



Eich cyf/Your ref: MCO/0900  
Ein cyf/Our ref: MA-L/FM/0283/17

Rt Hon Damian Green MP  
First Secretary of State and Minister for the Cabinet Office  
Cabinet Office  
70 Whitehall  
London SW1A 2AS

23 June 2017

Dear Damian,

**DEVOLVING EXECUTIVE POWERS UNDER FUNCTIONS UNDER PART 1 OF THE  
CIVIL CONTINGENCIES ACT 2004**

I wrote to your predecessor on 10<sup>th</sup> April to express my disappointment to his decision not to transfer any funding to accompany the transfer of the above executive functions on the grounds that no significant costs had been incurred in the provision of the current arrangements for Wales by the UK Government. This clearly demonstrates that the UK Government has done little in exercising its powers to monitor performance of the civil protection duties in Wales even though the Wales Audit Office report in 2012 concluded that the implementation of the Act has been inconsistent and that responders are not effectively monitoring their activities. It is with this in mind that our Public Accounts Committee recommended that Welsh Ministers should have a statutory duty to monitor the performance of devolved responder agencies.

I stated in that letter that I had asked officials to make a full assessment of the financial commitment required by the Welsh Government to exercise these functions before making a decision on how this matter should be taken forward. This assessment would be based on the staffing resource required to effectively monitor how devolved services are complying with the duties under the Act and deliver relevant support whilst also providing appropriate resource to develop and maintain statutory and non-statutory guidance similar to Scotland.

Officials have now completed their review of how the requirements of the Act are met across the four nations and have considered an appropriate model for Wales based on these findings. It is anticipated that to exercise these functions effectively in Wales alongside other commitments in resilience will cost in the region of £360k per annum. These proposals not only cover the cost of additional staff resources to fully monitor compliance of devolved responder agencies but resources to lead on policy development and ensuring guidance and regulations are more appropriate for Wales.

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Canolfan Cyswllt Cyntaf / First Point of Contact Centre:

I&S

**Irrelevant & Sensitive**

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

It goes further, as the additional staff resources will also be used to lead on cyber resilience, develop Welsh Government response arrangements to cyber incidents, co-ordinating cyber resilience planning across public services and to help co-ordinate the use of the cyber funding being made available by the UK Government. The resources will also be used to lead on counter-terrorism issues in Welsh Government and to work with partner agencies in maintaining the momentum of counter-terrorist planning from Exercise Red Kite and to take forward an extensive programme of doctrine development, policy, training and exercising.

The three areas of civil contingencies, cyber and counter-terrorism are all reserved matters. I believe the cost of £360k per annum to support the delivery of these reserved responsibilities for the UK Government in Wales is reasonable; particularly in the context of your Government committing £1.9 billion towards the threat of cyber alone. Whilst I have agreed in principle to accept the transfer within the general Transfer of Functions Order under the Wales Act, it remains necessary that the UK Government should make a transfer of funding to appropriately resource the work which needs to be taken forward in Wales.

I therefore urge you to reconsider the position of your predecessor and agree to provide a transfer of funding to meet these costs.

I am copying this letter to the Secretary of State for Wales.

Yours sincerely

**Personal Data**

**CARWYN JONES**