

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

4th March 2025

**REPORT AUTHOR: County Councillor Richard Church
Cabinet Member for A Safer Powys**

REPORT TITLE: Charter for Families Bereaved Through Public Tragedy

REPORT FOR: Decision

1. Purpose

- 1.1. This paper sets out the background, details, and the requirements of the Charter for Families Bereaved Through Public Tragedy (herein known as the Charter). This paper recommends that Cabinet note the content of the Charter, and adopt it on behalf of Powys County Council.

2. Background

- 2.1. Following the conclusion of the second Hillsborough Inquest in April 2016, the former Bishop of Liverpool, Bishop James Jones was commissioned by the UK Government to conduct a review on the experiences of the Hillsborough families over the years since the disaster.
- 2.2. His report was laid before Parliament titled 'The Patronising Disposition of Unaccountable Power', commonly known as the Hillsborough Review. The report records the families' experiences over 28 years and presents 25 points of learning including a 'Charter for Families Bereaved Through Public Tragedy'. The report demonstrated that the experiences of many of the Hillsborough families were reflected in the experiences of families bereaved in subsequent public tragedies.
- 2.3. The Charter was developed by Bishop James Jones as part of the review and lessons learned in order to ensure that the pain and suffering of the families impacted by the Hillsborough tragedy is not repeated in any future tragedies, and that a culture of openness is promoted across public serving organisations.
- 2.4. The Charter (attached as Annex A):

- Provides a framework to support bereaved families and communities in the aftermath of a major incident (humanitarian/human factors)¹.
 - Highlights the commitment to be more 'people focused' and to provide the vital services that will meet the needs of people before, during and after an incident.
 - Presents six principles that would be prioritised in the event of a major incident or public tragedy.
- 2.5. The Welsh Government and Welsh Joint Emergency Service Group have undertaken to adopt the recommendations from the Patronising Disposition of Unaccountable Power report as captured in the Charter. They are seeking pan Wales delivery across Local Resilience Forums, emergency responders, NHS organisations and providers, as well as the voluntary sector.
- 2.6. The Welsh Government and the Welsh Joint Emergency Services have stated that their aim is to Wales to be the first UK nation to have all public bodies signed up the Charter.
- 2.7. South Wales Police have taken the lead in the adoption of the Charter for Wales and have organised a number of events for the purpose of information sharing on the Charter. South Wales Police have produced a template for all Welsh public sector organisations to sign (Annex A).
- 2.8. The Dyfed-Powys Local Resilience Forum Strategic Group have discussed the Charter, and have asked for confirmation that individual organisations (including Powys County Council) will be signing the Charter. Additionally, work will be undertaken at the Dyfed-Powys Local Resilience Forum level to pro-actively incorporate the principles from the Charter into existing multi-agency plans.
- 2.9. The Charter will be an element of the proposed Hillsborough Law, which UK Prime Minister, Sir Kier Starmer has stated will be introduced in Parliament before April 2025. The Hillsborough Law will take forward the recommendations of Bishop James John, making the Charter binding on public bodies, and will make it a criminal offence for failing to comply with the Duty of Candour. Additionally, the Hillsborough Law would bring a number of further measures including:
- A public advocate to act for the families of the deceased following major incidents.
 - Ensuring that the victims of disaster/state related deaths are entitled to publicly funded legal assistance and

¹ The Charter does not provide a definition of a major incident, however the implementation of the principles of the Charter should not be limited by a responder agency declaring a major incident as defined by the Civil Contingencies Act.

representation, at the same level and resources available to public bodies.

- A requirement that evidence and finding of major inquests must be taken fully into account at any subsequent criminal trials.
- A requirement that any criminal trials following a major inquest take place in a court with relevant expertise and status, rather than a crown court.

3. Advice

- 3.1. Powys County Council should adopt the Charter; in doing so and honouring its principles, it will provide us with a framework to support bereaved families and the community in the aftermath of a public tragedy. It will highlight our commitment to being more-people focused during public tragedy and to providing services that meet the needs of people before, during, and after an incident.
- 3.2. The principles of the Charter should not be limited by the declaration of a major incident, but should be applied to any situation where the response of Powys County Council to an incident is likely to have a significant impact of the confidence of an individual, their family, and/or community.
- 3.3. In adopting the Charter, Powys County Council would commit to the principles of the Charter, and would therefore pledge to become an organisation which strives to:
 - In the event of a public tragedy, support the activation of emergency plans and deployment of resources to rescue victims, to support the bereaved and to protect the vulnerable.
 - Place the public interest above our own reputation.
 - Approach forms of public scrutiny – including public inquiries and inquests with candour, in an open, honest and transparent way, making full disclosure of relevant documents, material and facts. Our objective is to assist the search for the truth. We accept that we should learn from the findings of external scrutiny and from past mistakes.
 - Avoid seeking to defend the indefensible or to dismiss or disparage those who may have suffered where we have fallen short.
 - Ensure all members of staff treat members of the public and each other with mutual respect and with courtesy. Where we fall short, we should apologise straightforwardly and genuinely.
 - Recognise that we are accountable and open to challenge. We will ensure that processes are in place to allow the public to hold us to account for the work we do and for the way in which we do it. We do not knowingly mislead the public or the media.

- 3.4. The requirements of the Charter are already embodied within the rules, obligations and codes that apply to public services, and those in public office. However, in adopting the Charter, Powys County Council will be reaffirming our commitment to a culture of honesty and transparency in public service.

4. Resource Implications

- 4.1. There are currently no resource implications identified for if Powys County Council adopt the Charter. The Charter is in line with the Council's obligations under the Civil Contingencies Act. However, it should be noted that if a major incident or disaster was to occur, then resources may need to be (re)allocated in order to support response and recovery.
- 4.2. The Council's Head of Finance has considered this report and can confirm the recommendations are supported

5. Legal implications

- 5.1. Legal: the recommendations can be supported from a legal point of view
- 5.2. The Head of Legal Services and the Monitoring Officer has considered this report and comments: " I note the legal comment and support the recommendations."

6. Climate Change & Nature Implications

- 6.1. No implications for climate change and nature have been identified.

7. Data Protection

- 7.1. The proposals presented in this paper do not involve the processing of personal data.

8. Comment from local member(s)

- 8.1. Comments from local members have not been sought, as this report relates to all areas of Powys.

9. Impact Assessment

- 9.1. An Impact Assessment for the Charter has not been undertaken as the Charter is UK wide initiative supported by the Welsh Government. Additionally, this proposal is to adopt the Charter rather than a change to policy.

10. Recommendation

- 10.1. That Cabinet adopt the Charter and its principles on behalf of Powys County Council as set out in Annex A to the report, and that these principles are followed wherever the response of Powys County Council to an incident is likely to have a significant impact of the confidence of an individual, their family, and/or community.
- 10.2. Adopting the Charter will enable us to meet the needs and expectations of our residents and communities, should we face a significant public disaster or major incident in the future.

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Annex A – Charter for Families Bereaved through Public Tragedy



Charter for Families Bereaved through Public Tragedy

In adopting this Charter I am making a public commitment to ensuring that

learns the lessons of the Hillsborough disaster. This includes ensuring the perspective of bereaved families is not lost during the response of public organisations to major incidents and that families are always treated with care and compassion.

Through the Charter we will strive to:

- 1.** In the event of a public tragedy, support the activation of emergency plans and deployment of resources to rescue victims, to support the bereaved and to protect the vulnerable.
- 2.** Place the public interest above our own reputation.
- 3.** Approach forms of public scrutiny – including public inquiries and inquests – with candour, in an open, honest and transparent way, making full disclosure of relevant documents, material and facts. Our objective is to assist the search for the truth. We accept that we should learn from the findings of external scrutiny and from past mistakes.
- 4.** Avoid seeking to defend the indefensible or to dismiss or disparage those who may have suffered where we have fallen short.
- 5.** Ensure all members of staff treat members of the public and each other with mutual respect and with courtesy. Where we fall short, we should apologise straightforwardly and genuinely.
- 6.** Recognise that we are accountable and open to challenge. We will ensure that processes are in place to allow the public to hold us to account for the work we do and for the way in which we do it. We do not knowingly mislead the public or the media.

Signed: _____

