

AUDIT AND GOVERNANCE COMMITTEE



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| Report subject | Emergency planning and business continuity annual update |
| Meeting date | 26 October 2023 |
| Status | Public Report |
| Executive summary | Emergency planning and business continuity are statutory duties for BCP Council. Activity over the reporting period has been about continuing to build capability and put plans in place in line with higher risks, local and national learning, and nationally-driven priorities and workstreams such as planning for a national power outage. This report sets out the activities undertaken to achieve this and also highlights the challenges arising. |
| Recommendations | It is RECOMMENDED that Audit and Governance Committee: a) Note the emergency planning and business continuity activity that has taken place during the monitoring period b) Note the ongoing issues with delivering the business continuity management programme c) Note the current issues within the Emergency Planning Team regarding resource and the impact this will have on service delivery d) Note the current resilience position locally and nationally and the implications of this. |
| Reason for recommendations | It is a statutory requirement for BCP Council to have effective emergency planning and business continuity planning and arrangements in place in accordance with the Civil Contingencies Act 2004 and to therefore ensure it can provide assistance to the communities of the BCP Council area in the event of disruption. |
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| Wards | Council-wide |
| Classification | For update and information |

Background

1. This report provides an update on the emergency planning and business continuity arrangements in place across BCP Council and related activity during the period of this annual monitoring report from November 2022 to October 2023.
2. It is a statutory requirement for BCP Council to have effective emergency planning and business continuity arrangements in place in accordance with the duties placed on BCP Council as a category 1 responder under the Civil Contingencies Act 2004 (CCA). The fundamental elements of this are:
 - plan and prepare
 - test, validate and exercise plans (to make sure they work)
 - train and exercise staff (specialist response staff and all staff)
 - maintain plans and arrangements (to ensure they are up to date)
 - respond and recover from incidents when they occur
 - debrief and learn - then feed this back into planning and preparation.
3. As part of the council's statutory duties it has to come together under the multi-agency partnership of the Local Resilience Forum (LRF) to plan, prepare and train for emergencies. The LRF is not a legal entity; it is a partnership comprising the category 1 and category 2 responder organisations that operate within the footprint of Dorset LRF which is coterminous with the Dorset Police boundary. LRF members have to plan together to be able to use their collective resources in the most effective way in the event of an emergency. BCP Council is a constituent, accountable member of the partnership. LRF planning and activity should therefore not be seen as something separate and discrete to BCP Council. The council has a duty to ensure that it is fully engaged in both the development of multi-agency emergency plans and planning and, in the event of an emergency, responding alongside partner agencies, drawing on the full range of council resources to deliver both aspects.
4. Dorset LRF has a dedicated team funded by LRF partner agencies to facilitate multi-agency planning in line with the requirements of the CCA. This is called the Dorset Civil Contingencies Unit (CCU). The team currently has no legal responsibilities under the CCA. The accountability remains with the category 1 and 2 responder organisations who essentially pay the CCU to assist with delivering these CCA multi-agency planning responsibilities.
5. Within BCP Council emergency planning and business continuity are council wide responsibilities with all services having a role to play in planning and preparation and responding when an incident occurs.
6. In summary, there are two modes of activity: planning and preparation and response and recovery and these are carried out at two different levels, BCP Council (single agency) and Dorset LRF (multi agency). The BCP Council Emergency Planning and Resilience Team supports the council in driving resilience work forward in both modes and at both levels and acts as the everyday interface with the LRF partnership.

Resilience Overview and National Update

7. There are a number of factors that are increasing the spotlight on resilience and intensifying scrutiny of how organisations are meeting their statutory duties. In addition to this, they are bringing new requirements and workload. These factors are:
 - COVID-19 - learning from the response to this and the renewed focus on planning and preparation. The pandemic was a wake-up call in response to the 'it will never happen' attitude that has pervaded.

- LRF and BCP Council capability gaps – known gaps in planning, training etc identified through risk and capability assessment, incident response etc
 - Public inquiries including COVID-19, Manchester Arena and Grenfell and the significant recommendations arising from these
 - National Resilience Framework (2022) – the Government’s framework and vision for resilience going forward with a whole-of-society approach ([The UK Government Resilience Framework \(HTML\) - GOV.UK \(www.gov.uk\)](#)) This means additional work with parish and town councils and communities as well as business to drive the uptake of home emergency plans, community emergency plans and business continuity plans. There are also pilots looking at the concept of a Chief Resilience Officer, equivalent in rank to a Chief Constable or local authority chief executive, as a full-time dedicated officer leading each LRF who will be accountable to executive local democratic leaders. The aim of this would be to ensure effective delivery of resilience activity including integrating resilience into wider local delivery and levelling up as it is generally seen quite separately to most other service delivery.
 - The five-yearly review of the Civil Contingencies Act and the increased focus on external assurance and publicly demonstrating an organisation’s preparedness in line with the CCA.
 - Martyn’s Law/ the Protect Duty arising from the Manchester Arena attack whereby all public accessible venues over a legally specified capacity will need to have contingency plans in place and ensure staff are trained.
 - New national and local workstreams e.g. various counter terrorism workstreams which involve humanitarian assistance, water safety
 - Climate change – a chronic risk on the National Security and Risk Assessment, the omni-present focus on this in the public domain and the increased frequency of severe weather and issues that will ensue
 - New national catastrophic impacts workstream acknowledging the increasingly complex and interrelated nature of incidents when they occur and the systemic impacts that arise as result. This covers risks such as a national power outage.
 - Increase in likelihood of the majority of risks assessed on the National Security and Risk Assessment 2022. Risk assessment is the first duty under the CCA and this underpins the work of emergency planning.
8. In line with the requirements of the council’s statutory duties under the CCA there is a need to ensure that all those with a role in responding are trained and familiar with their roles. The turnover in staff across the council continues to impact all three duty levels (Gold, Silver and Bronze) and work has been underway to recruit internally and train new or incoming staff to ensure that the duty and command structure arrangements remain robust.
9. All three duty levels attended a new mandatory training course late last year on decision making in emergencies. The training was delivered by a barrister who has significant experience in emergency response and public inquiries. A one-day tactical emergency management training course was delivered by external trainers in September to the newer cohort of council Duty Silvers. Staff also continue to attend a range of multi-agency training delivered through the LRF training programme. As is now a requirement of LRFs following a recommendation from the Manchester Arena attack public inquiry, a record of all training is kept and presented to the LRF Executive Board with a charge for non attendance having been introduced. BCP Council is looking at its attendance as it had the second-highest non-attendance figure amongst LRF partners for the year in the recent reporting.

10. In February the Emergency Planning and Resilience Manager delivered an awareness raising session to the Senior Leadership Network. Awareness amongst managers and staff of the council's and their responsibilities is an issue that arises during internal debriefs to incidents and this was to address this.
11. The Emergency Planning Team is the council's corporate team of professional emergency planning and business continuity specialists. They act as facilitators and enablers driving resilience planning and compliance forward. At full complement the team consists of 5 team members. Three members of the team have recently resigned leaving a significant resourcing gap. This gap is being addressed by restructuring the team to better reflect the sensitive and challenging nature and demands of the role and the considerable volume of work required to be undertaken. Whilst the higher grades should be better equipped to meet the demands of the role and require less training and development, this restructuring still leaves a capacity gap within the team to be able to deliver the volume of work required despite rigorous prioritisation. New staff are not likely to be in post until the new year. This will impact on service delivery.
12. As resource becomes more stretched across the council, the engagement from services in the planning side of emergency planning and business continuity is becoming more and more pressured. Resilience activity is often seen as an 'add on' to the day job rather than being seen as part of it and this intensifies when services are under significant pressure. This means that it is harder to progress work and that the timeframes for completing work are becoming longer. This leads to gaps in plans and capability. It also means that staff do not engage in training and exercising. The overall resilience of the council as a result is reduced.
13. Emergency planning and business continuity were removed from the corporate risk register last year and a new risk register held by the Corporate Resilience Board has been established to capture relevant risks. Each risk is allocated to a Board member and the risk register is reviewed at each Board meeting. Current risks on the register include:
 - Failure of the agreed BCP Council resilience governance framework to effectively deliver aims and objectives
 - Lack of suitably trained and aware staff to carry out specialist emergency response roles. More general recruitment and retention issues in operational business as usual teams exacerbate the more specialist roles.
 - Inability to collate vulnerable people and establishment data and map it in a timely fashion to support incident response
 - Lack of a properly resourced and equipped resilient coordination centre
 - Lack of resilient telecommunications.

Emergency Response

14. The main incident response in the reporting period was the oil spill in Poole Harbour in late March originating from the Perenco site. This was a challenging response as the incident site actually sits within the Dorset Council area but most of the media and public attention was focused on BCP Council given the association with Poole Harbour. The lead agency was in fact Poole Harbour Commissioners. A major incident was declared in response to the incident and the Local Resilience Forum emergency response was stood up for a couple of weeks to co-ordinate the multi-agency response. This then transferred responsibility to the LRF Recovery Co-ordinating Group (RCG) which still continues to sit six months after the event albeit with a much-reduced frequency. This group is looking at aspects of recovery such as the remediation and clean up, cost recovery and understanding the potential longer-term environmental impacts of the oil spill. An external company has been commissioned to deliver a report looking at this. It is due to report on its initial findings in the near future with a longer-term piece of work to follow as it may take another couple of years to fully understand the longer-term environmental position.

15. The oil spill was a significant incident and enabled BCP Council to give a good test to its response plans and arrangements. These stood up to the situation with lots of positive feedback from BCP Council colleagues who were involved but also lots of learning. The warning and informing element of the response was particularly complex and BCP Council embedded a Comms Officer within PHC to support them with the communication strategy and messaging in relation to the incident. BCP Council chaired the economic recovery sub-group set up to focus on the business impact and assist with cost recovery claims. This sub-group stood down after a few meetings as all the issues had been dealt with.
16. Separate internal and multi-agency debriefs into the response have been completed with debrief reports being produced containing a series of recommendations for future preparation and response.
17. In line with 'the polluter pays' principle in pollution incidents, BCP Council has submitted a claim to Perenco for recovery of officer time and assets deployed in response to the oil spill.
18. There was also a near miss back in December 2022 when we came very close to drinking water supplies being disrupted and unavailable. This would have seen about 25,000 properties in an area of BCP Council having to use alternative water supplies (i.e. bottled water) or having 'boil notices' issued literally a couple of days before Christmas. In these instances the council is required to work with the water companies to assist with water distribution sites and also ensuring that water supplies reach the most vulnerable taking into account any deprivation issues. Emergency Planning worked with Bournemouth Water and a range of council colleagues to identify appropriate water distribution sites and consider vulnerability issues.
19. The preparation also entailed cross border working with Dorset Council and Hampshire County Council as the area affected was not just confined to BCP Council, but it was most effective to work collaboratively to identify sites that would provide the easiest possible access to a bottled water distribution site for all our affected residents. This would potentially have meant non BCP residents coming to a BCP located site or vice versa.
20. Thankfully it did not come to pass but the quick-time planning work in preparation provided valuable learning. Southern Water in Hampshire also experienced some significant water loss issues around the same time and so the BCP Council experience, along with that of Hampshire, has provided some really good learning that is being built into a short BCP Council water loss document that highlights issues and considerations. An LRF loss of water working group that will look more specifically at alternative water provision and how this can be planned for and carried out is just getting underway with participation from BCP Council Emergency Planning. The freeze-thaw conditions that were seen last December created a range of water loss issues throughout the country and it is an issue that could be seen more frequently with changing weather patterns.
21. The other significant incident for BCP Council during the reporting period was the tragic death of two young people in the sea in Bournemouth in May. This was not actually an emergency in terms of civil contingencies, but it did necessitate a very rapid, co-ordinated response by a range of agencies. BCP Council applied its emergency planning principles to the situation and convened an internal Incident Management Team (IMT) following the incident to coordinate the ongoing response and follow up to the incident. A debrief has been held with a report and recommendations to be taken to the Corporate Resilience Board.
22. An important area of learning arising from recent incident responses is in relation to staff welfare for those directly involved or affected by the incident. This support applies not only to emergency response but also far more broadly in day-to-day council activity. TrIM (Trauma Incident Management) support is used very widely by the emergency services and voluntary agencies to support their staff following traumatic incidents and is a

recognised standard in this field. A range of support is available to BCP Council staff through the employee assistance programme, but this does not include TrIM. A TrIM support offer has been under development co-ordinated by the HR Wellbeing Manager. A small cohort of staff have been trained with the intention of introducing a pilot programme.

Emergency Planning Update

23. Key emergency planning development and activity has been progressing in the following areas:

- Exercise Mighty Oak – this was a three-day national exercise involving government that looked at how the country would respond to a national power outage. Staff from BCP Council took part in all three days. The exercise was held at Police headquarters in Winfrith with no access to technology or the external world to try to replicate what it would be like responding in this particular scenario with no power. Some of the exercise had to be scaled back as it took place three days after the oil spill in Poole Harbour and so certain elements had to be pared back to enable the emergency response to continue alongside participation in the live exercise. The exercise had taken several months of intense activity to plan and therefore LRF partners were keen to participate despite the ongoing circumstances. Following on from this an LRF working group has been established to take forward the learning from the exercise and subsequent planning. Likewise, an internal BCP Council pan-organisational working group is being established. A national power outage is deemed by the UK Government to be a catastrophic risk (low likelihood but extreme impact) given the systemic failure of power, utilities and disruption to all aspects of life that would ensue and the prolonged period of recovery that would follow as a result.
- As part of Exercise Mighty Oak, BCP Council also undertook a test of its message cascade system. This is the manual process by which a message would be cascaded throughout the organisation in the event of a significant issue arising from an emergency or disruption which affects the council's operations such as the closure of the civic centre or a cyber attack affecting the use of corporate IT. The test overall was a success with most managers able to reach the majority of their staff. The test brought the cascade to life and made it real for people. This means that staff better understand what is required and the practicalities of implementing a message cascade as a result. It served to highlight gaps in arrangements and in the business continuity planning behind these arrangements. It also demonstrated the value of testing and exercising and familiarising staff with plans.
- Alongside work planning for a national power outage there was a focus in December and January on planning for and raising awareness of the potential for rolling power outages during the period of peak power demand (usually for a period of weeks following Christmas). This would be due to the demand for electricity being greater than the country's ability to generate it and demand reduction measures would need to be brought in. This could lead to the electricity supply to households being turned off for three-hour periods on a rolling programme. The public would generally be given 24-hours' notice, but it could happen with no notice in the way a power cut may occur. There was considerable focus on this last year as a result of the war in the Ukraine, but it is in fact an ever-present risk with a national code publicly available that outlines the approach. [Electricity supply emergency code \(ESEC\) \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/103111/electricity-supply-emergency-code.pdf) Staff were asked to consider the impacts of rolling power outages from a service delivery perspective as well as a personal resilience one.
- A new corporate cyber response plan had been drafted that would be used in the event of an actual or suspected cyber attack which has had or has the potential to

have an adverse effect on the organisation. This was validated through an internal tabletop exercise in November 2022. The plan was updated following the exercise with learning and has been adopted by the Corporate Resilience Board.

- Bournemouth Airport sits within the footprint of BCP Council and the council has a responsibility to support the humanitarian response to an incident occurring at the airport. It therefore has to work with the airport to plan and prepare how it would work alongside agencies such as the police to support what are known as a Survivors Reception Centre and Friends and Family Reception Centre. These would be established at the airport following a significant incident at the airport such as an air crash to support and gain information from those who had experienced the incident. The airport has a legal requirement to test these plans as a condition of its licence to operate issued by the Civil Aviation Authority. This was postponed due to COVID but had to take place by March 2023. A live exercise was held at the airport one evening in February. Colleagues from Adult Social Care, Children's Social Care, Housing and Emergency Planning all participated in the exercise. This provided a useful opportunity for colleagues to familiarise themselves with their role should the plans be invoked as well as validating the arrangements. A considerable amount of learning was gathered from the exercise and a small working group has been working over the past few months to incorporate the learning into a new plan. The new plan will need to be tested again and another live exercise is looking to be scheduled for winter 2024/25.
- An emergency plan for the coordination of an evacuation of the islands of Poole Harbour has been worked on during 2022/23 following recommendations from previous exercises and incidents. This was adopted by the LRF earlier this year. Although the islands are located within the Dorset Council area, the evacuees would be brought to Poole and therefore BCP Council would be coordinating the humanitarian response alongside a range of partners. A multi-agency tabletop exercise was held in July to validate the plan. Some additional learning has been collated from the debrief and the plan is being updated.
- A further multi-agency tabletop exercise was also held to explore the evacuation of the Studland peninsular. A wildfire broke out there in August 2022 and the National Trust was keen to work with partner agencies to look at exercising a more significant version of this incident to inform the pulling together of a plan. BCP Council was involved in the incident response in 2022 and also in the exercise as an incident and evacuation of the peninsular did and would have a significant impact on the BCP Council area.
- Wildfires are a significant and ongoing risk with the potential for the risk to worsen in future as a result of climate change. The UK is now seeing wildfires occurring that are categorised as being of the same intensity as those occurring in parts of Europe. A BCP Council wildfire response plan has been drafted by Emergency Planning and is currently out for consultation with colleagues across the council. A lot of work has been ongoing across the council in relation to wildfire response and mitigation measures. The LRF wildfire response plan is also undergoing review in light of new guidance from the Association of Chief Fire Officers following a review of the wildfires across the UK in the preceding 12 months.
- LRF Human Aspects Coordinator – within emergency planning the term human aspects is widely used and means 'those activities aimed at addressing the needs of people affected by emergencies; the provision of psychological and social aftercare and support in the short, medium and the long term'. (Eyre et al, 2007). This may include survivors of an incident, the family and friends of survivors and the deceased, those responding to the emergency, and the community living and working in the area affected. Local authorities are deemed to be the lead planner and coordinator of human aspects planning and response

along with the lead for recovery. The human aspects area of work and the associated plans have been identified as a gap across Dorset LRF and been highlighted on the LRF risk register. As a result, BCP Council Emergency Planning made a funding bid to Dorset LRF for a one-year post to fund a staff member to address this capability gap. The funding has been approved and recruitment to the post is getting underway. The post will sit within and be line managed the BCP Council Emergency Planning and Resilience Team but deliver a work programme on behalf of the LRF and not BCP Council workstreams.

- LRF Community Resilience Post - The UK Government Resilience Framework (2022) commits to a whole-of-society approach to resilience so that individuals, businesses and organisations all play a part in building resilience across the UK. Local authorities are the lead on community resilience work and Dorset Council and BCP Council agreed to make a funding bid for an 18-month post using LRF funding to recruit a Community Resilience Liaison Officer. An officer started in role in February, hosted by Dorset Council, and has been engaged in a wide range of activity with parish and town councils and community groups. This has mainly been in the Dorset Council area to date with a programme being put in place to start greater engagement across the BCP Council area working with parish and town councils, ward councillors and community and networks groups. Links for instance have been made with the children's outreach coordinator at AFC Bournemouth. Dorset Prepared, which is the community resilience branding of Dorset LRF, hosted a stand for the four days of the Bournemouth Air Festival led by the LRF Community Resilience Liaison Officer with support from partners. This was to promote personal and community resilience, the idea of home emergency plans and home emergency grab bags in case of evacuation, and community emergency plans and community emergency hubs. This is an area where there is still a considerable amount of work still to be done.
- An internal working group has been established under the Director Commercial Operations who has the PROTECT brief to look at and prepare for the introduction of Martyn's Law. Emergency Planning is a key contributor to this group. The draft Bill was introduced in July of this year but it has not yet been passed as legislation and the final requirements and scope are not yet finalised. It is expected to become law in December 2023/January 2024.
- A new LRF working group co-chaired by BCP Council and Dorset Council has been established to look at the identification of the vulnerable and data sharing around this in response to an incident and how we can better plan and prepare for this. It is an area that all partners are required to consider as part of planning but can be very difficult in reality in incident response.
- Dorset LRF will be running a 2-day live exercise, Exercise Eleos, in October 2024. Live exercises take a considerable amount of planning and a planning group has been meeting since June to co-ordinate the work. The exercise scenario will be based on the risk of coastal flooding across the Dorset LRF area and both councils will be setting up and running a reception centre to practise their arrangements. It will also look at the human aspects of response and longer-term recovery from a significant flooding event.

Business Continuity Update

24. The main focus of business continuity activity continues to the completion of service level BIAs (business impact analysis) and from this service level business continuity response plans. The original deadline was 31st October 2022 with this having been extended several times. This has been flagged by Internal Audit (see section below) as it remains an outstanding item on the Corporate Resilience Board.

25. During the reporting period there has been a number of notable business continuity issues:
- The discovery of a malware issue which caused disruption to the Planning service.
 - A third-party service failure which resulted in a loss of Careline services as well as the out of hours customer service. A co-ordinated corporate response was established to manage the impact of this.
 - The loss of Customer Service daytime telephony.
26. All three of these issues have been reviewed with learning identified which will be fed back into service level business continuity planning. Emergency Planning facilitated a debrief of the out of hours issues and a report with recommendations will be presented to the Corporate Resilience Board in due course.
27. All three incidents highlighted the need for robust business continuity plans and staff awareness in order to recognise the scale of the disruption.

Internal Audit

28. Internal Audit has undertaken its periodic review of corporate emergency planning and business continuity arrangements as a key assurance function. The outcome is a reasonable assurance opinion which means that whilst there is basically a sound control framework in place, there are weaknesses which may put the service objective at risk. To this end Internal Audit made two medium and one low priority recommendations to address the issues identified. These were in relation to the fact that:
- not all services have completed business impact analyses and business continuity plans in line with the corporate deadline and this deadline continues to be extended.
 - there is not a corporate programme of testing and exercising of plans in place.
 - there are gaps in the BCP Resilience Forum representation with not all services having a nominated Service Representative with Responsibility for Resilience and there are gaps in their attendance.
29. The recommendations are being looked at and appropriate action considered. Given the current reduced resource in the Emergency Planning Team, supporting delivery of a corporate training and exercising programme will remain challenging.

Summary of financial implications

30. There are no direct financial implications of this report. The council's Emergency Planning and Resilience Team has an operating budget of £257,200 for 2023/24. This budget provides the funding for 5 staff as well as standby and call out payments for the 24/7/365 pool of Emergency Planning Duty Officers (Bronze). Gold and Silver duty holders are not paid to be on call or if called out, this having been evaluated within the pay and grading of their core roles. There is also a £72,900 budget for the council's contribution to the Dorset CCU as described in paragraph 4.

Summary of legal implications

31. Failure to have in place effective emergency planning or business continuity planning and arrangements may result in the council not meeting its statutory requirements under the Civil Contingencies Act.

Summary of human resources implications

32. There are no direct human resources implications from this report.

Summary of sustainability impact

33. There is no direct sustainability impact from this report. However, it should be noted that the frequency of emergencies related to severe weather, be it extreme heat, drought, wildfires, storms or flooding, is likely to increase over coming years as a result of climate change. Having seen the range of extreme and intense weather-related incidents experienced around the globe in the past year, the council needs to ensure it is well prepared to respond to the consequences of these through its emergency planning and preparedness alongside any mitigation and adaption measures through its climate change programme.

Summary of public health implications

34. There are no direct public health implications from this report. Having emergency and business continuity plans in place in line with the council's statutory duties means that it will be better placed to respond to public health emergencies or public health consequences of incidents as and when they occur.

Summary of equality implications

35. There are no direct equality implications from this report.

Summary of risk assessment

36. Failure to have in place effective emergency planning and business continuity arrangements could result in the council not being able to effectively respond to an emergency affecting Bournemouth, Christchurch and Poole or not being able to deliver critical services in the event of disruption.
37. As the organisation faces further resourcing challenges with a reducing workforce the engagement from services in planning for emergencies and business continuity becomes more and more limited as it is not seen as an immediate risk or challenge compared to everyday activity. It also means that the timescales required to complete planning activity are very much increased.
38. There is a business continuity risk to the organisation in terms of succession planning arising from the considerable loss of knowledge and experience when staff leave.

Background papers

None

Appendices

There are no appendices to this report.