



# Risk Assessment and Risk Planning Committee

## Corrected oral evidence: Risk Assessment and Risk Planning

Wednesday 19 May 2021

10.15 am

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Members present: Lord Arbuthnot of Edrom (The Chair); Lord Browne of Ladyton; Lord Clement-Jones; Lord Mair; Baroness McGregor-Smith; Lord O'Shaughnessy; Lord Rees of Ludlow; Lord Robertson of Port Ellen; Baroness Symons of Vernham Dean; Viscount Thurso; Lord Triesman.

Evidence Session No. 22

Virtual Proceeding

Questions 222 - 227

### Witnesses

**I:** Dr Fiona Twycross, Deputy Mayor for Fire and Resilience and Chair, London Resilience Forum; John Barradell OBE, Chief Executive, City of London Corporation and Deputy Chair, London Resilience Forum; Stuart Marshall, Chief Emergency Planning Officer and LRF Manager, Cleveland Local Resilience Forum; Chief Constable Rachel Swann, Chief Constable, Derbyshire Constabulary, and Chair, Derbyshire Local Resilience Forum.

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## Examination of witnesses

Dr Fiona Twycross, John Barradell OBE, Stuart Marshall and Chief Constable Rachel Swann.

Q222 **The Chair:** Good morning, and welcome to this session of the House of Lords Select Committee on Risk Assessment and Risk Planning. We have two sessions this morning: the first is with local resilience forums and the second is with volunteer groups. I welcome the witnesses for both sessions. To both sets of witnesses, let me say that we have a lot of stuff to get through, so do not feel that it is necessary to answer every question yourself, because one of the other witnesses may cover it completely. We hope to end the first session by 11.15 am.

For the first session, the witnesses are Dr Fiona Twycross, Deputy Mayor for Fire and Resilience and chair of the London Resilience Forum; John Barradell OBE, chief executive of the City of London Corporation and deputy chair of the London Resilience Forum; Stuart Marshall, chief emergency planning officer and local resilience forum manager in Cleveland; and Chief Constable Rachel Swann, of the Derbyshire Local Resilience Forum. Welcome to you all. Thank you very much for doing this.

I open the questioning by asking: in your view, is the Civil Contingencies Act 2004 fit for purpose? Do local resilience forums have adequate statutory footing?

Who would like to begin? Shall we start with you, Chief Constable Swann?

**Chief Constable Rachel Swann:** The Civil Contingencies Act 2004, with its associated guidance, was a really good, positive step forward in its day. It provided the statutory duties and footing for how category 1 and category 2 organisations plan emergencies and the parts they play in that. However, the world has moved on significantly since 2004, and we have had a number of events relevant to this. In the meantime, we have also had a series of cuts in public sector budgets, which has affected the extent to which, locally, we are able to do some of the work underneath it—particularly to what is available to local authorities to undertake their duties under the Civil Contingencies Act. At the moment, some of that funding is not ring-fenced, so what actually happens in each local resilience forum in relation to undertaking the purposes of the Act can vary immensely in the funding that is put towards it.

As to whether it is fit for purpose, and whether local resilience forums have adequate statutory footing, I believe there are some opportunities here. Putting local resilience forums on a more statutory footing, with clear expectations that are properly funded, would assist, I believe, in developing more robust partnerships at a local level. It would enable us to carry out some of our key functions; to plan and prepare for those greatest risks that we face locally; and to do so in a more consistent way and in a way that I think would better protect, prepare and deal with aspects of the Act.

**Dr Fiona Twycross:** I will start with whether the Civil Contingencies Act is fit for purpose. I agree with the chief constable that it needs refreshing to reflect the realities of today. It was essentially designed to deal with civil contingencies, mainly short-term emergencies, whereas the thinking has now moved to a broader resilience agenda. We are in the context of a situation in which a number of incidents have fallen to LRFs for planning and preparedness, which have required planning and response over a longer period of time—for example, Brexit no-deal planning and, not least, continually at present, Covid-19.

In some ways, it feels as if LRFs have become the default tasking mechanism in central government for anything that falls outside existing responsibilities or known routes for resolution. The Government need to determine, first, what they want LRFs to do, and then put them on the appropriate statutory footing.

For example, LRFs have really become the default go-to partnerships for wider responses that would not normally have fallen into the category of civil contingencies or emergency planning or response. I stress that partners are always ready to step up, but the current role of an LRF, in my view, is essentially to prepare, review and address new threats. In some ways, it seems appropriate to make sure that we have the resources to do that, while partners can also respond to events as they emerge.

I would also stress that I do not think that one size will necessarily fit all. In London, we carry higher risks as a capital city and a world city. We have a different structure from other areas. The mayor appoints the chair of the LRF, and we have borough resilience forums at a local level to manage and plan for local response. Whatever changes are made, whether or not this relates to changing the statutory footing for LRFs, we would be keen to see appropriate structures and resourcing in place. We do not think that one size fits all.

**Stuart Marshall:** Good morning. I concur with the previous speakers. The Civil Contingencies Act was a significant improvement at the time, but it has not kept pace with practice. We are finding that the expectation on LRFs has increased significantly. The process and means of doing it have increased, but resourcing possibly has not.

I would support the identification of the issue around LRFs having been designed as planning bodies. Increasingly, we are being called as responders, and being used as a response, or as a building block for response, at a local level. That is not currently reflected within the Civil Contingencies Act, and it raises questions around the training and the potential liabilities that might fall on someone who is taking on tasking around planning and suddenly finds themselves acting in a response function for a number of partners.

On the Act itself, there are some specific points on the identification of category 2 responders. Covid has highlighted a far greater range of partners than was originally envisaged. Members such as education,

higher education, the third sector and social housing providers have been absolutely essential to our response to Covid. Currently, they are not recognised within the Act. Some of the duties about information co-ordination and sharing have not applied to those agencies, and it is on best endeavours. If we were looking to review the Act, it would be good to tidy up some of those loose ends.

In the UK, there is a culture of making it work. I recognise Dr Twycross's point on maintaining local flexibility. Different areas have very different risk profiles, as I am sure Members will appreciate. I would be keen for some of the core principles behind the Act and the accompanying doctrine to remain; subsidiarity and co-ordination at the highest level is appropriate, but with decision-making at a local level.

There has been some discussion around regionalisation. There is definitely more that we can do as regions that is not currently recognised within the Act. As to decision-making, definitely at a lower level, we can act and adapt to the needs of our specific geographies.

**The Chair:** Local flexibility means variability of quality of response, I suppose. Mr Barradell, would you like to comment on everything that has been said so far?

**John Barradell:** Without repeating what has been said, Lord Arbuthnot, an important distinction here is the difference in LRFs across the country. It would be difficult to draw assumptions across London, Cumbria and other LRFs, for instance. One of the defining characteristics here is difference of scale and complexity—and I think Dr Twycross alluded to that.

The key piece for me, looking at the future and at potential developments, is the function of the LRF and the fact that, quite often, partners are asked to respond. The same individuals are asked to respond, to plan, to debrief and to work on lessons learned, and they often tend not to be the most senior people in their organisations. Therefore, there is always a question about the empowerment of them to make decisions and recommendations, and to carry the organisations they represent with them.

That is something that I have personally observed, including government not being able to distinguish between strategic co-ordinating groups, which are an operational end, and the resilience forum itself.

Recently, for example, with the death of His Royal Highness, The Prince Philip, we were asked to set up an LRF to respond and plan for the consequences and arrangements post His Royal Highness's death. That is, frankly, an indication of what can sometimes be a lack of understanding of what LRFs are versus the other structures in the system in response terms. That is a distinction and a complexity that should be addressed.

**The Chair:** Thank you. This is going to be very interesting.

**Lord Robertson of Port Ellen:** I have a very short question to ask each of the witnesses, and it requires a very short answer. I am curious to know whether people here played a part in Exercise Cygnus, the exercise carried out in 2016 based on a pandemic. Were any of you involved in that exercise? Chief Constable?

**Chief Constable Rachel Swann:** No, I was not personally. I am being told that our LRF did not play a part in it, but we took the exercises from it, and we did that locally, exercising it in the following year.

**Lord Robertson of Port Ellen:** That was very inventive. Mr Barradell?

**John Barradell:** No, we did not.

**Lord Robertson of Port Ellen:** No involvement by the forum at all.

**John Barradell:** I could not speak for that. Personally, I had no involvement, and I do not recollect there being forum participation.

**Lord Robertson of Port Ellen:** Mr Marshall?

**Stuart Marshall:** No, not within Cygnus. We did a separate north-east regional exercise on pandemic flu at about the same time, but we were not directly involved with Exercise Cygnus.

**Lord Robertson of Port Ellen:** Dr Twycross?

**Dr Fiona Twycross:** I did not personally, but the London Resilience Group and the London Resilience Forum took part in the exercise over three days, and they had effective model SCGs on days 1 and 3. But I did not take part in the exercise personally.

**Lord Robertson of Port Ellen:** Did they do anything about the conclusions from Exercise Cygnus? Was any action taken afterwards?

**Dr Fiona Twycross:** Lessons were embedded in some of the protocols and frameworks for the LRF.

**The Chair:** Dr Twycross, you said something about SCGs.

**Dr Fiona Twycross:** Apologies: those are strategic co-ordination groups. Basically, they modelled how we would respond in that situation.

Q223 **Lord Mair:** Is the national security risk assessment a useful document for LRFs? Is it fit for purpose? How could it be improved? More generally, do you have access to the requisite information to perform your duties? Dr Twycross, would you like to start?

**Dr Fiona Twycross:** The use of the national security risk assessment is quite limited, given how restricted access to it is. Clearly, the information in it is very sensitive, but the documentation is not shared in a trusting capacity. It is locked down prohibitively. In London, we receive two copies as an LRF, both of which have to be stored in a safe.

At the same time, the LRF has a duty to share risk information with the public to warn and inform in such a way that people can be prepared for any eventuality. In practice, each LRF determines its own local information for its residents, which is right in terms of nuance and local specificity, but it risks people getting different information depending on how the local resilience forum interprets the requirement to share information. In my experience, most partners on the LRF will not have seen the document in full; they might have access to part of it.

On whether local resilience forums have sufficient information, this is one of our big bugbears, and if, through you, my Lords, we could unpick that a bit, it would make our lives much easier going forward. Frequently, when we are asked to plan, we do not necessarily have the information that government has access to. We think that LRFs, and partners within those partnerships, should be treated as trusted partners by government.

To use an example from recent years, when we went through the Brexit process, in order to come up with our London planning assumptions, we had to rely, at times, on leaks to newspapers to understand where the Government were coming from. That is clearly not an appropriate way to plan for civil contingencies. We were basically piecing together bits of information from different sources.

**Lord Mair:** Could you be a bit more specific on how you think the document could or should be improved?

**Dr Fiona Twycross:** It is mainly about access to the information. A lot of the partners on the forum have security clearance or will be trusted partners. It is basically about making it really clear that the document should be used and applied by local resilience forums. If you have a document, it can be as perfect as possible, but if it is locked in a safe and people do not have access to it, or access to key information on planning and planning assumptions through other sources, you are hampered even before you start the process.

It would be really helpful for us to be able to see the detailed plans that the Government have in place that they have formed, following the NSRA. It is basically about being more open with partners as trusted partners. In my experience, when you get leaks about civil contingencies issues, they do not come from local resilience fora.

**Lord Mair:** Thank you. Would you like to comment on this, Chief Constable?

**Chief Constable Rachel Swann:** I absolutely echo what Dr Twycross has said on trust and sharing the document with the local resilience partners. It is very difficult to plan if you are not in possession of the information that you need in order to make some planning assumptions and build from that. The NSRA is an important document for the LRFs, because it provides a guide for planning, training and exercise, and decisions at a local level.

As to the ways in which it can be improved, generally speaking, there are some risks in there, in that LRFs will not have the expertise to put together local plans or exercising around that. I would suggest that there could be some work nationally to help inform those plans and to have consistency of plans.

I will give you some examples. Some of those high risks that sit at a national level include black start, which is a national power outage, high-impact cyberattacks and CBRN. Through Brexit planning, the risks around food and medicine shortages were not something on which we had any local knowledge—they were really coming from a national level. We did not have sufficient information to plan against those. Closer to home, reservoir off-site dam inundation planning is not something on which we have local expertise.

If there was something that could be provided to the LRFs at a national level to inform the local plans, rather than every one of those LRFs having to try and do those big, high-risk things 38 times, that would be of real help to us.

It comes back to trust and sharing information with us to enable us to have locally nuanced plans, but with greater information, and, where there are high-level risks where we do not have the expertise locally, giving us some of those already made that we can use, helping to inform what we do locally. Ultimately, we want to protect people from threat and risk, and we want to plan in the best way possible. So having that trust, sharing that information and giving some of the work to us that has already been done would be a real step forward on those bigger risks.

My final point on this would be that it is an ever-increasing risk assessment document, and more and more risks are put on it but none drops off. In all of it, we find that there is a big workload in it, and there is an increasing number without any reduction. I guess some thought on prioritisation around that would be very welcome.

**Lord Mair:** That is very interesting; thank you. What are your views, Mr Marshall?

**Stuart Marshall:** Again, I would echo most of the messages coming from the other LRF representatives.

The NSRA feeds into our local risk assessment; we have the duty to assess risk locally. As has been highlighted by the chief constable, there are 38 LRFs undertaking that process. The process changes every two years. New personalities come in and new methodology comes in. We find that 38 LRFs will try to incorporate some guidance and turn it into practice to get something that we can then report back into our strategic borders against the risk profile: these are the areas that we need to focus on, and these are the areas where we currently have a gap in capability.

Every two years, we get so far down that process, but we do not currently have the resource to undertake and develop what are cutting-

edge risk assessment processes. There would be some real benefit in looking at how we get more value out of the national product—a tool or similar for local resilience forums to which we could then apply local knowledge, rather than us having to spend countless hours redeveloping a tool that we know counterparts elsewhere are doing.

As LRFs, there is an appetite to work together. We are seeing that within the north-east and in other areas. I would welcome facilitation and support from the national level. Give us the tool, we will put the quality of local knowledge into it, and then we can start to get something of real value out of it, rather than what at times feels like a list of things that could happen. I would rather have someone say, “These are the capabilities we require to mitigate against these risks”, but we are not currently resourced to undertake the work to that level.

**Lord Mair:** What is your view, Mr Barradell?

**John Barradell:** There are two other parts to which I would draw the committee’s attention. One is that it would be extremely helpful to understand the mitigations that central government is putting in place for the risks that it identifies. That would allow us to consider where, locally, we could add value, if I could put it that way, to mitigate the risks that are not being handled centrally.

The evidence I give for that approach would be the debriefing we did after the first Brexit date that we had in London, which Dr Twycross alluded to that. That was quite complex. As she said, we were relying on more anecdotal information, rather than directional information from central government or parts of government. Understandably, it was a very fluid environment at the time, and we would not expect to have all the answers provided to us. However, when we did the debriefing afterwards, we had 39 agencies involved, and 90% of those agencies said they had very limited or limited information to bring to the co-ordination that we were trying to attempt, which I think gives an indication of a willingness or wish for information to help better decision-making.

In the end, we had to resort, frankly, to a methodology that said, “Are we able to answer the question: is London okay?”, by which we meant a system of food distribution, fuel and so on, so that we could give some assurance back to London stakeholders—which is a horrible phrase, but it means London leaders, business and communities—that, in our judgment, and in the efforts that we put in, London was safe, it could function and it was okay. That is an indication of this loop of information from NSRA through the capabilities, through understanding what the gaps are, if you will, through to local understanding by individual agencies in responding to one of those threats or events identified in the NSRA.

**Lord Mair:** I think what you are saying, and what the other witnesses have been saying, is that the NSRA as a document—as a list of risks—is not really enough, and that you need a lot more background information. Is that what you are really saying?

**John Barradell:** Yes, it is. It is missing an opportunity for government to work with local partners to fill in and give context to those risks, and to identify how we would be able to respond to them as a system, rather than central government, regional government, local government and individual partner agencies. So yes, that is a very fair summary.

**The Chair:** I do not want to cut anybody off, but we need to pick up speed, as we are about half way through this first session already.

Q224 **Baroness Symons of Vernham Dean:** My question follows on very much from the last one. What I would like to probe a bit further is the current level of contact with central government that our witnesses have, including with the Civil Contingencies Secretariat. Do you feel the level of contact is sufficient? Are the lines of responsibility clear, in your view? Do you feel that the system is too top-heavy and very much oriented towards central government?

Could we hear from Mr Barradell and from the chief constable, and perhaps from some of the others? It would be nice to have a London view and a view from well outside London, too.

**John Barradell:** Our main involvement is with the Ministry of Housing, Communities and Local Government—MHCLG—and its resilience and emergencies directly as part of it. The Civil Contingencies Secretariat, while driving the policy and occasionally coming to us as individuals, actually takes more of a hands-off and strategic role; the day-to-day involvement and liaison is done by MHCLG.

In London, we are fortunate, in that we make the case very strongly to government that, given the economic importance, size and complexity of London, we need slightly enhanced support. In other words, we need more direct activity and more direct support from CLG. That is relatively easy for us to get, because we can literally bang on the door and ask for it, but that level of support has been provided during incidents.

I think, however, and I would say clearly, that that needs additional function and additional support from government. The complexity of how the central government machine works and the individual agencies involved, particularly with the Covid response, for example, is such that it is very difficult to deal with central government as an entity without that support, and at a relevant and senior level.

**Baroness Symons of Vernham Dean:** Would that “relevant and senior level” include the Civil Contingencies Secretariat if you were offered more contact?

**John Barradell:** Yes. We would bite hands off to get it.

**Baroness Symons of Vernham Dean:** Well, that is clear enough. Thank you. I ask the same question of Chief Constable Swann.

**Chief Constable Rachel Swann:** Mr Barradell has described it very well. Derbyshire is perhaps different from London, but the answer I would give

is very similar: most of our contact is through MHCLG and the government liaison officers. When we had the reservoir incident at Whaley Bridge, those government liaison officers were vital in both passing the information through and passing back the support that was available to me in what is very complex machinery.

However, in the early stages of this Covid pandemic, there was a real lack. I know that the network of GLOs was far too small. They went to some effort at MHCLG to put lots more people in place, but that meant a real absence of consistency and of information going both ways.

As for the Civil Contingencies Secretariat, I would say that there was very little contact, other than through MHCLG, so I would absolutely echo the sentiments of Mr Barradell in wanting greater contact and support.

**The Chair:** Again, I do not want to cut anybody off, but there are a lot of initials flying around, such as GLOs and that sort of stuff. If you could reduce the use of initials, that would be helpful.

**Baroness Symons of Vernham Dean:** I have asked the question of both those witnesses, for the London view and the view from outside London. We are short of time, and I know that others wish to ask questions on this issue.

**The Chair:** Lord Mair, you wanted to follow up on the point about the reservoir.

**Lord Mair:** Chief Constable, you mentioned Whaley Bridge. Could you briefly tell us about your experience there? That was a reservoir that might well have failed, with clearly very high risks to life and property. Can you enlarge a bit about the relationship between what you were having to do on the ground, and what support and information you were getting from central government?

**Chief Constable Rachel Swann:** Absolutely. The government liaison officers came into place very soon. They formed part of our strategic co-ordinating group and were with me probably the whole time I was in the command room. They were really good in providing information to me as chair of that strategic co-ordinating group and, ultimately, the person responsible, on what help was available to me, what resources I might tap into and how I might ask for them. They were really useful in preparing for COBRA, making sure that I could ask the right questions and that the support would be there for me to smooth those pathways through. They also opened my eyes as to what was available to me as chair of a major incident group.

If I could touch on something that really did assist us—I am not sure if I will get the opportunity later, so forgive me for covering it now—one of the things that really helped us was that we had present at Whaley Bridge the off-site reservoir plans. The owners and undertakers of any reservoir have an on-site plan—a testing plan and everything else—but we previously had some money that we put to some of our more at-risk

reservoirs. So we got that off-site plan, which maps everywhere the water will flow, who you would need to evacuate, what your rendezvous points would be, and what roads you would need to shut off. That is not in statute or expected anywhere. It was simply a case of us having some previous money that enabled us to do that. That in itself really assisted in how we responded at Whaley Bridge and how we were able to come together as an LRF and as a partnership to deal with that crisis and make sure that there was no loss of life. Forgive me for taking the opportunity to say that.

**Lord Mair:** Are you saying that there ought to be a legal requirement for such off-site emergency plans for reservoirs, for example?

**Chief Constable Rachel Swann:** I absolutely am saying that. Whaley Bridge is a large reservoir, although it is one of our smallest. It was high-risk because of when it was built, but we have much older ones that were built in the early 1800s. It was supposed to survive a much higher level of rainfall than it did survive. One of the things that I am an advocate for is a statutory obligation, as there is with COMAH sites, around off-site reservoir plans, given the impact and scale of devastation that there could be.

**Lord Mair:** COMAH sites being “control of major accident hazards”.

**Chief Constable Rachel Swann:** I am glad you covered that, Lord Mair. Thank you.

**Lord Mair:** Dangerous substances. Thank you very much.

**The Chair:** The point that you have just made is relevant not only to reservoirs but to other risks.

Q225 **Lord Clement-Jones:** I would like to come on to engagement with the community by local resilience forums. A number of questions arise. There are Cabinet Office recommendations, but they are not mandatory. How do LRFs engage with the community, particularly with vulnerable groups? What engagement do they have with volunteer forces?

The integrated review notes that, in developing resilience capabilities, the Government will consider a “civilian reservist cadre for support in times of crisis”. Perhaps you could say what your views might be on such a force and on how LRFs might engage with that.

I apologise for the number of questions, but perhaps you might consider them and answer one or two. Mr Marshall, perhaps I could start with you, as your evidence is fairly full on the issue of community and volunteer engagement.

**Stuart Marshall:** From our side, it is fair to say that we are relatively limited in our community engagement at the current time. As always, we are not resourced to undertake the non-statutory guidance. Where we do have really good engagement is with the tried and tested teams: the British Red Cross and the coastguard, which have specific emergency

functions—we have trained with them, we exercise with them and they sit within some of the LRF subgroups.

Where we are conscious that we are not as strong is in the wider community, in representation of the community, and in the awareness of the community around some of the risks, and around some of the work and actions that they may be able to undertake.

One area that we would be particularly keen to explore further is the lifelong development or application of resilience. First aid lessons in schools have been mentioned a number of times, which would be applicable to small household accidents, and they are equally applicable to a lot of the risks contained in the NSRA. As people develop skills and a professional vocation, can those skills be tapped into in times of need through a recognised format? As people start to look towards retirement, can we capture that knowledge and capacity to support people?

There are lots of different steps and lots of potential capacity at the current time, although we are not in a position where we can utilise that. Again, we would look for government support—funding to try to manage it and prevent duplication and confusion, and things along the lines of insurance protection where required.

On a civil cadre, I think it is too early in the process to identify what that might look like. I know that the committee has had previous input from a number of international speakers. The questions for me would be these. What are the skills? What is the training? What sort of function are we looking at? Would it be as per the Netherlands, where there are particular teams with particular skills? Those resources are coming from the centre. Are we looking at something more akin to, “An incident has happened. If you wish to assist, here is a framework by which you can get some means of insurance and co-ordination”? There are lots of questions.

At the current time, we would love to do more. We would love communities to have a better understanding of what we do and to have them sense-check a lot of the plans we produce. I produce them from my perspective, but I am more than conscious that there are a lot of different perspectives within our communities. What I or my team write in a plan might not marry up with the priorities of the community in the event of it being enacted.

**Lord Clement-Jones:** I understand that, and there are of course questions around a reservist force. But if the resource was available, do you think that it would be a valuable way of enhancing the kinds of skills that you have been mentioning?

**Stuart Marshall:** Yes, we see the use of volunteer cadres with skills and backgrounds. I know that colleagues in policing have been taking advantage of professionals they can draw on within the cyber world. From the professional side, they get to expose their staff to real incidents, which they can then take back into their learning.

Where I would have not more concern but where I would want more clarification is around the use of volunteers and how sustainable some of the process or forms that we have seen previously are. On civil defence, how do we maintain the level? Similar to any voluntary agency, it is about ensuring that there is a strong relationship between statutory services and the volunteers, so that the services do not first have to deal with trying to align with and fit to a new asset that is unknown, coming into an area on top of an emergency.

**Lord Clement-Jones:** Yes, I can see that you have to make sure that they fit together.

**Chief Constable Rachel Swann:** In Derbyshire, we have around 100 emergency volunteers, and we utilised them during the Whaley Bridge incident. They are trained and they have undergone security checks, so we know they can be deployed safely to what we are dealing with. At Whaley Bridge, we deployed them very quickly to the rest centres and the family assistance centres. They have the skills, the training and the checks to enable them to be deployed very effectively.

In other things that we deal with, where we have a lot of flooding in the county, our partners in the Environment Agency work with communities that are prone to flood. They train people to be local flood wardens, so that they know what to look for and the risks, and how to deal with them.

Do I think there is some merit in it? I absolutely do. But it needs to be managed. People need to be trained for what they are doing so that they are not put in danger in the role in which you deploy them, because you have a responsibility for them. They need to be able to do it, as we are dealing with a crisis, so they need to be equipped to help people in dealing with it. They need to be safe and the checks need to have been undertaken so that we do not create any unforeseen risks by deploying the wrong people to the wrong situation.

**Lord Clement-Jones:** You already have the makings of a reservist force, effectively, through people like flood wardens.

**Chief Constable Rachel Swann:** Absolutely. As I said, we have 100 emergency volunteers in Derbyshire who do that role, and we have flood wardens and other people in the community. Particularly when it relates to something specific, there is a willingness within the community to want to do that. Properly managed, that is a good asset, as we found, in a crisis.

**Lord Clement-Jones:** Terrific.

How does it work in London? This is for either Dr Twycross or Mr Barradell. Who would have the London perspective on that?

**Dr Fiona Twycross:** I suspect we both would, with slightly different perspectives. We have been trying to develop community resilience through the local resilience forum community resilience steering group,

which John Barradell has been at the forefront of pushing, based on some of his experiences over the years in response to a number of incidents.

Our LRF has very good links, through partners, into communities, and we have a standing panel, sitting under the LRF umbrella, of the voluntary sector. We also involve the faith sector, so we have a faith sector panel, too. Through them, we have good relationships with community groups.

Some of the existing community groups often have resource issues, so you cannot just assume that you can set something up without resourcing it effectively. That is where we would be very keen to see more extensive government resource, not least as some of the challenges in London around where people work, compared with where they live, mean that it may be harder to have that latent force of a volunteer cadre.

I would ask members of the committee to note that, during Covid, given that the existing volunteers were often older people who were shielding, many of the volunteers used very effectively during the pandemic so far are people who had been furloughed because of the pandemic. You cannot assume that one group of potential volunteers would be available for any given response. Flexibility would need to be built into whatever model was arrived at in the planning for a volunteer cadre.

**Lord Clement-Jones:** That is a very interesting issue about flexibility. You are almost implying that, in London, because there are so many community groups, it is better to go through them, rather than set up a separate reservist force.

**Dr Fiona Twycross:** I am not speaking here for the resilience forum; this is not something that we have specifically discussed. This is my personal view. I think that there are so many routes, community groups and so forth that if we can find a way of involving them and harnessing their passion, enthusiasm, experience and knowledge of communities, rather than setting up something from cold, we would have access to people who were active in communities and who could then be activated during an incident, so that you are using existing people.

People volunteer because they want to be active. What would you do with a group of people who have volunteered to be active in an emergency if you are lucky in your particular area and you do not have an emergency more than once every decade? In London, a borough may not see a major incident for which you would need volunteers. What are you going to do with those volunteers in the meantime? It is much better, in my view, to go to existing voluntary groups or community groups, train them up and get their input, rather than setting up something completely separate. John potentially has a different view on that.

That is not a view that represents the LRF; that is my personal view.

**Lord Clement-Jones:** Do you have anything quickly to add to that, John?

**John Barradell:** Quickly, I do not disagree with Fiona. The other aspect I would bring in is that standing forces of volunteers have to want to volunteer at the time for the thing that is facing them. They have to be vested in it. That is a critical point. In London, that may or may not happen.

I will declare an interest, in that I am a trustee of the National Emergencies Trust, whose chair is one of your Lordships, Lord Dannatt. We raised a significant amount of money—or rather the public gave a significant amount of money. The channel for that money went to local community foundations deliberately to get out into the communities at a local level, very fast. That had an enormous impact. Standing armies of volunteers, if I can put it that way, would not have achieved what local communities achieved for themselves, where they had a vested interest in doing something, understood the needs of their neighbours and were able to respond to that. The support given was far more effective, in my view, going through that route. As Fiona says, we can use existing communities who want to do something, rather than setting up something separate as some kind of standing army.

**Lord Clement-Jones:** Thank you very much—that is really helpful.

**The Chair:** That was very interesting.

Q226 **Baroness McGregor-Smith:** You have answered part of my question around the barriers and issues that may constrain you in your work, but could you talk to us a little about the activities you would like to be able to do but you cannot currently do? Could you also talk to us a little about whether you think there are any risks for which we are not adequately prepared?

We do not have very much time, so I suggest we go for short, punchy answers. Perhaps we should start with you, Chief Constable Swann.

**Chief Constable Rachel Swann:** We have already covered the legal footing and the ability of a local resilience forum or SCG to hold others to account, because we co-ordinate, we lead and we work in partnership. But when you are in a crisis, you do not command and control other agencies. Sometimes that is difficult in a crisis. I have not known an emergency where we have not been able to reach a consensus. I am not seeking to take responsibility, for example, for the fire service's activity, but it would be very helpful to have slightly more clarity and authority behind you, so that when you are chairing something in a crisis you can in some way direct others or hold them to account.

I have talked about off-site reservoir plans. The other thing that I would say is a barrier is powers to evacuate people or prevent them from crossing cordons. If I take Whaley Bridge, I had no legal power behind me to ask those people to leave their homes. I could tell them that it was a risk to their lives if they stayed there, but there was a small handful of people who chose not to leave, and there was no legal authority for me to make those people leave. We went through every sort of thing, including safeguarding where there were children, but, in that crisis, we were

relying on common sense and people's consensus. They were not all doing that, and responders were put at risk as they had to repeatedly go back to ask people to leave.

Part 2 of the Civil Contingencies Act makes provision for those emergency powers, but they have never yet been used or enacted. Some work on how relevant they are, how quickly they can be brought together in a crisis and how different they are in terms of the things that we need to deal with would be very useful.

**Baroness McGregor-Smith:** Do you have any thoughts on things we are not prepared for?

**Chief Constable Rachel Swann:** I refer to my earlier answer, where I talked about the very high risks such as black start, the national power outage, high-impact cyberattacks and CBRN, where we need some national level input and guidance for us locally where we do not—*[Inaudible]*—does not help us necessarily. We do the best that we can locally, but a lot of the information that we would need to plan sits elsewhere. That is where I think our risk is.

**Dr Fiona Twycross:** I would agree on the point about black start being one of the things on which we really need more planning and guidance from central government.

On what we require, I would say information, which we stressed earlier, and the resources to make sure that, when you have people who are responsible for planning, preparing and reviewing, they are not necessarily the same people who are responsible for a response.

We are less keen in London on suggesting that any one person within a local resilience forum or within the strategic co-ordinating group in response, would have the power of direction. We think there is a real power from the collaboration and the duty to co-operate. We think that making that more of a statutory ability to have a power of direction would potentially harm that co-operation and collaboration between partners. Although there are obviously sometimes disputes, we think that it is really important to work through issues as they arise, rather than have one person who can direct agencies.

**Baroness McGregor-Smith:** Are there any other final thoughts from Mr Marshall or Mr Barradell?

**John Barradell:** I would make it a statutory responsibility on government departments to share. I would also put something into legislation that insisted that an assessment took place on legislation and direction from government—statutory instruments and so on—that considered the impact on resilience from those decisions being taken. Quite often, decisions taken by government, through SIs or Bills and Acts of Parliament, do not consider the impact that they will have on resilience arrangements within the country or how those arrangements would work in real time when facing incidents.

**Stuart Marshall:** From the planning side, it will not come as a surprise that one of the biggest obstacles is the resource at the current time. We are geared up for the Act as it was in 2004; we are not geared up for the additional guidance and depth that has now been identified. From the practitioner side, that is one of the obstacles.

Security clearance has been mentioned. There is no single point that we as an LRF can go to in order to confirm which members are currently cleared. That can cause a challenge when you are working with different sectors with different means of vetting staff. Then we get the direction that information can be shared only with a certain group. Trying to keep on top of that can be problematic in terms of sharing information.

Where I am really glad to see that trials have been undertaken is in push communications—the text messaging alerts down in Reading. We have a duty to warn and inform the public. At the current time, we are really limited in what we can do to do that effectively. Cell broadcast, for us, with the risk profile we have, that really is a game-changer and will no doubt save lives.

Q227 **Lord Browne of Ladyton:** We come now to what, for very obvious reasons, we call our “Desert Island Discs” question. I will invite each of you to suggest one policy recommendation that the committee should make to the Government. My notes show that there is plenty to choose from. I just say to you in advance that we have noted your unanimous view that we should recommend that resources for LRFs be increased significantly, to meet the challenges that you face.

I ask you to respond in this order: Dr Twycross, Mr Marshall, Mr Barradell, and then the chief constable. You have about 30 seconds each: go.

**Dr Fiona Twycross:** John Barradell mentioned the duty to collaborate and share information, which we would be keen to apply to government. LRFs need the resources to operate, and that includes funding, trust and information.

**Stuart Marshall:** From our side, there is a recognition that, yes, we can increase resources, but there is more we can do with what we already have in co-ordinating the work by the LRFs. Give us the opportunity to co-ordinate the work between ourselves, facilitated with the ongoing work by national government. There is often a high level of duplication. We can learn from each other, but currently that LRF-to-LRF relationship is not co-ordinated and is not structured. Some means of support, or collective working on some national priorities, to ensure that there is a feedback loop into the centre would be really useful.

**John Barradell:** Resilience is money; it is cost. My recommendation would simply be to consider the impact on communities who are facing the resilience risk that we have during policy decisions, as I have said before. We consider that a key, front-and-centre constraint and consideration when making policy and making decisions in government.

**Chief Constable Rachel Swann:** I believe the other witnesses have covered all the risks that I would mention. The policy recommendations have been suitably covered, and I think we are all quite in agreement with them.

**Lord Browne of Ladyton:** Thank you very much. I am delighted to hand back to the Lord Chair, within time.

**The Chair:** Not only within time—we are one minute early. Thank you very much indeed to the witnesses for another fascinating session for the committee. It has been really helpful. The trouble is that many of our witnesses simply know so much that we could spend all day going through these things. I am most grateful to all of you for giving evidence.

I will now suspend the committee for a minute or two so that we can bring our next panel in.