

 <b>EXECUTIVE – 10 June 2009.</b>		<b>Agenda Item No.</b>
<b>Title</b>	Preparation for possible swine flu pandemic – review of emergency powers	
<b>For further information about this report please contact</b>	Peter Oliver	
<b>Service Area</b>	Legal	
<b>Wards of the District directly affected</b>		
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>		
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No

<b>Officer/Councillor Approval</b>		
With regard to officer approval all reports <u>must</u> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Relevant Director		
Chief Executive		Chris Elliott
CMT		
Section 151 Officer		Mike Snow
Legal		Author
Finance		
Portfolio Holder(s)		Councillor Michael Doody
<b>Consultation Undertaken</b>		
Please insert details of any consultation undertaken with regard to this report.		
<b>Final Decision?</b>		Yes
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. SUMMARY

- 1.1 The council continues to make preparations to be able to continue to provide essential services in the event of a swine flu pandemic. Details of these preparations are set out in the background section of this report
- 1.2 One of the issues considered was the ability of the Council to be able to continue to take decisions if a significant number of members or senior officers were unavailable. In particular, the current delegated power for the Chief Executive to take urgent action does not provide for any other officer to be able to exercise the power in his absence, and many of the delegated powers to officers to carry out normal day-to-day functions of the authority are to a particular post holder, with no provision for another officer to exercise those powers in the absence of the post holder.
- 1.3 It is therefore recommended that the Council add an additional provision to the Scheme of Delegation in Part 3 of the constitution to cover this situation

## 2. RECOMMENDATION

- 2.1 That the following wording be added in part 3 of the constitution:

	<b><u>FUNCTION</u></b>	<b><u>DELEGATED TO</u></b>
G(27)	Authority to deal with matters following the invoking of the Emergency and/or Business Continuity Plans in the absence of any member or officer specified in relation to any delegated power	The specified officer's or member's deputy (or where there is no named deputy, the next most senior officer or member in the department or group) shall have the like power subject to making a written report of the exercise of the power to the original specified officer or member. In circumstances where both the specified officer /member and the deputy (or next most senior officer / member) are absent the power may be exercised by the next most senior available officer / member in the department / group (provided that in no circumstances shall this power be exercised by an officer below the level of <i>[grade to be reported at meeting]</i> ) subject to a report as above and to the officer exercising the power certifying in writing that he is of the opinion (and giving reasons for that opinion) that the matter is of such urgency that the exercise of the power cannot await the anticipated return of the named officer / member or his deputy."

## 3. REASONS FOR THE RECOMMENDATION

- 3.1 Whilst it is never possible to cover every eventuality, the adoption of this power should ensure that even with a significant number of officers or members unavailable because of illness there would be officers and members with the necessary authority to ensure that the essential business of the Council is able to continue.

#### **4. ALTERNATIVE OPTION CONSIDERED**

- 4.1 The alternative option is to do nothing, and leave delegated powers as they are. This runs the risk that in an event such as a flu pandemic, large areas of council business are unable to continue because there is no-one available to exercise the delegated powers.

#### **5. BUDGETARY FRAMEWORK**

- 5.1 There are no budgetary implications

#### **6. POLICY FRAMEWORK**

- 6.1 This will assist in the key objective of improving the efficiency of service delivery to the Council's customers, by seeking to ensure that services can continue to be provided at times when many of the council's staff are unavailable.

#### **7. BACKGROUND**

- 7.1 Following the initial breakout of swine flu cases in the UK on the 29<sup>th</sup> April, a meeting was convened of the Warwickshire Local Resilience Forum (LRF), of which the Council is a member. At this meeting it was decided that Warwickshire should prepare for a potential pandemic and a multi- agency strategic Co-ordinating Group (GOLD) was formed, together with the LRF Tactical (Silver) Team, with associated task & finish sub –groups. Weekly planning meetings are undertaken between all partners, through either conventional meetings or teleconferencing. Lead representatives from the Council sit on both these groups.
- 7.2 Intelligence from Health and Government Departments about the national situation are sent daily to all Category 1 and 2 responders through a restricted information portal.
- 7.3 The formation of the multi agency SCG further initiated the formation of the Council's Gold and Silver Teams, with the lead representatives feeding back into the Gold Team and a member of the Gold team chairing the Tactical team. Again weekly meetings are held which dovetail into the multi-agency meeting outcomes.
- 7.4 The Council's planning assumptions are based on the national perspective that there may well be a loss of 50% of the Council's staff at any one time, 35% of those through illness and 15% by none attendees who maybe looking after direct family and dependant relatives.
- 7.5 Through the Business Continuity process, the critical services which need to delivered are as follows;
- Revenue & Benefits
  - Homelessness
  - Waste collections
  - Housing Repairs (emergency only)
  - Bereavement Services (burials & crematoria)
  - Customer Service Centre & Web information
  - Treasury Management & Salaries
- All the above being supported by ICT and Communications

- 7.6 In addition to delivering the critical services for the Council, the Civil Contingencies Act further requires the Council to share its resources with other Category 1 responders. At present this may require staff to be provided for the manning of Anti Viral Collection points within the District's administrative area.
- 7.7 Associated with the delivery of the Councils critical services area a number of other issues are being addressed, namely, Human Resources, ICT and Communications.
- 7.8 Taking these in turn the following actions have been achieved;
  - 7.8.1 Human Resources – Production of an HR Policy for a Flu Pandemic. This is to be shortly discussed with the Unions, after which a Q & A guide will be made available to staff.
  - 7.8.2 ICT – Actions have been undertaken to allow at least 200 staff to work from home.
  - 7.8.3 Communications – A number of bulletins, including health advice, have been made available to Staff and Members through the Councils homepage, which further link to the National advice leaflets which have been distributed to households throughout the UK.