

POLICY NOTE

THE CIVIL CONTINGENCIES ACT 2004 (CONTINGENCY PLANNING) (SCOTLAND) AMENDMENT REGULATIONS 2013

SSI 2013/247

The above instrument was made in exercise of the powers conferred by sections 2(4) and (5) and 17(6) of the Civil Contingencies Act 2004. The instrument is subject to negative procedure

Policy Objectives

The instrument makes minor changes to The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005 in order to rename and consolidate the partnership groupings through which Scotland's Category 1 responder organisations (Police, Fire, Ambulance, Health Boards, Local Authorities and SEPA) meet together in order to plan for emergencies requiring a multi-agency response. The previous 8 Strategic Co-ordinating Group (SCG) areas were based on the 8 police and fire service boundaries that ceased to exist on 1 April 2013. The instrument will establish three Regional Resilience Partnership (RRP) areas in Scotland – North, East and West, to facilitate multi-agency planning, response and recovery. These areas are based around arrangements established by Police Scotland and the Scottish Fire & Rescue Service to support strategic management of local activity. Local authority areas are used as the building blocks for the RRP areas – ensuring that no Local Authority area is split between RRP areas. The instrument has no impact on the underlying policy of the Civil Contingencies Act 2004 – the organisations designated as Category 1 responders and the duties placed on those organisations are unchanged.

Consultation

Considerable consultation has taken place with those involved in this amendment. Direct discussions were held with all 8 existing SCGs over the course of 2012. The Scottish Government reached an early view that it should not dictate a decision in this area – rather it would be guided by the responder agencies in membership of the SCGs. A decision to move to the 3-area structure was agreed by the Chairs of all 8 existing SCGs and by the Resilience Advisory Board for Scotland (which contains senior representation from all the category 1 responder sectors outlined above) in November 2012. It was agreed to delay the introduction of the arrangement until after the introduction of Police Scotland and the Scottish Fire and Rescue Service in April 2013. Since the decision to move to 3 RRP areas was agreed all responder agencies have been involved in arrangements to ensure that their introduction is well-managed. Project groups were established in each of the 3 areas to ensure an effective transition and the process has been overseen by the Chairs of the current SCGs and by the Resilience Advisory Board for Scotland. Public consultation was not considered necessary as this change has no impact on the activities that responder organisations are required to carry out to fulfil the duties of the 2004 Act – the change is administrative.

Section 14 of the 2004 Act requires Scottish Ministers to consult UK Ministers on any regulations made under the 2004 Act (and vice versa). Whilst policy in this area is fully devolved the provision ensures that all parts of the UK are aware of the current arrangements

across the country. Appropriate consultation has taken place with Ministers at the Cabinet Office

Impact Assessments

The screening process for an equality impact assessment was completed as part of the policy development process. Following consideration (and in view of the administrative nature of this change) it was concluded that the instrument would have no impact on equality issues – a detailed equality impact assessment has not, therefore, been completed in this case

Financial Effects

The Cabinet Secretary for Justice confirms that no BRIA is necessary as the instrument has no financial effects on the SG, local government or on business.

Scottish Government
Safer Communities Directorate

August 2013