

FROM: Audit and Risk Manager

SUBJECT: Emergency Planning & Business Continuity Management

TO: Head of Safer Communities, Leisure and Environment

DATE: 10 March 2023

C.C. Chief Executive
Head of Finance
Community Safety Manager
Emergencies and Resilience Lead Officer
Portfolio Holder (Cllr Falp)

1 Introduction

- 1.1 In accordance with the Audit Plan for 2022/23, an examination of the above subject area has recently been completed by Jemma Butler, Internal Auditor, and this report presents the findings and conclusions for information and, where appropriate, action.
- 1.2 Wherever possible, findings have been discussed with the staff involved in the procedures examined and their views are incorporated, where appropriate, into the report. My thanks are extended to all concerned for the help and cooperation received during the audit.

2 Background

- 2.1 Under the Civil Contingencies Act 2004, the Council has a duty as a 'Category 1' responder to 'assess, plan and advise' on risks of emergency situations and preparedness for them.
- 2.2 Regulations under the Act also require co-operation and information sharing between Category 1 and Category 2 responders and to establish the statutory basis for area-based 'local resilience forums' (LRFs). Warwick District Council is a participating body in the Warwickshire Local Resilience Forum (WLRf).

3 Objectives of the Audit and Coverage of Risks

- 3.1 A 'risk-based audit' approach has been adopted whereby key risks have been identified during discussion between the Internal Auditor and key departmental staff and upon review of the Significant Business Risk Register and the relevant Departmental Risk Register.
- 3.2 The management and financial controls in place have been assessed to provide assurance that the risks are being managed effectively. The findings detailed in the following sections confirm whether the risks are being appropriately

controlled or whether there have been issues identified that need to be addressed.

3.3 In terms of scope, the audit covered the following risks:

1. Failure to meet statutory duties under the Civil Contingencies Act 2004.
2. Legal action against the Council for failure of statutory services.
3. Failings in response to civil emergencies and disruptive events (actual or perceived) receive bad publicity and/or loss in public confidence.
4. Failure to meet customer expectations. (e.g. loss of IT / power / facilities)
5. Shortcomings in response lead to death, injury, illness or distress that would otherwise be avoidable.
6. Staff stress from work overload due to lack of training on the plans across service areas.
7. Roles, responsibilities and system processes not defined, documented or communicated.

3.4 These risks, if realised, would be detrimental to the Council with regards to meeting the following corporate objectives, as set out in the Fit for the Future Strategy:

Supports the aims of Fit for the Future Strategy by demonstrating effectiveness in handling civil emergencies and resilience of service in the face of disruptive events.

4 Findings

4.1 Recommendations from Previous Reports

4.1.1 The previous audit completed in April 2018 reported no recommendations.

4.2 Legal and regulatory risks

4.2.1 **Risk: Failure to meet statutory duties under the Civil Contingencies Act 2004.**

The Civil Contingencies Act 2004 places a statutory obligation on all Category 1 responders to carry out risk assessments and to maintain a 'community risk register' (i.e. a register of assessments carried out). Local Authorities, including City and District Councils, are included in the list of Category 1 responders.

The 2020 National Risk Register provides an updated government assessment of the likelihood and potential impact of a range of different malicious and non-malicious national security risks (including natural hazards, industrial accidents, malicious attacks, and others) that may directly affect the UK and its interests over the next two years. In addition to providing information on how the UK Government and local responders manage these emergencies, the National Risk Register also signposts members of the public to advice and guidance on what they can do to prepare for these events.

Last updated December 2020, the publication covers risks that could impact the UK over a two-year period. The 2020 update provided changes to the 2017 edition such as including summaries for serious and organised crimes, disinformation and hostile state activity. Additional risks were also added such

as antimicrobial resistance and major fires. Covid-19 was a live issue at the time the document was updated so a case study was included as further information was, at the time, unknown.

As well as using the National Risk Register, the public can also find information about risks to their local area through their Community Risk Register. Warwickshire County Council (WCC) have produced a guide called Preparing for Emergencies in Warwickshire. Used as a community risk register, the guide helps the users to prepare and respond to a major emergency.

The Warwickshire Local Resilience Forum (WLRf) has adopted a multi-agency approach for this work. Formed in 2005 in response to the Civil Contingencies Act 2004, the forum is made up of a number of organisations, fourteen of which are involved in the core planning and six are co-operating organisations. WDC is one of the organisations involved in the core planning work.

The Preparing for Emergencies in Warwickshire document provides information about the measures in place implemented by the WLRf. These include various actions such as monitoring the weather to proactively managing the potential risks e.g. using gritters to keep the traffic moving in poor conditions.

4.2.2 Risk: Legal action against the Council for failure of statutory services.

There is a formal Emergency Management plan (EMP) in place. Active since June 2022, the plan was most recently shared with all WDC staff on the 1 Aug 2022 via a big button on the intranet. Although most staff do not have a key role in the plan it is thought to be useful for staff to know that there is a plan in place.

Originally created in 2014, the plan has been updated and revised a number of times with a log kept showing the date of the revision and noting the revisions made. The current plan was approved by SLT on 11 July 2022.

There are a number of roles or job titles mentioned in the plan which no longer exist, mainly due to restructures and the changes made after the breakdown of the merger. The incorrect roles identified are mainly heads of services and a few of the operational job titles.

The current plan has recently undergone a review and was approved at SLT in 23th February 2023. Training of the updated plan is due to be delivered at Managers Forum in April 2023 with additional training to be rolled out after this to other staff.

There is a review date of Jan 2026 published on the document – this is for a full review. The document specifies timeframes to review various items and information within the document. This includes contact details to be checked every six months, updates when the plan has been activated or when guidance has been changed.

The plan has five operational sections including Facilities, Logistics and Salvage and Recovery. Insurance is included in the bronze team within the salvage section of the current 2022 EMP but has not been specifically named in the updated plan.

When reviewing or assessing the implications to the Council, insurance would need to be considered in most emergencies that could impact Council property, staff, finances, etc., arising from such events as flooding, fire or energy blackouts.

When the insurance went to tender part of the requirement was to include major loss cover. The insurance with Zurich includes access to a major loss team who can quickly assess damage and provide funds in an emergency situation. By ensuring the insurance company is notified early in an emergency it will help to aid recovery as well as helping to calculate the cost / finance of responding to an emergency.

Recommendation

Insurance cover should be specifically named in the EMP to ensure it is considered early on should an emergency situation arise.

There is an overall Council business continuity plan (BCP), however, it is considerably outdated due to changes in staff and job roles. It has been under review since the beginning of the pandemic and will now be brought in line with the Emergency Management Plan. Individual BCP's are also maintained for each service area three of which were provided for the audit - Community Protection, Democratic Services and Housing Services. All of them were last updated in 2022.

Recommendation

The Council's main Business Continuity Plan should be reviewed and brought up to date.

The Emergencies and Resilience Lead Officer is working on the BCP's at present to update them and bring them in line with the new service areas and the recently-updated EMP. The BCP's in place include distribution lists, review processes, contact details and roles and responsibilities.

The plans mention the training and exercising of staff and testing of the plan but don't detail the frequency or depth of the testing. Although the Plans state that records of all relevant staff training and exercising are documented on a spreadsheet in the common drive this file could not be located for the audit. Training has been given on aspects of the plan over the last few years, it has been recognised that this has not been for all staff with responsibilities in the plan. Since January 2020 aspects of the plan have been actioned to help the Council manage the outcomes and impacts of various emergencies, this has included at the start of the pandemic in February 2020, in August 2021 when there was a large local fire and in-depth training was provided to selected staff members in preparation for the Commonwealth games held locally.

Recommendation

Whilst it is recognised that some staff have received training it should be ensured that the emergency management plans, or elements of

them, are exercised and tested regularly to identify training needs or potential gaps in the response.

4.3 Reputational risks

4.3.1 Risk: Failings in response to civil emergencies and disruptive events (actual or perceived) receive bad publicity and/or loss in public confidence.

The Council's website contains appropriate information with regards to emergency planning and business continuity. With a page dedicated to emergency planning there is a large amount of information, links and guidance provided. The page references the relevant legislation and details the responsibilities of the Council.

The page provides a link to the Council's Emergency Planning Policy, last approved 18 March 2009 at Executive. The policy sets out the responsibilities of the Council and the partner organisations. It also advises when the corporate business continuity plan may be actioned.

The self-help section within the pages includes information on where to find out more information about ongoing emergencies (e.g. local radio, social media). It suggests items to include in emergency kits such as a list of phone numbers, a torch, first aid kit, bottled water and tinned foods.

The website also provides contact details for the Emergency Planning team should any additional information or advice be needed.

The Council has a number of social media sites including Facebook and Twitter. These sites provide a way for the Council to communicate with a large number of "followers" in one go. This communication method was used frequently throughout the COVID-19 pandemic where the Council were able to update residents and provide reminders and advice.

4.3.2 Risk: Failure to meet customer expectations. (e.g. loss of IT / power / facilities)

The plans provide details on how the emergency will be communicated with the relevant stakeholders, staff and members of the public. In cases of a widespread emergency, the WCC Communications team is responsible for communication of information and warnings to the public. This forms part of the joint media plan for Warwickshire. WCC's media communications office works with Warwickshire Police to share the information appropriately across Warwickshire. Warwick District Council Media, HR, Stakeholder & Business Continuity Management Team must comply with the details of the plan or the instructions issued.

WDC will communicate business continuity management information to the wider community using various methods including local radio and social media. Having a competent, effective and carefully managed response to an emergency situation ensures accurate information is shared and helps to avoid unnecessary confusion and distress for staff and members of the public. By carefully

releasing information directly to the public and to staff it can ensure that as many people as possible are correctly informed about the emergency situation.

The Warwick District Council Media, Stakeholder & HR Management Team forms when the emergency plan is activated. With direction from the Chief Executive, the team are responsible for media management and liaison. With communications coming from this team only it allows them to be the one voice for Warwick District Council in times of emergency.

4.4 **Health and safety risks**

4.4.1 **Risk: Shortcomings in response lead to death, injury, illness or distress that would otherwise be avoidable.**

Plans are regularly reviewed with the most recent revision having been carried out in January 2023. There is a formal review timetable established and documented within the plan.

The review timetable is as follows:

- Contact details updated every 6 months
- Document refresh annually
- Full document review every 3 years
- Following an emergency or business continuity incident requiring activation of the plan
- Following issues identified during an exercise or test activation
- Following an update to national emergency planning guidance

The plan also highlights that any equipment used for the operation of the plan, such as the resource box, will be checked on an annual basis. The Emergencies and Resilience Lead Officer is the designated role for completing the reviews and checks.

Keeping the plan up to date helps to ensure that responses to emergency situations are timely and efficient, avoiding unnecessary delays and reducing avoidable risks.

4.4.2 **Risk: Staff stress from work overload due to lack of training on the plans across service areas.**

Senior management and Members at the Council have been made aware of the plans in place and have formally approved them as appropriate. The current 2022 EMP was approved by SLT in July 2022. These plans were most recently shared with all staff in advance of the Commonwealth games held in Leamington Spa in August 2022.

A selection of staff identified in the plans were contacted to confirm that they were aware of their roles and to enquire as to when the plans were last shared with them. All contacted confirmed that they were aware of their roles with the majority confirming that the plans were last circulated with them in August 2022.

Although there are a number of roles listed in the plan, the appropriate staff member couldn't be identified as the job title is no longer a WDC role. Due to various restructures the roles and job titles have changed so, not only are the Heads of Services different, but there are also roles within the tactical (silver) and operational (bronze) levels which are no longer current. In an emergency situation it is vital that these roles are up to date so that the correct officer can be contacted. A review of the updated plans confirmed that incorrect jobs titles have continued to be used.

Recommendation

The roles identified with responsibilities within both the current and updated EMP should be reviewed to ensure they are using current job titles so that the correct person can be identified and contacted in an emergency situation.

Any amendments made to the plan are required to be reviewed by identified WDC officers. Final approval of amendments shall be by the Safer Communities, Leisure and Environment Head of Service before circulation to Strategic and Tactical Teams.

Although the plan talks about exercising and testing it does not specify how frequently these tests and exercises should be. The plan refers to identifying training needs during an exercise or test activation and how the command and control structure can be strengthened through joint training and exercising. The Emergencies and Resilience Lead Officer confirmed that at present staff are not formally trained on the plan or its elements. The last full desktop exercise was completed in 2015. A number of staff received ongoing training from April 2021 in preparation for the Commonwealth games held in July / August 2022.

4.5 Other risks

4.5.1 Risk: Roles, responsibilities and system processes not defined, documented or communicated.

The roles and responsibilities are set out in the EMP. The EMP lists three teams / levels of response: Strategic team (Gold), Tactical team (silver) and Operational cells (bronze). Both the tactical and strategic staff are named with their contact details provided.

The Strategic and Tactical teams comprise senior management. The Strategic team provide the bigger picture, looking at political, legal and reputational considerations and impact. The team is responsible for establishing a framework to follow and deploying appropriate resources and personal from within WDC to the emergency.

The Tactical team, once formed and briefed, must keep detailed incident logs of the emergency, recording information, decisions made and actions taken. They must confirm that the emergency management centre is ready to operate and the required resources are in place. They are also responsible for communication with elected members and partner services.

The operational cells sit under a senior manager from the Tactical team. The cells form teams that focus on operational work to help manage the emergency. These teams will execute plans such as: evacuation, salvage and recovery.

Responsibilities and procedures are set out for the Leader of the Council, Cabinet and Elected members. Additional guidance is also signposted for Councillors. Councillors will receive training on their responsibilities in the plan as part of the induction training when there is a new administration. The pandemic prevented the most recent training from being completed, however, guidance was shared with the councillors who were also frequently written to and given guidance on their responsibilities. Councillors are kept up to date when emergencies arise, such as the large local fire in 2021 and the recent emergency evacuation of a high-rise property.

There are clear lines of reporting set out in the plans. The roles are set out and explained, detailing the chain of command and duties expected at each level. The plan has been communicated to the relevant staff members and training is planned to be completed within the next few months.

5 **Summary and Conclusions**

- 5.1 Section 3.3 sets out the risks that were being reviewed as part of this audit. The review highlighted weaknesses against the following risks:

Risk 2 - Legal action against the Council for failure of statutory services.

Risk 6 - Staff stress from work overload due to lack of planning across service.

- 5.2 In overall terms, however, we can give a SUBSTANTIAL degree of assurance that the systems and controls in place in respect of Emergency Planning & Business Continuity Management are appropriate and are working effectively to help mitigate and control the identified risks.

- 5.3 The assurance bands are shown below:

Level of Assurance	Definition
Substantial	There is a sound system of control in place and compliance with the key controls.
Moderate	Whilst the system of control is broadly satisfactory, some controls are weak or non-existent and there is non-compliance with several controls.
Limited	The system of control is generally weak and there is non-compliance with controls that do exist.

6 **Management Action**

- 6.1 The recommendations arising above are reproduced in the attached Action Plan (Appendix A) for management attention.

Richard Barr
Audit and Risk Manager

Appendix A**Action Plan****Internal Audit of Emergency Planning & Business Continuity Management – March 2023**

Report Ref.	Risk	Recommendation	Rating*	Responsible Officer(s)	Management Response	Target Date
4.2.2	Legal action against the Council for failure of statutory services.	Insurance cover should be specifically named in the EMP to ensure it is considered early on should an emergency situation arise.	Low	Emergencies and Resilience Lead Officer	The new plan will be reviewed and, if appropriate, insurance will be considered.	April 2023
		The Council's main Business Continuity Plan should be reviewed and brought up to date.	Low	Emergencies and Resilience Lead Officer	The plan will be updated and brought in line with the recently-reviewed Emergency Management Plan.	September 2023
		Whilst it is recognised that some staff have received training it should be ensured that the emergency management plans, or elements of them, are exercised and tested regularly to identify training needs or potential gaps in the response.	Low	Emergencies and Resilience Lead Officer	The Emergencies and Resilience Lead Officer is relatively new to role and has plans in place to run exercises of various aspects of the plan to train staff and to test the plan itself from April onwards after the new plan has been implemented.	April 2023 and then ongoing

Report Ref.	Risk	Recommendation	Rating*	Responsible Officer(s)	Management Response	Target Date
4.4.2	Staff stress from work overload due to lack of training on the plans across service areas.	The roles identified with responsibilities within both the current and the updated EMP should be reviewed to ensure they are using current job titles to so that the correct person can be identified and contacted in an emergency situation.	Low	Emergencies and Resilience Lead Officer	Roles and responsibilities have been updated and reviewed and are now correct.	March 2023

* The ratings refer to how the recommendation affects the overall risk and are defined as follows:

High: Issue of significant importance requiring urgent attention.
Medium: Issue of moderate importance requiring prompt attention.
Low: Issue of minor importance requiring attention.