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NSC (THRC) (R) (O) (17) 1st Meeting

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CABINET

**NATIONAL SECURITY COUNCIL (THREATS, HAZARDS, RESILIENCE AND
CONTINGENCIES);
OFFICIAL COMMITTEE ON RESILIENCE**

MINUTES

**MINUTES of a meeting held in Main Meeting Room, Lower Ground Floor, 10 Victoria Street
On 21 March 2017 at 14:00**

PRESENT

Katharine Hammond
CABINET OFFICE
In the CHAIR

Name Redacted
Home Office

Sara Skodbo
Home Office – Office for Security and Counter
Terrorism

Polly Scully
Ministry of Defence

Mark Prouse
Department for Business, Energy and
Industrial Strategy

Clair Baynton
Department of Health

Name Redacted
Department for Communities and Local
Government

Name Redacted
Department for Communities and Local
Government

Andy Gregory
Department for Transport

Name Redacted
Department for Environment, Food and Rural
Affairs

Name Redacted
Department for International Development

Gervase Hood
Scotland Office

Name Redacted
Welsh Government

Name Redacted
Scottish Government

Name Redacted
Government Office for Science

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Name Redacted

Met Office

Nick Searle
Chief Fire Officers Association

Name Redacted

CPNI

Paul McCloghrie
Cabinet Office

Name Redacted

Cabinet Office

Name Redacted

Cabinet Office

Name Redacted

Health and Safety Executive

Name Redacted

JTAC

Name Redacted

Cabinet Office

Peter Tallantire
Cabinet Office

Name Redacted

Cabinet Office

Carol McCall
Cabinet Office Communications

ALSO PRESENT

Name Redacted

Department for Exiting the EU

Name Redacted

Department for Exiting the EU

SECRETARIAT

Naomi Roberts
Cabinet Office

Name Redacted

Cabinet Office

APOLOGIES

Alistair Whitehead
Number 10

Name Redacted

Department for Culture, Media and Sport

Charlie Hall
National Police Chiefs' Council

Table of actions

No	Action	Owner	Completion Date
1	To work with capability and risk owners to develop the Resilience Capabilities Programme dashboard, and a detailed methodology for collecting and combining data.	CABINET OFFICE	Next meeting
2	To identify opportunities to examine whether the legislative basis for civil contingencies planning is fit for purpose and start gathering evidence.	CABINET OFFICE	Next meeting
3	To bring to the attention of CCS any ongoing or planned activities that may be able to contribute information to the review of civil contingency legislation.	ALL	Next meeting
4	To highlight to CCS whether there is existing practice or known concerns with the current legislation that are likely to merit particular examination.	ALL	Next meeting
3	To ensure resilience is brought into ongoing sector analyses of the impacts of Brexit	ALL	Ongoing

1. Minute of last meeting and actions arising

- The CHAIR welcomed all to the meeting. The previous minutes were agreed with no additional comments. The CHAIR confirmed that all actions from the previous meeting are ongoing, complete or to be discussed during the meeting, with the exception of the following actions:
 - Action 5 '*To present the programme of work emerging from the lessons of exercise CYGNUS as a substantive item at the next meeting*': The CHAIR informed the committee that this action had been overtaken by the outcome of the recent NSC (THRC) meeting. See item 2 below.
 - Action 6 '*To update the committee on the RED redesign at the next meeting*': The DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT informed the committee that they were continuing to consider redesign plans with a focus on improving local readiness and recovery, looking at how LRFs and Departments work together, recognising the prevailing financial constraints. The Department intends to facilitate cross-departmental discussions in the coming months
 - Action 8 '*To update the exercising paper to reflect the accuracy issues raised and convene a working group to agree exercising priorities*': The CABINET OFFICE informed the committee that the paper had been updated and that a working group would be convened soon to bring National Security Secretariat and departments with a resilience interest together to look at making smarter use of exercising resource and capability.

2. Issues arising from the NSC (THRC) meeting

- The CHAIR gave the committee an overview of the NSC (THRC) meeting, the first of its kind in several years. The CHAIR indicated that the meeting gave Ministers a greater awareness of

the very high priority risks in the National Risk Assessment (NRA), in particular pandemic influenza, and highlighted the actions arising from the meeting:

- The Department of Health and the Cabinet Office's Civil Contingencies Secretariat should take forward the programme of work as described, working with relevant departments, to include:
 - a draft Pandemic Influenza Bill;
 - scalable options for dealing with excess deaths;
 - work on the implications (including legal) of differential decision-making across the UK; and
 - consideration of what more radical measures to control transmission might be effective and support departments in fulfilling their responsibility for the resilience of the sectors they represent to the risk of pandemic influenza.
- The Minister for the Cabinet Office should consult with moral leaders and consider what role they might play during an actual pandemic. Action Department: Cabinet Office with Department of Health, Communities and Local Government and other relevant government departments.
- Working with junior ministerial colleagues, within the auspices of NSC (THRC), the Minister for the Cabinet Office should establish a programme to explore preparedness for the remaining groups of the highest risks without an established review process within the existing committee structure. Action Department: Cabinet Office with contributions from the relevant government departments.

3. The CHAIR thanked members around the table for their input during preparation for the meeting and welcomed the pan-Whitehall consensus achieved. The CHAIR highlighted that the next item, assuring our preparedness for civil emergencies, would address the third of the actions arising from the NSC (THRC) meeting.

3. Assuring our preparedness for civil emergencies

4. The CABINET OFFICE presented a proposal for an enhanced Resilience Capabilities Programme (RCP) bringing together assurance of preparedness for the common consequences of civil emergencies and assurance of bespoke planning for the very high priority risks in the National Risk Assessment (NRA).
5. The intention is that activity of the RCP will periodically be summarised in a Resilience Capabilities Report that will sit alongside the NRA and the National Resilience Planning Assumptions to complete the picture of risk, consequence and preparedness.
6. The CABINET OFFICE said that this programme would complement existing assurance activities already in place, collating their output into one place.
7. The CABINET OFFICE proposed a dashboard which would provide an accessible overview of the status of response capabilities. The dashboard would seek to reflect information contained in sources such as departmental business plans, existing assurance activities, events/circumstances and ministerial priorities. It would support cross-government discussions and, where necessary, agreement by this committee of priorities for more in-depth examination

of capability, captured in a rolling two year Capability Assessment Plan. The work to assess capability would still be owned by lead government departments or risk owners.

8. Information from the dashboard and capability assessments would be combined to inform cross-government discussions at this committee on where it is rational and appropriate to build capability. It would provide an opportunity to ensure that capability building efforts are coordinated and that there is a collective understanding of all capability building activity. This would be captured in a rolling two year Capability Building Plan. In common with the work to assess capability, the work to build capability would still be owned by lead government departments/risk owners.
9. The CABINET OFFICE highlighted the following benefits:
 - The programme would seek collective agreement and cross-government endorsement of priorities for capability assessments and capability building.
 - The programme would provide the ability to make meaningful comparisons of preparedness for different risks/planning assumptions.
 - The programme would deliver a more consistent and accurate method of describing capability gaps, which would support Ministerial decision making.
10. In the discussion the following points were made:
 - The DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS welcomed the proposals which would improve the ability to provide clear information to ministers. They asked what data the programme would require departments to produce. The CABINET OFFICE said that the next steps would be to work with departments and scientific experts to develop suitable metrics, avoiding duplication and ensuring that the dashboard will provide useful, relevant information.
 - The CHIEF FIRE OFFICERS ASSOCIATION asked for further information about how local responders would contribute information to the programme, and how the programme would provide information to local responders. The CABINET OFFICE said that the working assumption was that information gathering from responders would continue *via* existing channels. In due course it would consider whether to consult on proposals to produce a version of the Resilience Capabilities Report that would be at an appropriate security classification to be made available to the responder community.
 - In welcoming the proposals, the DEPARTMENT FOR TRANSPORT noted that it would be a challenge to devise a consistent approach to metrics; and that understanding the relative roles of lead departments and regulators would be critical.
 - The DEPARTMENT OF HEALTH welcomed the proposals and asked that it tie in with the existing assurance programme of NHS England and Public Health England.
 - The MINISTRY OF DEFENCE and HOME OFFICE – OFFICE FOR SECURITY AND COUNTER TERRORISM welcomed the proposals and asked that programme governance should coordinate with CONTEST governance. The aim of the work to raise standards and improve performance should be made explicit.
 - The HOME OFFICE welcomed the proposals. They advocated a methodology that would allow for discussions about reducing capability as well as increasing it, where appropriate.

11. The CHAIR welcomed the warm support from the committee for the proposals. The CHAIR concluded that it was important for Departments to highlight existing assurance activities.

Actions:

- The CABINET OFFICE to work with capability and risk owners to develop the dashboard, and a methodology for collecting and combining data.

4. Plans to ensure that the legislative basis for civil contingency planning remains fit for purpose

12. The CABINET OFFICE introduced plans to examine whether arrangements governing the way civil contingencies planning is carried out at local level remain fit for purpose. The review will only examine part 1 of the Civil Contingencies Act (CCA).
13. It is considered good practice to review legislation regularly. But the plan described here also satisfies a statutory requirement to examine, specifically, the impact that the CCA Regulations have on businesses in a Post Implementation Review.
14. The CABINET OFFICE highlighted that the statutory review requires consideration of:
- whether the aim of the legislation is still appropriate;
 - the extent to which those aims are being achieved; and
 - whether the aims could be achieved while imposing less burden on responders.
15. The CABINET OFFICE said that these considerations were useful and legitimate to apply to all responders. So rather than a narrow, business-focussed review, Cabinet Office had secured the agreement of the Minister for the Cabinet Office and the Regulatory Policy Committee to a broader approach.
16. The CABINET OFFICE said that a report of the Post Implementation Review of the Regulations would be laid before parliament at the end of March 2017 to meet the statutory deadline, but this would be only the preliminary part of the process. The report appraises our current knowledge and sets out questions to carry forwards into the rest of the review.
17. The CABINET OFFICE said that the process would adopt an outcome-focussed approach, determining what works well in practice and what could be improved. They said that with a likelihood of limited parliamentary time to make legislative changes, it would be more important than ever to find non-legislative solutions to any issues that are uncovered. Non-legislative means may also be more effective at changing practice and behaviour than legislative measures.
18. The CABINET OFFICE said that the results of existing stakeholder engagement activities that are relevant to these questions would be collated, rather than commissioning new activities. The two major activities identified so far were the Resilience Capabilities Survey and the work to develop a set of resilience standards. The Committee was invited to propose other relevant

stakeholder engagement exercises and to indicate any known areas where there may be a case for legislative change.

19. In discussion the following points were made:

- The DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS suggested that this would be an opportunity to raise the profile of recovery planning. The DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT added that there was currently no clear duty on recovery and that the resilience standards provided an opportunity to address this issue.
- The DEPARTMENT FOR TRANSPORT indicated that it would be helpful to consider the list of Category 2 responders and which organisations are included; and to consider the read-across to other relevant regulatory frameworks.

20. The CABINET OFFICE replied that the resilience standards would be the natural conduit to address the issues around recovery and would provide an opportunity to promote recovery planning.

Actions:

- The CABINET OFFICE to identify opportunities to examine whether the legislative basis for civil contingencies planning is fit for purpose and start gathering evidence.
- ALL to bring to the attention of CCS any on-going or planned activities that may be able to contribute information to this review.
- ALL to highlight to CCS whether there is existing practice or known concerns with the current legislation that are likely to merit particular examination.

5. Updates

Brexit update

21. The DEPARTMENT FOR EXITING THE EUROPEAN UNION updated the committee on the resilience impacts of exiting the European Union. They highlighted the following points:

- The migration advisory committee is examining the impact of Brexit on the availability of skilled workers.
- A dedicated team is examining the border and international supply chain implications of new customs rules and are aware of the importance this has to resilience.
- Work is underway to assess the impact of a UK withdrawal from data-sharing arrangements such as Interpol. The intention remains that existing data and intelligence sharing arrangements will continue.
- There has been no decision yet on the future of European Union Centres of Excellence such as the European Medicines Agency based in the UK.
- Brexit would present an opportunity for a new industrial strategy in respect to critical national infrastructure (CNI). National security and law enforcement negotiations will include resilience and CNI issues.
- The intention is for the Northern Ireland/Republic of Ireland border to continue to operate as it currently does, but issues around customs arrangements remain unresolved.

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- There is precedent for non-EU countries to have third party membership of the Civil Protection Mechanism, however the vehicle through which to do this remains unclear.
- There is a team within DEXEU looking at the potential repatriation of British nationals living within the EU.

22. The CHAIR thanked DEXEU for their update and invited them to attend future meetings.

Actions:

- ALL to ensure resilience is brought into ongoing sector analyses.

Threat update

23. The JOINT TERRORISM ANALYSIS CENTRE updated the committee on activity by extremist groups and the risk to the UK. The UK national threat level remained at SEVERE.

Hazard update

24. The CABINET OFFICE updated the committee on the current hazard picture. There were no indicators of any extreme weather events. There was an ongoing risk of sporadic cases of avian influenza across the UK. Although the number of outbreaks had been reducing, further cases cannot be ruled out. Defra and the Animal and Plant Health Authority's response arrangements were managing the situation well.

25. The CABINET OFFICE reported that threat of disruptive action by prison staff remained a risk and that further strike action in the rail sector is likely, with the ongoing disputes on Southern Rail, Northern Rail and Merseyrail on driver-controlled operation. There are also strikes planned by London Underground Night Tube drivers.

26. The CABINET OFFICE reported that a large supplier is due to enter contractual negotiations for fuel tanker drivers early in 2017, which may prompt strikes by fuel tanker drivers this summer. Extensive contingency plans are in place to maintain supplies for the likely strike period.

27. There are no significant international issues that could affect the UK or UK nationals at this time.

6. AOB and date of next meeting

28. No AOB was recorded. The date of the next meeting would be 20th June 2017.

**Cabinet Office
December 2017**