

CERTHE Emergency Preparedness and Civil Protection
University of Wales, Trinity Saint David
Module 1 Assignment 1

“To what extent has the Civil Contingencies Act [2004] and its accompanying statutory and non-statutory guidance transformed the landscape of emergency preparedness and civil protection in the United Kingdom?”

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Introduction –

The Civil Contingencies Act (2004) (CCA 2004) and its accompanying statutory and non-statutory guidance provides the overarching legislative framework for civil protection and emergency preparedness across the United Kingdom (UK). It provides the legal basis for managing emergencies by defining role and responsibilities of the organisations involved in civil protection and sets out a number of duties for local responders. Creating multi-agency forums known as Local Resilience Forums (LRF's) at the local level to co-ordinate planning, response efforts and recovery. In addition, the *Civil Contingencies (2004)*. includes a provision for the use of emergency powers for the use of in extreme circumstances. Collectively, these elements form the backbone of the UK's civil protection system for emergencies of all scales

This assignment examines the introduction of the legislation and the reasons why earlier legislation required replacement. It explored the roles, responsibilities and the duty's placed on each organisation, including the introduction of a hazard-based approach and structured risk evaluation. A key focus is the importance of collaboration across all organisations through the establishment of Local Resilience Forums (LRF's), through the planning for, response to and the recovery of a defined emergency. The assignment also reviews the detailed statutory guidance Emergency Preparedness which translates the legal duties of the *Civil Contingencies (2004)*. into comprehensive and manageable requirements for planning for emergencies. This is complemented by the non-statutory Emergency Response and Recovery guidance which outlines the considerations on responding to and recovering from emergencies. Over the last 20 years since the legislation was introduced the emergency preparedness landscape has evolved significantly and continues to face a range of complex challenges. I will evaluate and comment on these ongoing challenges and the changing nature of emergency preparedness. It will also consider whether the legislation has limitations and identify potential areas for improvement.

The National Risk Register hasn't kept up with the pace of the emerging threats and challenges remain around accountability, funding and balancing preparedness. While the *Civil Contingencies (2004)*. delivered major improvements and represented a significant systematic shift for the UK however notable gaps still exist. As the risk landscape continues to change, reforms are needed to modernise the legislation and ensure that it is fit for purpose.

This assignment looks to outline

“To what extent has the Civil Contingencies Act [2004] and its accompanying statutory and non-statutory guidance transformed the landscape of emergency preparedness and civil protection in the United Kingdom?”

I shall do conduct this by examining the follow points:

- Analyse the key drivers for introducing the Civil Contingencies Act [2004]
- Explore how the Civil Contingencies Act [2004] defined the roles and responsibilities of responders.
- Examine how supporting statutory and non-statutory guidance supports implementation of the Civil Contingencies Act [2004]
- Evaluate the effectiveness of the Civil Contingencies Act [2004] to improve preparedness across the United Kingdom.
- Discuss any continuing challenge, limitations or areas for improvement of the Civil Contingencies Act [2004] and supporting guidance

As the statutory and non-statutory guidance provides the overarching framework for resilience in the UK. I will offer my reflections from the perspective of someone working in the civil protection arena and structure in England.

Prior to the introduction of the *Civil Contingencies (2004)*, the UK relied on outdated primary legislation, the *Civil Defence Act (1948)*, and The *Emergency Powers Act (1920)*. The *Civil Defence (1948)*, focused predominantly on war time emergencies particular nuclear threats and natural disasters. The scope of the legislation was narrow, lacked collaboration, responsibilities were unclear and offered limited multi-agency collaboration. The *Emergency Powers (1920)*, enabled the government to make emergency provisions in circumstances where other legislation would not suffice. However, it was designed for broad constitutional crisis rather than modern, complex emergencies. Together these acts failed to provide civil protection arrangements for the 21 Century.

The *Civil Defence (1948)*, primarily focused on powers for local authorities, police and the **fire brigade** and was created post-World War 2 it aimed to protect the UK from potential hostile attacks, including nuclear threats and growing Cold War tensions and disasters. The focus was to maintain civil defence roles including instructing the public and provide necessary civil defence equipment e.g. gas masks and civil defence infrastructure e.g. shelters and command centres. The act provided a role of civil defence personnel to support civil defence operations, including training personnel for war related emergencies. The legislation focused on protecting the civilian population during wartime or hostile attack scenarios, military orientated and didn't address all hazard emergencies.

The *Civil Defence (1948)* was originally introduced to give the Government temporary authority to maintain essential services and public order particularly during periods of industrial action or strikes. Its purpose was to safeguard essential supplies and services such as food, water, fuel, transport, and communications. It enabled the Government to make emergency provisions in circumstances where existing legislation would not suffice.

The introduction of the *Civil Contingencies (2004)*, was driven by a series of national emergencies; that exposed significant weaknesses in the UK's civil protection legislation. The previous legislation the *Civil Defence (1948)*, and the *Emergency Powers (1920)*, was regarded as inadequate for responding to civil emergencies in the years prior to the induction of the *Civil Contingencies (2004)*. In quick succession multiple national emergencies in the UK and beyond highlighted and exposed gaps in the coordination, response, capability and overall resilience.

These included the widespread flooding of 2000, the fuel crisis in 2000, significant fires and the Foot and Mouth outbreak in 2001. Additionally, the historical twin towers emergency on September 11, 2001, in the United States of America also highlighted and raised issues for the UK. Together, these factors created the impetus for a modernised, comprehensive, and collaborative legislative framework.

The widespread and prolonged floods in the autumn of 2000 had a devastating impact on communities throughout the UK. Across the UK "10,000 properties in 700

locations” (Environment Agency 2000 p7) were affected, highlighting not only the devastating consequences of such events but also how the frequency of events may increase due to a changing climate. “Climate change could make such extreme floods more frequent” (Environment Agency 2000 p7). During the response to the floods, significant confusion emerged regarding roles “During the autumn 2000 floods responsibility for the provision, distribution and placing of sandbags to protect individual properties was unclear” (Eighteen Report 2002 p7iii) The lack of clarity on roles exposed weaknesses in the coordination and command structures. The subsequent review concluded that improvements were needed for multi-Agency working, emergency preparedness, risk assessment and designated response structures.

The foot and Mouth disease outbreak in 2000/2001 further highlight the lack of preparedness and response arrangements in the UK. The spread of the disease was exacerbated by inadequate contingency planning and Fragmented command structures lead to mass culling, food chain issues and economic impacts. “We believe that better contingency planning and speed of response could have limited the scale of the culling required” (Anderson 2002 p39). The lessons learnt from this incident reinforced the need for an update to the civil protection legislation, including the requirement for risk assessment. “It must be linked into a wider process of risk analysis and disease prevention” (Anderson 2002 p39).

Similarly, the fuel protests of 2000 triggered by blockades at oil refineries lead to wide scale issues. Within days, fuel supplies collapsed and caused widespread shortages and panic buying of fuel, worsening the situation. Essential services like the National Health Service and the emergency services were severely affected Supply chains broke down; public transport and essential services were disrupted nationally

In 2002 the fire brigade’s union voted to take strike action against pay this action highlighted the lack of contingency planning arrangements including the lack of: activation triggers, identified roles, training and command structures. Although *Civil Defence (1948)* legislation was established with military connections, the UK emergency arrangements had not kept pace.

During the Foot and Mouth Disease emergency in 2000/2001, significant issues emerged regarding the integration of military support. Changes within the military’s priorities, structure and capabilities on the years leading up to 2000/2001 meant that existing civil protection arrangements had not kept pace. Revealing assumptions about the availability and integration of military support. “The links established with the armed forces after 1968 were not maintained” (Anderson 2002 p39)

O’Brien examines the historical legislation governing emergencies and highlight the requirement for change after the national emergencies in the early 2000’s.

Following several reviews in early 2000's the UK government recognised that the existing civil protection framework was no longer adequate following a number of national emergencies. In addition the September 11 terrorist attacks in America also led to questions on the UK readiness to respond to a similar attack in the UK. A formal review into the legislation at time and emergency planning arrangements concluded that the legislation in place was no longer deemed fit and that 21st century threats were not addressed through the statutory provision at the time "the Civil Defence Act (1948) is now little more than an anachronistic empty shell. Planning for major nuclear attack by foreign powers has been overtaken by other priorities and legislation should be more flexible to cope with the changed situation" (Joint Committee on Draft Civil Contingencies Bill first report 2003). It was therefore recognised new legislation was required, "there should be one, all-encompassing Act to cover most types of future legislation" (Joint Committee on Draft Civil Contingencies Bill first report 2003). The result led to the development of the *Civil Contingencies (2004)*, which received Royal Assent in November 2004 and replaced both *The Emergency Powers (1920)*, and the *Civil Defence (1948)*.

The Introduction of the *Civil Contingencies (2004)* and its accompanying legislation creates a civil protection framework across the UK. The purpose of the *Civil Contingencies (2004)* is to establish clear roles and responsibilities and defining statutory duties for local responders. The act is divided into two key parts. Part 1 focuses on local civil protection arrangements and setting out a statutory framework of roles and responsibilities. Part 2, of the *Civil Contingencies (2004)*, focuses on emergency powers, establishing a modern legal framework for the use of special measures by the government when faced with the most serious, widespread emergencies and where additional powers may be required to maintain essential services or to protect life.

The CCA (2004), Part 1 defines the meaning of an 'emergency' as being:

- An event or situation which threatens serious damage to human welfare in a place in the United Kingdom
- An event or situation which threatens serious damage to the environment of a place in the United Kingdom, or
- War, or terrorism, which threatens serious damage to the security of the United Kingdom

(CCA 2004, s.1(1))

Part 1 of the *Civil Contingencies (2004)* details the full set of civil protection duties that Category 1 responders must comply with, as they are at the core of local emergency response. Schedule 1, of the *Civil Contingencies (2004)* designates local responders into two categories known as category 1 or 2 responders. Schedule 1, Part 1 designates Category 1 responders being subjected to the full list of civil protection duties. Whereas Schedule 1, Part 3 designates Category 2 responders as cooperating bodies meaning they are required to support category 1 responders and

share relevant information only. The current organisations listed as category 1 responders include:

Local authorities, police, fire, ambulance, HM Coastguard, NHS bodies including UK Health Security Agency, Integrated Care Board, Acute hospitals (and some other bodies depending on the delivered contracted services), Environment Agency and Port Health Authorities. Category 2 responders include: Health and Safety Executive, Office for Nuclear Regulation, Utility providers of water, electricity, gas and electronic communications/telephony, Met Office, The Coal Authority, transport providers including highways, trains and airports. (Not all these agencies were included when the original *Civil Contingencies (2004)* was introduced.) The emergencies that occurred prior to the introduction of the *Civil Contingencies (2004)* recognised clear roles and responsibilities in an emergency were unclear under the outdated *Civil Defence (1948)* and *Emergency Powers (1920)*. The scope was too narrow, and the new legislation need to be more encompassing.

The *Civil Contingencies (2004)*, part 1 outlines the duties to assess, plan and advise, which includes:

- Assess the risk of an emergency occurring
- To produce and maintain emergency plans for if an emergency occurs
- Put in place business continuity management arrangements
- Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn and inform and advise the public in the event of an emergency.
- Share information with other local responders to enhance co-ordination and efficiency.
- Co-operate
- Provide advice and assistance to businesses and voluntary organisations about business continuity management (local authority duty only).

Part 2 Emergency Powers of the Civil Contingencies (2004) provides the government with the ability to introduce the making of special temporary legislation to deal with and manage the most serious emergencies, when existing powers are insufficient. These powers are reserved for to the UK government and are intended to be used only as last resort. As Part 2 Emergency Powers is normally seen as a last resort it details a process to ensure the powers cannot be misused. Although the COVID-19 pandemic had a devastating impact on human welfare in the UK, Part 2 Emergency Powers were not enacted, the UK Government opted to implement the *Coronavirus Act 2020* as temporary, bespoke legislation and to use exiting powers under the *Public Health legislation, Public Health (Control of Disease) Act 1984*. Given the scale and duration of pandemics, creating the *Coronavirus (2020)* was the most appropriate action at the time rather than implementing Part 2 Emergency powers of the *Civil Contingencies (2004)*. In addition, the level of scrutiny would not have been suitable for the length of time the pandemic last for within the UK.

Category 1 and 2 responders are required to perform a role in an emergency; however, the *Civil Contingencies (2004)* doesn't place any duty on the Military. to plan and prepare for emergencies. Any Military involvement or support is instead provided through Military Aid to the Civil Authorities (MACA) which allows the armed forces to support civil responders as a last resort. Likewise, the government or government departments are also not classified under the *Civil Contingencies (2004)* and therefore, do not hold statutory roles or duties. Instead, the Amber Book (HM Government, 2025) sets out how the UK Government collectively responds to crises. It outlines departmental responsibilities, structures and provides an overview of the Cabinet Office Briefing Rooms (COBR) activation process. Other elements within *The Amber (2025)* provides oversight of the *Civil Contingencies (2004)* and the associated regulations.

Just over 2 decades have passed since in the introduction of the *Civil Contingencies (2004)* and through the post implementation reviews no specific role exists for the government within the Act. The report into the COVID-19 pandemic highlights the lack of preparedness across all Government Departments "When national guidance was developed under the Civil Contingencies Act 2004, there was also a lack of understanding at the UK government level about the inter-relationships between entities at the local level" (Hallett, 2004, p2.43.)

Although the *Civil Contingencies (2004)* introduces the key duties and Category 1 and 2 responders it doesn't provide sufficient detail for local responders to fully understand and deliver their statutory duties. The Civil Contingencies Act 2004 (Contingency Planning) Regulations (2005), provides further regulation that local responders must follow. In addition, the Cabinet Office's statutory guidance Emergency Preparedness and non-statutory guidance Emergency Resilience and Response also supports the implementation of the *Civil Contingencies (2004)*. Together these provide a framework to allow local responders to discharge their duties.

The Civil Contingencies Act 2004 (Contingency Planning) Regulations (2005) introduced, Local Resilience Forums (LRF's) and placed a statutory requirement on all Category 1 and 2 responders to co-operate with each other to discharge their duties under the *Civil Contingencies (2004)*. LRF's are based on police force boundaries and are a key central mechanism to ensuring compliance. To ensure this is possible the cooperation and sharing of information duty is placed on all Category 1 and Category 2 responders to enable effective multi-agency working. Each LRF is responsible for determining its own governance structures with chief officers, administration process, meetings and sub-group meetings. Roles for lead responders should be designated for the purposes of civil protection for defined emergencies, as well as roles for non-lead responders. It is essential for all Category 1 and 2 responders to comply with any requests from the lead responder including on requests for information, on training needs and the testing of plans and procedures through multi-agency exercises.

The Cabinet Office's statutory guidance, *Emergency Preparedness* supports the implementation of Part 1 of the *Civil Contingencies (2004)* and provides detailed guidance on how designated responders should meet their legal duties under the *Civil Contingencies (2004)*. It also introduces the concept of the Integrated Emergency Management cycle which comprises of 6 parts Anticipation, Assessment, Prevention, Preparation, Response and Recovery; however *Emergency Preparedness* only focuses on the first four elements: Anticipation, Assessment, Prevention, Preparation and sets out the requirements of the act in a chapter-based format providing sufficient detail for local responders to implement their statutory duties. The duties under the *Civil Contingencies (2004)* rests on each individual responder rather than as a LRF collectively. The chapters provide details on how each category 1 responder must cooperate with each other to ensure the full duties are delivered "One form of co-operation between Category 1 and 2 responders, which is required by the regulations, is the Local Resilience Forum" (Cabinet Office, 2012, 2.6). Category 2 responders must cooperate with the requests from Category 1 responders to allow them to fulfil their duties. Category 1 responders must also consider are the voluntary sector when considering emergency plans. "A third grouping of local responders includes the voluntary sector to which Category 1 responders "must have regard" when carrying out their duties under the Act" (Cabinet Office, 2012, p2.7)

The duties set out across the statutory guidance *Emergency Preparedness* Chapters 2–8 establish the core framework for multi-agency civil protection under the *Civil Contingencies Act*. Chapter 2 emphasises cooperation, requiring responders to work together to identify lead agencies for planning, response, and recovery across different risk areas. This ensures clarity of roles and supports coordinated decision-making. Chapter 3 builds on this by outlining the formal information-sharing duty, which is fundamental to effective civil protection. It explains how information should be categorised, protected, and shared, while highlighting other legal constraints. Chapter 4 identifies risk assessment as the foundation of all emergency planning. Responders must assess hazards, likelihood, and impacts through a structured process and publish a Community Risk Register. The chapter also stresses the importance of Local Resilience Forum collaboration, with sub-groups aligned to major risk themes. Chapter 5 requires responders to maintain and regularly test emergency plans, providing criteria for determining when plans should be activated and outlining the essential components of an effective plan. Chapter 6 introduces business continuity duties for Category 1 responders, ensuring essential services can continue during disruption. Chapter 7 covers public communication before and during emergencies, while Chapter 8 places a statutory duty on local authorities to provide business continuity advice to businesses and voluntary organisations, supporting broader community resilience.

The Cabinet Office, *Emergency Response and Recovery* (2013) non-statutory guidance aims to promote good practice based on lessons identified from responding to and recovering from emergencies. It outlines the two final parts of the

integrated Emergency Management Cycle: Response and Recovery. In addition to the emergency definition from the *Civil Contingencies (2004)*, this guidance also provides a definition for 'Response' and 'Recovery' helping organisations to understand these phases. The guidance also sets out the 8 guiding principles of effective response and recovery to underpin multi-agency working during emergencies and through the recovery phase. The principles are:

- Anticipation: Responders should identify and understand emerging risks so
- Preparedness: Organisations must plan, train, and exercise to ensure they can respond quickly and effectively
- Subsidiarity: Decision-making should be made at the lowest appropriate level, with coordination at the highest necessary level.
- Direction: clear leadership, command, and control arrangements to coordinate an emergency response.
- Information: Accurate, timely, and shared information is vital for situational awareness, and decision-making with accurate recording accurate
- Integration: all agencies should work together, under a multi-layered framework
- Co-operation: effective collaboration between multiple partners and mutual trust between all agencies appointing a lead.
- Continuity: services must maintain essential operations during and after an emergency.

During emergencies, Emergency Response and Recovery (2013) suggests humanitarian impacts must be considered for those affected, the injured, survivors, friends and families and responders. The Strategic Co-ordinating Group should play a critical role in ensuring assistance is co-ordinated from response and through to recovery. The human impacts in an emergency can be easily overlooked, the Grenfell Tower fire in June 2017 exposed profound humanitarian shortcomings in the humanitarian response, as individual agencies generally take different perspectives on needs.

The duty to warn and inform the public is one of the duties within the *Civil Contingencies (2004)*. While *Emergency Preparedness (2012)* outlines how organisations should meet this duty in the planning stage, the operational aspects of warning and informing at the time of an emergency are detailed in the *Emergency Response and Recovery guidance Chapter 8*. This sets out working with the media through the response and recovery phase, it considers the different methods available to warn and inform the public and the considerations for working with the media. Lead agencies should be considered in advance for the discharging of the warning and Informing duty in an emergency, local area "may identify a particular Category 1 responder as the Category 1 responder with lead responsibility for warning the public and providing information and advice to the public in relation to a particular emergency" Civil Contingencies Act 2004 (Contingency Planning)

Regulations 2005, s32.(3)(a)). Clear messages at the time of an emergency are crucial "Information is one of the most vital commodities." (Alexander 2002 p168)

The response to emergencies is supported through the multi-agency command, control and co-ordination set up. This is crucial "One of the most important and fundamental parts of the disaster plan is it's command structure, the backbone of emergency operations." (Alexander 2002 p.101). The *Emergency Response and Recovery guidance (2013)* crucially sets a subsidiary principle which means emergencies should be managed at the lowest appropriate level, escalating only when necessary. Some emergencies may also include a government level input to support the local response. However, terrorism and animal health emergencies follow a slightly modified structure due to the involvement of lead government departments.

The recovery phase should begin as early as possible, ideally running concurrently with the response phase. To ensure a smooth transition from one phase to another a formal handover is essential to confirm role, responsibilities and priorities. Recovery arrangements must remain flexible and adapt to the scale of the emergency or disaster. Local authorities play a central role during the recovery phase as they take on the chair role to co-ordinate the recovery process. The guidance outlines the core principles of recovery as: Environmental, Economic, Infrastructure and Humanitarian. The recovery phase can take years to finalise and can include agencies /bodies outside of the scope of the *Civil Contingencies (2004)*. Additionally further guidance is set out within the *National Recovery Guidance (2013)*.

A key factor to any emergency response or recovery is funding, The Bellwin Scheme sets out a funding mechanism for local authorities for the response phase however this cannot be utilised for the recovery phase. Recovery Funding is typically provided through lead government department(s) or at the discretion of ministers however during the widespread floods of 2007 an exception to this was made.

The primary aim of introducing the *Civil Contingencies (2004)* was to replace outdated legislation and establish a consistent approach to emergencies at the local level. To create an all-hazard approach to emergencies and natural disasters enabling local responders to prepare for and manage an array of civil emergencies. By designating roles and responsibilities and improving multi-agency collaboration through the creation of LRF's and providing a modern framework for introducing emergency legislation.

The Cabinet Office actively reviews in the *Civil Contingencies (2004)* every 5 years through post implementation reviews, these examine whether the *Civil Contingencies (2004)* continues to meet its objective and whether it is still fit for purpose. In the years leading up to the 2022 review the UK experienced multiple weather events which caused disruption across the country. One example included the Toddbrook Reservoir incident in 2019 where the accumulation of rainfall

contributed to the partial failure of the dam slipway. At the time of the incident the Met Office weren't categorised as a Category 2 agency, therefore they weren't legally obligated to cooperate. The *Cabinet Office's Civil Contingency Act 2004 Post Implementation Review 2022* recognised that they'd been operating like a category 2 responder and felt the role and responsibility should be formalised due to the crucial role the Met Office fulfils in supporting emergency preparedness and response. This was the right decision at the time of the review and shows the continued commitment to update the *Civil Contingencies (2004)* when required.

Effective discharging of the duties under the *Civil Contingencies (2004)* relies heavily on strong multi-agency working through local LRF'S. The implementation of the *Civil Contingencies (2004)* meant a cultural change for all responder agencies. Since the introduction of the *Civil Contingencies (2004)* multi-agency working has evolved however there's still variations across the UK on how LRF's operate. The introduction of the *UK Resilience Action Plan 2025* recognises the importance of LRF's "Local partners are the cornerstone for the UK's approach to crisis management and response." (HM Government 2025 pp.94) and sets out aims to strengthen LRF's preparedness. The Introduction of the, *Cabinet Office, National Resilience Standards for Local Resilience Forums (2020)* seeks to set standards on how to achieve good practice levels for the multi-agency arena, the aim of the standards is to provide, "a consensus view of 'what good looks like', and what LRFs should be looking to implement, achieve and be able to demonstrate" (*Cabinet Office, 2020, p2*). However, there's an inconsistency on how LRF's are organised and how partners operate. Leading to potential differences in emergency response and recovery which risks uneven levels of preparedness across the UK. Further assurance mechanisms or audit processes on LRF's are required and should be developed to rate how LRF's are performing and to ensure consistency across the UK.

The *Civil Contingencies (2004)* legal duties still provide a sound base for civil protection. The risk assessment duty looks at the hazard assessments however the mitigation measures which are put in place are in the form of emergency plans, procedures rather than risk reduction measures. A review of the risk reduction element of the duties should be considered. *The National Preparedness Commission's review of the Civil Contingencies (2004)* and supporting arrangements recommends "The role of Resilience Partnerships should be expanded to cover risk reduction and prevention as well as emergency preparedness, response and recovery." (National Preparedness Commission 2022 p.8).

The duties set out in the *Civil Contingencies (2004)* are heavily weighted towards the preparedness angle of civil protection rather than the response to emergencies. The preparedness duties are supported by the statutory guidance much of which remains relevant. However, the non-statutory guidance *Emergency Response and Recovery guidance (2013)* allows a lot of room for local interpretation. The aim of guidance was for it to be flexible and for it to be continually reviewed from lessons learnt,

however it hasn't been updated since 2013. As a result of no detailed and specific response duty under the *Civil Contingencies (2004)*. The emergency response arena has seen many major emergencies and non-statutory *Emergency Response and Recovery guidance (2013)* hasn't kept pace with the evolving landscape or the increasing complexity of emergencies. Instead, the emergency response arena has been dominated by the inception of the *Joint Emergency Services Interoperability Programme (JESIP)* in 2012. When first introduced it was aimed at the three blue light services only and not all responder organisation named as category 1 and 2 responders under the *Civil Contingencies (2004)*. Although JESIP has since expanded to include additional agencies it doesn't account for the wider requirements of the *Civil Contingencies (2004)*. Limitations were highlighted in the Manchester Arena inquiry which found arrangements set out in the *Civil Contingencies (2004)* didn't translate into effective multi-agency working on the evening of the attack.

I believe that the cooperation and information sharing duties are largely effective in delivering the required outcomes. The Voluntary Community Sector played a massive role in the Grenfell Tower fire in 2017 demonstrating how indispensable the Voluntary Community Sector are and the key role they play in major emergencies. "The vital role of the voluntary, community and faith sector (VCFS) in all aspects of resilience and are committed to building stronger relationships and collaboration with these groups" (UK Government 2025 p.21).

I believe the business continuity management duty is fit for purpose however I question how consistently Category 1 responders fully implement the complete business continuity lifecycle within their organisations. The evolving risk landscape (particularly the rise of cyber incidents) demonstrates that individual organisations should be doing more to ensure and establish full business continuity management systems for internal and external risks. In addition, local authorities are required to provide information and advice to the voluntary and business sectors on Business Continuity Management. When not fulfilled can have an impact on how sectors outside of the *Civil Contingencies (2004)* react to civil emergencies. The future aspirations outlined in the National Resilience Framework include "Strengthening the accountability and assurance across LRFs" (UK Government 2022 p.26) Many National risks draw on each organisation having robust and maintained Business Continuity Plans.

Critical UK infrastructure is largely owned and operated by private utility companies who are designated as category 2 responders. Under the *Civil Contingencies (2004)* these organisations are only required to comply with the Sharing of Information and Cooperation duty; they are not obligated to fulfil the Business Continuity Management duty. Therefore, they're not required to consider the wide range of hazards and threats outlined in the National Risk Register, like Category 1's. The *Cabinet Office's Chapter 6 Business Continuity Management* states "The

Regulations require Category 1 responders to have regard to assessments of risk maintained pursuant to the Act when developing BCPs.” (Cabinet Office, 2012, P.8)

The UK heavily relies on privately owned companies designated as Category 2 responders for providing essential services for daily life. This means there's a significant gap which represents a major weakness in the UK's overall preparedness and resilience, as interruptions to critical infrastructure can have far-reaching national consequences.

Part 2, Emergency Powers of the *Civil Contingencies (2004)* which provides the UK Government with a framework of introducing emergency legislation has never been enacted since its introduction. This reflects the fact that implementing Part 2 is seen as a very last resort. During the COVID-19 pandemic alternative legislation was created and introduced as the emergency powers of the *Civil Contingencies (2004)*. enactment was deemed unsuitable. A key limitation when implementing the duty only permits a 30day period of the emergency power, without a review period. Making it inflexible for managing a prolonged crises such as a pandemic. As Part 2 Emergency Powers of the *Civil Contingencies (2004)* has never been used, I don't feel it's effectiveness can be truly evaluated. However, The Cabinet Office's National Resilience framework states “*The emergency powers under the CCA remain fit for purpose*” (HM Government 2022 p.28)

The *Civil Contingencies (2004)* Doesn't set out any specific roles or duties for central government. However, many of the hazards listed in the *National Risk Register (2025)* such as the Failure of the National Electricity System require extensive government involvement in the planning, response and recovery. The review of the Covid-19 pandemic highlighted government departments were unprepared for a national emergency

While the *Civil Contingencies (2004)* has improved and strengthen preparedness in the UK by creating a common framework that enables the designated agencies to work collaborative in discharge their duties. It doesn't mandate roles for central government which is crucial for national emergencies “*The main function of a regional (or state or provincial) plan is to provide coordination and continuity for local planning initiatives.*” (Alexander 2002 p.132)

The evolving landscape of civil protection means the *Civil Contingencies (2004)* and the statutory and non-statutory guidance needs to keep up the pace of the changing demands, multi-agency working and business continuity. The legislation must adapt and meet the growing demands of complex risks, multi-agency working and the increased emphasis on business continuity. In my view the response component is in desperate need of updating and the review of category 1 and 2 responder organisations and categories.

The civil protection risk landscape is undergoing rapid and significant change the current risk assessment processes must evolve to a changing world. In England the approach has already changed in the last three years. Individual risks within the *National Security Risk Assessment* are now updated through interim amendments, whereas previously the assessment was only refreshed on a two-year cycle with no updates in between. While risk reduction and prevention should remain a wider spectrum of subject matter experts is required to input in the process. Delivering such effectively would demand extensive coordination across local, and national agencies, government departments and the private sector which represents a major opportunity but a very operational challenge for the UK.

Public expectations of recognised agencies are rising, and there's an increasing pressure on LRF's to deliver more. As the demand on LRF's increase and evolve, it becomes essential to establish a consistent and standardised approach to how they operate day to day and in an emergency. Consideration should be given to formally designing roles within LRF's during emergency response. To enable LRF's to effectively drive resilience, long term funding must be secured. Introducing defined roles or additional statutory duties would support greater consistency whilst meeting the evolving expectations of both the government and the public.

Since the introduction of the *Civil Contingencies (2004)* warning and informing duty, traditional media practices have evolved, and the rise of social media over the last 15 years has transformed arena during emergencies. Social media has created an environment in which anyone with a smartphone can act as a real time reporter. Capturing and disseminating images, videos in seconds. While this can offer valuable situational awareness and enable responders to issue public messages, it also presents significant challenges. Unverified content, misinformation and speculation can spread quickly, potentially undermining public confidence and hindering response efforts. Despite the medias central role in shaping public understanding of emergencies, media organisations are not routinely involved in the planning for emergencies. Although the media is expected to operate within the *IPSO, Independent Press Standards* reporting during fast moving incidents can still be biased or inaccurate. The early coverage of the Hillsborough tragedy by the sun newspaper is a lasting example of how inaccurate reporting can shape the public's understanding of the incident. This is highlighted in the BBC's headline in 2016 "Sun's Hillsborough front page 'symbol of lies and cover-up'" (BBC, 2016).

Persistent issues including interoperability continue to be highlighted in the response phase, joint working often depends on local leadership and goodwill rather than robust frameworks. This creates variability in the quality of multi-agency co-ordination, particularly under when pressure from a live incident. Resourcing disparities further compound this issue as the city's often have more resources to allocate to civil protection compared to the shire counties, creating a post-code-based lottery on resilience measures.

Looking ahead there are several external developments which are likely to place additional pressures on local responders especially the local authorities. Over the next few years local authorities will be going through massive changes due to the introduction of combined authorities and local government reorganisation. The Ministry of Housing and Local Government's (MHCLG) English Devolution White Paper (2024) states "Depending on the outcomes of this review, the government may amend the Civil Contingencies Act 2004 to recognise Strategic Authorities as a categorised responder" (MHCLG 2024 p.85)

The changing world has led to the production of the Ministry of Defence's Strategic Defence Review which emphasises the requirement of community resilience and the whole of society response. These changes may alter structures and could impose new requirements on local and national responders "Defence plays a central role in this whole-of-society approach" (Ministry of Defence 2025 P36).

There is a greater emphasis for the public to become more resilient as risks are increasing and becoming more complex. Community level resilience in the future will be key; the Cabinet Office's *Resilience Framework 2022* calls for a whole of society approach to resilience. "For communities, our 'whole-of-society' approach to resilience means that everyone recognises their role in, takes responsibility and contributes to, the UK's resilience." (HM Government 2022 p.46). The Resilience Action Plan 2025 reinforces the UK Government's vision "Building a truly resilient society requires a fundamental, cultural shift in the way emergency preparedness is thought about. To support us to do this we must do more to provide households with preparedness information." (HM Government 2025 p18). In addition The UK Government's *Prepare* website introduction in 2024 is designed to help the public prepare for emergencies to build national resilience with "practical advice on preparing for emergencies" (Prepare.uk. 2025).

Conclusion

In conclusion to the question:

To what extent has the Civil Contingencies Act [2004] and its accompanying statutory and non-statutory guidance transformed the landscape of emergency preparedness and civil protection in the United Kingdom

The *Civil Contingencies (2004)* and its statutory and non-statutory guidance have significantly changed the landscape of emergency preparedness and civil protection across the UK. The *Civil Contingencies (2004)* created a framework defining roles and responsibilities and duties for Category 1 and 2 responders. The formation of LRF's has provided a forum for coordinated planning, response and recovery activities unlike the Civil Defence era.

The statutory and non-statutory guidance provides much needed support and has further strengthen consistency. However, this is still open to local interpretation, budgets and individual organisations capabilities. The risk landscape is testing the limits of the *Civil Contingencies (2004)*, and national emergencies are exposing gaps in response. The absence of the business continuity for some of the category 2 responders is a major weakness in the UK resilience.

Despite these shortcomings, the introduction of the *Civil Contingencies (2004)* has given a structure to the emergency management arena and has provided a cultural shift across multiple sectors. However, the legislation needs to evolve and keep up with the requirements including clarifying whole system resilience and who else will play a key role in the future.

Bibliography Alphabetical by author

Anderson. Iain. (2001). Foot and Mouth Disease 2001: Lessons to be Learned Inquiry [online]. Available at:
https://www.jesip.org.uk/uploads/media/incident_reports_and_inquiries/Foot%20and%20Mouth%20Disease%202001%20Inquiry%20Report.pdf (Accessed: 12 January 2026).

Balmforth. D. (2020) Toddbrook Reservoir Independent Review Report. [online]. Available at:
<https://assets.publishing.service.gov.uk/media/5e6f3f56d3bf7f2690785d52/toddbrook-reservoir-independent-review-reporta.pdf> (Accessed: 15 January 2026).

BBC. (2000). *Flood Misery Spreads*. Available at:
<http://news.bbc.co.uk/1/hi/uk/1011873.stm> (Accessed: 12 January 2026).

BBC. (2016). *Sun's Hillsborough front page 'symbol of lies and cover up*. Available at:
<https://www.bbc.co.uk/news/uk-36149489> (Accessed: 17 January 2026).

Cabinet Office. (2022) Civil Contingencies Act Post Implementation Review 2022. [online] Available at:
<https://assets.publishing.service.gov.uk/media/6283a1a6d3bf7f1f3ef4838d/cca-pir-2022.pdf> (Accessed: 15 January 2026).

Cabinet Office. (2012). *Chapter 1: Introduction (Revised March)*. Available at:
[Chapter-1-Introduction_amends_16042012.pdf](#) (Accessed: 12 January 2026).

Cabinet Office. (2012). *Chapter 2: Cooperation (Revised March)*. Available at:
[Chapter-2-Co-operation-revised-March-2012.pdf](#) (Accessed: 12 January 2026).

Cabinet Office. (2012). *Chapter 3: Formal Information Sharing under the Civil Contingencies Act 2004 (Revised March)*. Available at:
[Chapter-3-Formal-information-sharing-revised-March-2012.pdf](#) (Accessed: 12 January 2026).

Cabinet Office. (2012). *Chapter 4: Local responder risk assessment duty (Revised March)*. Available at:
[Chapter-4-Local_20Responder-Risk-assessment-duty-revised-March.pdf](#) (Accessed: 12 January 2026).

Cabinet Office. (2011). *Chapter 5: Emergency Planning (Revised October)*. Available at:
[Emergency_Preparedness_chapter5_amends_21112011.pdf](#) (Accessed: 12 January 2026).

Cabinet Office. (2012). *Chapter 6: Business Continuity Management (Revised March)*. Available at:
[Chapter-6-Business-Continuity-Management_amends_04042012.pdf](#) (Accessed: 12 January 2026).

Cabinet Office. (2012). *Chapter 7: Communicating with the public (Revised March)*. Available at:
[Chapter-7-Communicating-with-the-Public_18042012.pdf](#) (Accessed: 12 January 2026).

Cabinet Office. (2012). *Chapter 8 Business continuity advice and assistance to business and the voluntary sector (Revised March 12)*. Available at:
https://assets.publishing.service.gov.uk/media/5a79c8c3e5274a18ba50ecf0/Chapter-8-Advice-and-Assistance-to-Business-and-the-Voluntary_amends_24042012.pdf (Accessed: 12 January 2026).

Cabinet Office. (2013). *Emergency Response and Recovery: Non statutory guidance accompanying the Civil Contingencies Act 2004*. Available at:
https://assets.publishing.service.gov.uk/media/5a7c1f3040f0b61a825d6974/Emergency_Response_and_Recovery_5th_edition_October_2013.pdf (Accessed: 12 January 2026).

Cabinet Office. (2013). *National Recovery Guidance*. Available at:
<https://www.gov.uk/guidance/national-recovery-guidance> (Accessed: 12 January 2026).

Cabinet Office. (2020). *National Resilience Standards for Local Resilience Forums*. Available at:
https://assets.publishing.service.gov.uk/media/5f4e1107e90e071c6c7d940c/NRS_for_LRFs_V3.0__Aug2020.pdf (Accessed: 15 January 2026).

Cabinet Office. (2025) *Strengthening Partnerships Outcome Consultation report*. [online] Available at:
<https://www.gov.uk/government/consultations/strengthening-partnerships-consultation/outcome/outcome-report-html> (Accessed: 12 January 2026).

Cabinet Office. (2022). *The UK Government Resilience Framework*. Available at:
https://assets.publishing.service.gov.uk/media/63cff056e90e071ba7b41d54/UKG_Resilience_Framework_FINAL_v2.pdf (Accessed: 12 January 2026).

Civil Contingencies Act 2004, c.36. Available at:
<https://www.legislation.gov.uk/ukpga/2004/36/contents> (Accessed: 12 January 2026).

Civil Defence Act 1948, c.5. Available at:

<https://www.legislation.gov.uk/ukpga/Geo6/12-13-14/5/enacted/data.pdf> (Accessed: 12 January 2026).

Coronavirus Act 2020, c.7. Available at:

<https://www.legislation.gov.uk/ukpga/2020/7/data.pdf> (Accessed: 12 January 2026).

Emergency Powers Act 1920, c.55. Available at:

https://www.legislation.gov.uk/ukpga/1920/55/pdfs/ukpga_19200055_en.pdf
(Accessed: 12 January 2026).

Environment Agency. (2000) Lesson Learned Autumn 2000 Floods. [online] Available at:

[geho0301bmxo-e-e.pdf](#) (Accessed: 12 January 2026).

GOV.UK. (2025). *Prepare*. Available at:

<https://prepare.campaign.gov.uk/> (Accessed: 12 January 2025).

Hallett. (2024) UK COVID-19 Inquiry module 1. [online] Available at:

<https://covid19.public-inquiry.uk/wp-content/uploads/2024/07/18095012/UK-Covid-19-Inquiry-Module-1-Full-Report.pdf> (Accessed: 10 January 2026).

House of Commons Joint Select Committee. (2003) Draft Civil Contingencies Bill First Report. [online] Available at:

<https://publications.parliament.uk/pa/jt200203/jtselect/jtdcc/184/18415.htm>
(Accessed 15 January 2026).

House of Commons Public Accounts. (2002) *Eighteenth Report*. [online] Available at:

<https://publications.parliament.uk/pa/cm200102/cmselect/cmpubacc/587/58703.htm#:~:text=The%20floods%20in%20England%20in,that%20they%20have%20been%20neglected> (Accessed: 12 January 2026).

HM Government. (2025). *National Risk Register*. Available at:

https://assets.publishing.service.gov.uk/media/67b5f85732b2aab18314bbe4/National_Risk_Register_2025.pdf (Accessed: 10 January 2026).

HM Government. (2025). *The Amber Book: Managing Crisis in Central Government*. (Version 3). Available at:

https://assets.publishing.service.gov.uk/media/680a4faa7a11df940be1aabf/35.20_CO_Emergency_Response_and_Recovery_02_Amber_Book_FINAL_WEB.pdf
(Accessed: 12 January 2026).

HM Government. (2025) The UK Government Action Plan, The UK's strategic approach to Resilience. [online] Available at:

https://data.parliament.uk/DepositedPapers/Files/DEP2025-0466/The_UK_Government_Resilience_Action_Plan.pdf (Accessed: 17 January 2025).

Ministry Of Defence. (2025) The Strategic Defence Review Making Britain Safer: secure at home, strong abroad. [online] Available at: https://assets.publishing.service.gov.uk/media/683d89f181deb72cce2680a5/The_Strategic_Defence_Review_2025__Making_Britain_Safer__secure_at_home__strong_abroad.pdf (Accessed: 12 January 2026).

Ministry of Defence. (2021). *UK Operations: The Defence Contribution to Resilience*. Available at: https://assets.publishing.service.gov.uk/media/6384a153e90e0778a511ab69/20221128-JDP_02_Web.pdf (Accessed: 12 January 2026).

Ministry of Housing and Local Government. (2025) Grenfell Tower Inquiry Phase 2 Report: Government response. Available at: <https://www.gov.uk/government/publications/grenfell-tower-inquiry-phase-2-report-government-response/grenfell-tower-inquiry-phase-2-report-government-response-html#chapter-1-governments-response-to-the-grenfell-tower-inquiry-phase-2-reports-recommendations> (Accessed: 10 January 2026).

Ministry of Housing Communities and Local Government. (2024) English Devolution White Paper [online] Available at: https://assets.publishing.service.gov.uk/media/67ade9866e6c8d18118acd58/English_Devolution_White_Paper_Web_Accessible.pdf (Accessed: 12 January 2026).

National Preparedness Commission. (2022) Independent Review of the Civil Contingencies Act and Supporting Arrangements: Findings and Key Actions [online] Available at: <https://www.governmentevents.co.uk/wp-content/uploads/2022/06/Bruce-and-Kathy.pdf> (Accessed: 10 January 2026)

O'BRIEN, G., 2006. UK EMERGENCY PREPAREDNESS: A STEP IN THE RIGHT DIRECTION? *Journal of International Affairs*, **59**(2), pp. 63-XVI.
Parliament UK Joint Select committee. (2003) Joint Committee on Draft Civil Contingencies Bill first report. [online] Available at: <https://publications.parliament.uk/pa/jt200203/jtselect/jtdcc/184/18416.htm> (Accessed: 14 January 2026).

Public Health (Control of Disease) Act 1984, c.22. Available at: <https://www.legislation.gov.uk/ukpga/1984/22/data.pdf> (Accessed: 12 January 2026).

The Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005, c.2042. Available at: <https://www.legislation.gov.uk/uksi/2005/2042/data.pdf> (Accessed: 12 January 2026).

The Guardian. (2000). *Britain Grinds to a halt as Blair's pleas are ignored*. Available at:
<https://www.theguardian.com/uk/2000/sep/14/tonyblair.oil> (Accessed: 12 January 2026).