, the **Health Protection Agency** (HPA) should be represented separately.

2.78 **Port health authorities** are concerned with the prospect of human, animal and crop diseases being imported into the UK at seaports and airports.

2.79 Port health authorities are unlikely to be directly represented on the LRF. Generally, they will be represented by the local authority or (in some circumstances) the HPA. Like the BTP, they will be expected to attend the LRF meetings when issues relating to their functions are discussed.

2.80 The **Environment Agency** has responsibilities for environmental protection in England and Wales and as such plays an important supporting role in planning for and responding to emergencies. In particular the Environment Agency has a key role in relation to flooding, where it is the lead agency for

warning those at risk and maintaining and improving flood defences.

2.81 The Environment Agency has eight regions and 26 operational areas across England and Wales and will be directly represented by the Environment Agency area in which the LRF area is located. Should the LRF fall across an Environment Agency area boundary, the Environment Agency has agreed to nominate a lead area and thus a single representative.

2.82 The Environment Agency will be represented by the area manager or nominated deputy from the lead area and will provide advice and information on all aspects of the environment for which the Agency has a statutory responsibility.

2.83 The **Maritime and Coastguard Agency** (MCA) is responsible for the initiation and co-ordination of civil maritime search and rescue within the UK Search and Rescue Region, and as such is an emergency service. This role is described in the *Search and Rescue Framework for the United Kingdom of Great Britain and Northern Ireland*.

2.84 The MCA also leads the response to maritime pollution incidents in the UK Pollution Control Zone. It manages a multi-level plan, the *National Contingency Plan for Marine Pollution from Shipping and Offshore Installations*, for co-ordinating responder organisations dealing with pollution at sea or on the coast.

2.85 The MCA will be required to take part in the LRF process only in those areas where the MCA operates. Its regional and area boundaries do not coincide with coastal police areas. It will usually be represented at each relevant LRF by a nominated operations manager from the area concerned. These operations managers will be able to provide advice and information on all maritime emergency response matters.

Category 2 responders

2.86 **Electricity distributors and transmitters** are covered by the Act. During an emergency affecting electricity supplies, the companies retain control of their operations and have to meet their obligations as prescribed by the regulator. It is crucial that their planning arrangements be understood by the Category 1 responders, and vice versa, and that there be a free flow of information between them.

2.87 Electricity companies operating within a given LRF area may attend the main LRF group on the basis of 'right to attend, right to invite'. They are likely to be represented by one of their number, who will report back to them.

2.88 Gas distributors are covered by the Act. Currently, Transco is the main company affected by the Act but this may change over time. During an emergency affecting gas supplies, the company retains control of the operation and has to meet its obligations as prescribed by the regulator. It is crucial that its planning arrangements be understood by the Category 1 responders, and vice versa, and that there be a free flow of information between them.

2.89 Planning in relation to oil and gas pipelines is covered by the Pipelines Safety Regulations. These arrangements, including exercises, are likely to be reported to the LRF.

2.90 The main gas distribution company in an area may attend the main LRF group on the basis of 'right to attend, right to invite'. It may act as a representative for other gas distributors, and report back to them.

2.91 Water and sewerage undertakers. During an emergency affecting water or sewerage, the companies retain control of their operations and have to meet their legal obligations. It is crucial that their planning arrangements be understood by the Category 1 responders, and vice versa, and that there be a free flow of information between them.

2.92 In many cases there will be one water company operating within an LRF area. It will attend the main LRF group on the basis of 'right to attend, right to invite'. Where there is more than one company, they may be represented by one of their number, which could report back to them.

2.93 Telephone service providers, fixed and mobile. There are many providers of landline services. There are five mobile telephone operators, each organised on a national basis. During an emergency affecting fixed or mobile telephone supplies, the companies retain control of their operations and have to meet their obligations as prescribed by the regulator. It is crucial that their

planning arrangements be understood by the Category 1 responders, and vice versa, and that there be a free flow of information between them.

2.94 Fixed-line and mobile companies operating within a given LRF area may attend the main LRF group on the basis of 'right to attend, right to invite'. They are likely to be represented by one of their number, which will report back to them.

2.95 Railway operators. Responsibility for operation and maintenance of the railway track rests currently with Network Rail. There are a number of train operating companies, organised on a national and regional basis and dealing with passengers and freight. During an emergency affecting the railways, the companies retain control of their operations and have to meet their obligations as prescribed by the regulator. Network Rail and some train operating companies are also responsible for operating mainline stations. It is crucial that these planning arrangements be understood by the Category 1 responders, and vice versa, and that there be a free flow of information between them.

2.96 Freight train operators will in most cases be represented by Network Rail. In some instances it may be appropriate for passenger train operating companies to be represented by Network Rail.

2.97 Airport operators. Not every LRF area will have an airport within it. And not every airport will be subject to the obligations. Only "relevant airport operators" are covered by the Act. "Relevant airport operators" are defined as those with an annual throughput of at least 50,000 passengers or 10,000 tonnes of freight.³⁰

2.98 During an emergency affecting an airport, the airport retains control of its operations and has to meet its obligations as prescribed by the regulator. It is crucial that its planning arrangements be understood by the Category 1 responders, and vice versa, and that there be a free flow of information between them.

2.99 Each airport is likely to represent itself directly in the LRF process, either at the main group or at a relevant subgroup.

³⁰ regulation 3

2.100 Ports. Not every LRF area will have a port within it. And not every port will be subject to the obligations. “Relevant harbour authorities” are defined as those with an annual throughput of at least 200,000 passengers or 1.5 million tonnes of freight.³¹ During an emergency affecting a port, the harbour authority retains control of its operations and has to meet its obligations as prescribed by the Secretary of State. It is crucial that its planning arrangements be understood by the Category 1 responders, and vice versa, and that there be a free flow of information between them.

2.101 If more than one relevant harbour authority operates within an LRF area, they are likely to nominate a lead operator to attend either the main LRF group or a relevant subgroup. This role may be taken on by a representative of the British Ports Association.

2.102 The **Highways Agency** is responsible for managing the major roads network, including both maintenance and management of traffic on those roads. In any local area, the Highways Agency is likely to be responsible for motorways and some of the A-roads. The Agency will have a particular interest in partnership with the police, responding to certain incidents and dealing with any recovery issues where appropriate on their roads, with the primary aim of getting road users moving again as quickly as possible.

2.103 The Highways Agency is an English body and an executive agency of the Department for Transport, divided into a number of operational areas covering the strategic road network. The Highways Agency may attend the main LRF group on the basis of ‘right to attend, right to invite’.

2.104 The **Health and Safety Executive (HSE)** has a crucial role to play in certain aspects of the LRF process. In particular, the HSE has a significant input to make in the assessment of risk, and the development of the Community Risk Register. The HSE also has a role in relation to offshore oil and gas installations.

2.105 The HSE may attend the main LRF group on the basis of ‘right to attend, right to invite’.

2.106 Strategic Health Authorities (SHAs) have an important co-ordination role in relation to contingency planning. SHAs are the local headquarters of the NHS in England. As such they are able to mobilise and commit resources across the authority area and are responsible for co-ordination of health services in the event of an emergency. All NHS organisations – including Primary Care Trusts and Acute Trusts – are part of a single structure and are accountable through the SHAs. As part of their role they are responsible for leading local strategic planning, and ensuring that local plans are consistent with NHS guidance and other relevant legislation and guidance.

2.107 SHAs also act as a liaison point with other partner organisations outside the NHS and in many areas may represent NHS bodies (except for Ambulance Trusts) on the LRF. SHA boundaries are not necessarily coterminous with LRF boundaries. Where there is more than one SHA in a given local resilience area, neighbouring SHAs may enter into agreements for one of them to be the “lead SHA” to effectively represent others.

Other co-operating bodies

2.108 Regional Resilience Teams (RRTs) and the **National Assembly for Wales (NAW)** are responsible for ensuring that there is good two-way communication between Category 1 responders and central government, that planning is co-ordinated where necessary and that Category 1 responders have the support they need. RRTs and NAW need a full understanding of the work of LRFs, not least because of the requirement to develop plans for emergencies beyond the local level.

2.109 RRTs and NAW can be expected to be standing members of the LRFs in their area. They will generally attend only as observers, though they will be able to add value in a number of ways, including offering advice on the national and regional pictures, and encouraging cross-boundary working and the sharing of best practice.

³¹ regulation 3

2.110 The **armed forces** do not play a permanent role in local civil protection. They can, however, under exceptional circumstances, provide an element of the support central government can provide to Category 1 responders when responding to a disaster or emergency. They also play an important part in certain specific scenarios such as search and rescue (including mountain rescue) and explosive ordnance disposal. It is important that Category 1 responders establish close links with the armed forces in their area. Through the medium of LRFs (and Regional Resilience Forums), Category 1

responders will develop a greater understanding of how the armed forces might support a response to an emergency. It is therefore important that the Regional Brigade is represented at the appropriate level on LRFs.

2.111 The **voluntary sector** is organised nationally and locally. It has a key support role to offer the emergency services during emergencies and, in certain circumstances such as rescue at sea, an operational role. Further detail on the voluntary sector's work is set out in Chapter 14.

LRF membership – an example

This example is not intended to present a definitive picture of what an LRF should look like. Decisions about membership should be taken locally. But it does give a flavour of the size and spread of membership which local responders should aim for.

Reflecting the key role of the police in local civil protection, the Chief Constable of the local police force is in the chair.

Category 1 responders have agreed between themselves a standing membership of the LRF, striking a balance between representing the key sectors and maintaining a manageable group:

- Assistant Chief Constable (Operations), local police force
- Chief Executive, County Council
- Chief Executive, District Council
- Chief Fire Officer, local Fire and Rescue Service
- Chief Ambulance Officer, lead ambulance trust
- Chief Executive, lead PCT/LHB/SHA
- HPA representative
- Area Manager, Environment Agency
- Area Operations Manager, MCA

In addition, the range of issues for discussion at the meeting in question has prompted the attendance of a number of Category 2 responders:

- Electricity and gas representatives
- Emergency planning manager, local water company
- Representative from Network Rail
- Area manager, Highways Agency
- Representative from HSE

At the meeting in the example, there are no representatives of the Telecommunications sector because no relevant issues are on the agenda.

Furthermore, the LRF has three additional standing members which are not Category 1 or 2 responders:

- Appointed representative of the Regional Brigade Commander
- Regional Resilience Director, Government Office
- A representative of the British Red Cross, who sits on the LRF's Voluntary Sector Subgroup

The secretariat to the LRF is provided by the Emergency Planning Unit of the County Council, with the Chief Emergency Planning Officer at the table as Secretary to the LRF.