Cabinet Office

Chapter 12 Northern Ireland

Revision to *Emergency Preparedness*

Civil Contingencies Act Enhancement Programme

October 2011

Chapter 12 (Northern Ireland) of *Emergency Preparedness*, Revised Version

Summary

- Civil protection in Northern Ireland is largely a devolved matter, with functions being exercised by the Northern Ireland departments. Some functions are not devolved and are delivered in Northern Ireland by bodies that fall within the remit of the UK Government (*paragraphs 12.1-12.5*).

- The Civil Contingencies Policy Branch in the Office of the First Minister and Deputy First Minister promotes civil contingencies preparedness in Northern Ireland and maintains arrangements for strategic crisis management in serious and catastrophic emergencies (*paragraphs 12.13-12.14*).

- Sub-regional and local co-ordination is achieved by a variety of arrangements, including those involving the Police Service of Northern Ireland and the district councils (*paragraphs 12.23-12.24*).

- Some Category 1 and 2 responders in Northern Ireland are subject to Part 1 of the Act and the Regulations and guidance issued by UK Ministers - the Maritime and Coastguard Agency, and telecommunications providers (*paragraphs 12.1-12.5*). The Police Service of Northern Ireland is also a Category 1 responder and is subject to Regulations, directions and guidance issued by the Department of Justice in relation to certain emergencies (*paragraph 12.2*).

- The Northern Ireland Office has responsibility for national security matters. It maintains crisis management arrangements to govern the strategic response to such emergencies (*paragraph 12.7*).

- Arrangements are in place to ensure information exchange and co-ordination in the event of emergencies which cross the border with the Republic of Ireland (*paragraph 12.24*).

WHAT THE ACT AND THE REGULATIONS REQUIRE

12.1. The duties in the Act apply only to a limited number of organisations which deliver functions that are not transferred or which were not transferred at the time the Civil Contingencies Act 2004 was made. These organisations are:

- the Police Service of Northern Ireland (PSNI) (included as a Category 1 responder);
- the Maritime and Coastguard Agency (MCA) (included as a Category 1 responder); and
- telecommunications operators (included as Category 2 responders).

12.2. As these organisations do not represent the full spectrum of response agencies in Northern Ireland, the Regulations treat these organisations in a slightly different way. The following principles apply to those Category 1 and 2 responders which operate in Northern Ireland:

- The Regulations which relate to how individual Category 1 and 2 responders should perform their duties apply to Category 1 and 2 responders in Northern Ireland in the usual way, but with some adjustments for the Northern Ireland situation.
- The provisions which rely on bilateral co-operation between Category 1 and 2 responders apply to Northern Ireland.[1]
- The provisions in the Regulations relating to the Local Resilience Forum and its activities, including the production of a Community Risk Register, do not apply to Northern Ireland.
- Category 1 responders in Northern Ireland should have regard to the activities of other bodies in Northern Ireland that are engaged in civil protection (including Northern Ireland departments, the Northern Ireland Office, the Northern Ireland Ambulance Service and relevant utilities) and, where appropriate, may rely on or adopt those activities.[2]
- Category 1 responders in Northern Ireland may delegate their functions to, or exercise their functions jointly with, other bodies in Northern Ireland who are engaged in civil protection.

1 regulation 6
2 regulation 57, 58

- The Northern Ireland Department of Justice has the full range of Ministerial responsibilities in relation to the police's delivery of its duties under the CCA in relation to events or situations which threaten serious damage to human welfare and/or which threaten serious damage to the environment.[3] This Guidance therefore applies to the PSNI only in relation to emergencies arising from war or terrorism threatening serious damage to the United Kingdom. The Department of Justice in Northern Ireland may issue separate guidance for the PSNI in respect of other emergencies to which the Act applies.

12.3. In practice, the PSNI, MCA and telecommunications operators in Northern Ireland undertake their individual and co-operative duties under the Act, but relate to the other public service bodies listed in the Regulations[4] in line with the arrangements in the *Northern Ireland Civil Contingencies Framework,* and by participating in Northern Ireland co-operation, co-ordination and crisis management machinery.

12.4. The Northern Ireland organisations have a reciprocal requirement under the *Northern Ireland Civil Contingencies Framework* to co-operate with the PSNI, MCA and telecommunications operators in the discharge of their duties under the Act.

12.5. Chapters 2 to 8 explain in more detail how each duty under the Act is to be performed by Category 1 and 2 responders in Northern Ireland.

3 See sections 1(4A), 2(6) to (9) and 3(6) CCA as amended by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Schedule 3, paragraphs 94 to 977.
4 regulation 57

Civil contingencies in Northern Ireland

12.6. Civil contingencies are largely a devolved matter with responsibilities lying with Northern Ireland government departments. Overall policy and strategy co-ordination falls to the Office of the First Minister and Deputy First Minister (OFMDFM). The Northern Ireland Executive has oversight of civil contingencies arrangements for transferred functions.

12.7. The Northern Ireland Office has responsibility for national security matters. It maintains crisis management arrangements to govern the strategic response to such emergencies.

12.8. The lead government department principle applies in Northern Ireland where the lead Northern Ireland department is the department with day-to-day policy responsibility for the subject in question.

12.9. In Northern Ireland many functions which are delivered elsewhere in the UK by local authorities are delivered directly by Northern Ireland departments, or by their agencies or non-departmental public bodies (NDPBs). This means that some activities which in Great Britain are covered by duties under the Act are in Northern Ireland carried out under lead department arrangements.

12.10. Lead departments in Northern Ireland are broadly similar to those at the UK level in terms of roles and responsibilities. Details of lead departments can be found www.cabinetoffice.gov.uk/ukresilience. Information on Northern Ireland arrangements can be found in *A Guide to Emergency Planning Arrangements in Northern Ireland* www.ofmdfmni.gov.uk/aguidetoemergencyplanningarrangements.pdf

12.11. The Northern Ireland devolved administration or Northern Ireland Office (NIO), depending on the subject matter, is represented on the key committees and forums within UK central government relating to civil protection at both official and Ministerial levels. They work closely with UK departments to ensure Northern Ireland needs are catered for in UK planning and policy development.

12.12. In an emergency affecting Northern Ireland, the devolved administration will be involved because of its territorial role and its responsibilities for impact management, although lead responsibility will depend on the nature of the emergency and the devolution settlement.

The Civil Contingencies Policy Branch

12.13. The Civil Contingencies Policy Branch (CCPB) is located within the OFMDFM. Its role is to:

- co-ordinate information and advice to the First Minister and Deputy First Minister and the Executive on civil contingencies planning and policy;
- promote civil contingencies preparedness across NI departments through provision of information and guidance and maintenance of effective civil contingencies policies;
- facilitate co-ordination of contingencies preparedness across NI departments and the wider public sector when issues are cross-cutting;
- maintain the NI Central Crisis Management Arrangements (see Chapter 12 in *Emergency Response and Recovery*).

12.14. The CCPB provides information and expertise to planners within organisations and facilitates co-ordination of planning between organisations through formal and informal structures and dialogue. Its customers are primarily government

departments and agencies but the emergency services and other public service bodies are also engaged. The CCPB also represents Northern Ireland interests in policy discussions at UK and international levels.

Northern Ireland Civil Contingencies Framework

12.15. The Northern Ireland Civil Contingencies Framework sets out the principles of policy and practice which will be adhered to by Northern Ireland public service organisations in their civil contingencies activities. The principles in the Framework are derived from existing Northern Ireland arrangements and structures and from the underlying principles of the Act and other UK policies. The Framework is supported by guidance documents, including *A Guide to Emergency Planning Arrangements in Northern Ireland* www.ofmdfmni.gov.uk/aguidetoemergencyplanningarrangements.pdf and *A Guide to Risk Assessment* in Northern Ireland www.ofmdfmni.gov.uk/guide_to_risk_assessment_in_northern_ireland_-_january_2010-2.pdf

12.16. The Framework requires Northern Ireland public service organisations to co-operate with those organisations in Northern Ireland which have duties under Part 1 of the Act.

The Civil Contingencies Group, Northern Ireland

12.17. The Civil Contingencies Group, Northern Ireland (CCG(NI)) is a pan-Northern Ireland multi-agency forum for the development, discussion and agreement of civil protection policy for the Northern Ireland public services. In addition to its policy role, the CCG(NI) supports strategic co-ordination of emergencies as part of the Northern Ireland Central Crisis Management Arrangements in a serious or catastrophic emergency.

12.18. The CCG(NI) meets on a regular basis (at least two to three times per year) to review strategic issues. The CCG(NI) may also establish subgroups or working groups to deal with development of policy and good practice guidance on particular topics or areas of concern.

12.19. The specific functions of the CCG(NI) are to:

- undertake periodic review of civil protection policy in government departments and public bodies in Northern Ireland as appropriate, and will seek and gain agreement on policy principles and standards;
- maintain liaison among government departments, the emergency services, other key public service bodies and District Councils;
- disseminate information to and within member organisations on civil protection policy, current issues and risks and the response to emergencies; and will provide briefing on particular issues or emergencies;
- collect and collate the information necessary to inform policy development or the response to emergencies and provide briefing on particular issues or emergencies;
- establish standing or ad hoc sub-groups or working groups to develop policy for, or report on, particular issues or functions; and
- discuss and co-ordinate the non-emergency service responses to emergencies which require a multi-agency strategic approach but which do not require the attention of Permanent Secretaries or Ministers.

12.20. The group is chaired by a senior official from the OFMDFM. Its membership includes senior representatives from the bodies listed in Box 12.1.

Box 12.1: membership of the CCG(NI)

CCG(NI)	• Civil Contingencies Policy Branch (CCPB)	• Northern Ireland Fire and Rescue Service
	• 12 Northern Ireland departments	• Local Government Emergency Management Group (LGEMG)
	• Northern Ireland Office (NIO)	• Maritime and Coastguard Agency (MCA)
	• Executive Information Service	• Police Service of Northern Ireland (PSNI)
	• Food Standards Agency Northern Ireland	• Northern Ireland Ambulance Service

12.21. As well as representing their immediate organisations, members also represent the interests of associated regional, sub-regional and local public service organisations.

12.22. Various other co-ordination arrangements exist for planning and responding to specific situations. These are set up as needed by the key organisations involved. There are, for example, groups for flooding, overseas nuclear accidents and chemical, biological, radiological and nuclear issues.

Local arrangements

12.23. Co-ordination at the local level may be facilitated by a range of organisations, depending on the nature and outcome of particular emergencies. The PSNI and the district councils have key roles to play in co-ordination at local level.

Cross-border arrangements

12.24. At local level, the emergency services have arrangements for co-ordinating the response to incidents at, or near, the border. Other arrangements are in place for co-ordinating information and efforts in areas such as public health emergencies and the response to nuclear accidents. These arrangements supplement national-level arrangements for co-ordination and co-operation through agencies such as the European Union.

Further information

12.25. Further information can be found in the CCPB document *A Guide to Emergency Planning Arrangements in Northern Ireland*. This, and other documents on civil contingencies arrangements mentioned in this chapter, are available from the CCPB website.www.ofmdfmni.gov.uk/index/making-government-work/civilcontingencies.htm