

**EAST AYRSHIRE COUNCIL****GOVERNANCE AND SCRUTINY COMMITTEE – 20 NOVEMBER 2009****AUDIT SCOTLAND REPORT  
IMPROVING CIVIL CONTINGENCIES PLANNING****Report by Executive Director of Neighbourhood Services****1. PURPOSE OF REPORT**

- 1.1 To advise Governance and Scrutiny Committee on the finding of The Audit Scotland report "Improving Civil Contingencies Planning" which was published in August 2009.

**2. BACKGROUND**

- 2.1 Work commenced on this national study which looks at Civil Contingencies Planning across Scotland in early Spring 2008. The initial assessment was established using a questionnaire which was completed by each of the stakeholders. The outcomes were subsequently brought together and supplemented by interviews with a number of officers and attendance at meetings of co-ordinating Groups. The final report was published in August 2008 and a copy is available on the Members' Portal.
- 2.2 The basis of the study undertaken by Audit Scotland was to investigate how category 1 responders had implemented the Civil Contingencies Act 2004 and the Contingency Planning (Scotland) Regulations 2005, Part 1.
- 2.3 The emphasis of the study was on the requirement under the Act for organisations to work together.
- 2.4 The study examined co-operation between key stakeholders generally, as well as specifically in relation to risk assessment, emergency and business continuity planning, training and exercising, and learning lessons. It also looked at the resources and financial and performance management processes that support these activities.

**3. METHODOLOGY**

- 3.1 Information to support this study was collected using a variety of methods and included;
- A survey of 64 organisations named in legislation as the main responding agencies to emergencies in Scotland (known as 'Category 1 responders').

- Interviews with representatives of some of the main responding agencies and other relevant organisations, covering both devolved and reserved matters. The chairs and coordinators of the eight Strategic Coordinating Groups (SCGs) were interviewed, these are the focal point for local multi-agency civil contingencies planning.
- A survey of SCG coordinators.
- Focus groups with emergency planning officers from local authorities and the NHS.
- Observation of meetings, training events and exercises.
- A review of documentation, including minutes of meetings, emergency and business continuity plans, exercise debrief reports and performance reports.

3.2 It is important to stress at this stage that this work was carried out nearly eighteen months ago and much progress has been made since that time.

#### **4. KEY MESSAGES**

4.1 Based on the findings of the study the following key messages were highlighted;

- Overall, key organisations work well together, particularly through SCGs, but there are still barriers to joint working.
- The Scottish Government has taken an active role in implementing the Act and this increased priority has placed greater demands on local responders.
- Governance and accountability arrangements for multi-agency working in civil contingencies planning are unclear.
- All SCGs have produced and published a CRR but these have made a limited contribution to informing civil contingencies planning at a local or national level.
- Most Category 1 responders have a generic emergency plan in place and have been involved in developing multi-agency arrangements for their SCG area. However, planning for business continuity management and recovery are not yet well developed.
- Complex training and exercising requirements place significant demands on local responders, making participation and effective coordination difficult.
- Lessons from incidents and exercises are not shared widely or systematically put into practice.
- There is no clear information on how much is spent overall on civil contingencies planning across Scotland.
- There is potential for more collaboration between organisations to increase capacity and make more effective use of resources.

#### **5. REPORT RECOMMENDATIONS**

5.1 The report also sets out sixteen recommendations across 4 broad headings and these were the subject of detailed discussion at a special meeting of Strathclyde Emergency Co-ordinating Group on 7<sup>th</sup> October.

The recommendations and outcomes of discussion are set out below:-

## **5.2 Working Together**

- **The Scottish Government and Strategic Co-ordinating Group (SCG) partners should agree a standard approach to the sharing of civil contingencies planning information across Scotland.**

Discussion outcome:

- The group agreed, in principle, to the use of the National Resilience Extranet, dependent upon a successful result of the NRE pilot, scheduled to begin December 2009.
  - The group agreed for Mr Borthwick, the Regional Resilience Advisor, to consider and develop an information sharing protocol to facilitate inter-agency communication as there is currently no common template of protective marking in place.
  - All agencies were requested to complete their vetting forms and return them to Scottish Government.
- **SCGs should review their membership to ensure key organisations are represented appropriately, and work to maximise the benefits of effective joint working, including across SCG boundaries.**

Discussion outcome:

- The decision taken following the Review in 2007, that only officers with Strategic level authority should attend Strategic and Executive Groups, was re-ratified by the group.
- It was agreed, however, that whilst Chief Executive representation was the preferred principle, the scale of the SECG made full representation at every meeting extremely challenging. Furthermore, the group felt that if this was to be used as a performance management criterion, it placed the SECG at a potential disadvantage. The group agreed that clarification of this issue would be beneficial.
- The group agreed that it was imperative that any decisions taken at meetings are fed back into individual agencies by their representatives.
- The group deferred discussion of effective joint working to Recommendation 7.

- **The Scottish Government should review how it engages with those individuals who have day-to-day responsibility for civil contingencies planning, and ensure that it provides clear and consistent information.**

Discussion outcome:

- Scottish Government confirmed that they were examining this area and advised that, in the interim, if agencies felt contradictory information was being issued they should contact SECG in the first instance and advice would be sought to clarify the situation.
- **In consultation with SCG partners, the Scottish Government should clarify the governance and accountability arrangements for decisions made by the SCGs and for its own role during an emergency.**

Discussion outcome:

- The group agreed that this was an area in which clarification would be beneficial and supported a consultation process.
- Scottish Government confirmed that they were considering these issues and would make contact with the full strategic group concerning developments on these arrangements.
- **Councils, police forces and fire and rescue services should ensure elected members are aware of their role in an emergency and of developments in civil contingencies planning.**

Discussion outcome:

- The group agreed for the Regional Resilience Advisor to oversee the development of a training package for Elected Members' development, which would be prepared and approved centrally and delivered by individual agencies. Furthermore it was agreed that this training package would be designed to suit Local Authority, Police Board, Fire and Rescue and Health Board members.

### **5.3 Planning for a Resilient Scotland**

- **SCG partners and the Scottish Government should work together to ensure that the full potential of Community Risk Registers (CRRs) in informing risk assessment and planning at local and national levels is realised.**

Discussion outcome:

- The group again showed support for the view that CRR's be completed by the end of the year, as agreed at the last Strategic Group meeting on the 16<sup>th</sup> September 2009.
- The group agreed for the Regional Resilience Advisor to oversee the next phase of the CRR, which included the identification of capability gaps and consideration of mitigation issues, as well as how to make best use of this information, in terms of bidding for resources are funding.
- The group agreed for the Regional Resilience Advisor to oversee the creation of an SECG Peer Review process and update members on this at a later date.
- **The UK and Scottish governments, SCGs and individual organisations should work together to improve cross-border and cross-boundary planning.**

Discussion outcome:

- As agreed at the last Strategic Group meeting of 16<sup>th</sup> September 2009, Mutual Aid agreements are currently being developed for use between local authorities.
- The group agreed that on completion of the Mutual Aid arrangements the Regional Resilience Advisor was to pursue the development of a cross agreement as well as considering inter-SCG Arrangements.
- The group agreed that previously discussed issues, based around the NRE, the creation of an Information Sharing Protocol and a common vetting standard would greatly facilitate such arrangements.
- Scottish Government confirmed that they are currently examining cross border Mutual Aid issues.
- **Local responders should ensure that they have up to date emergency and business continuity plans and recovery arrangements, and that staff are fully aware of their roles and responsibilities.**

Discussion outcome:

- The Regional Resilience Advisor reported that the adoption of a business continuity standard, BS25999 has been given some support by the UK Government. The Scottish Government added that they have not currently taken a stance on this issue.

- The group noted that this formal accreditation had cost and resources implications.
- The group agreed the view that each Agency is responsible for ensuring that its own emergency and business continuity plans are up to date. It was also agreed that the peer review process, as outlined in Recommendation 6, should incorporate a review of emergency plans.
- **Local authorities must ensure they are providing business continuity management advice and assistance to local businesses and voluntary organisations. SCG partners should consider how they could add value to this process.**

Discussion outcome:

- Assurance was given that much of this work had been undertaken, including the production of a booklet, with further information available on Local Authorities' websites. Other local initiatives had tackled this issue in innovative ways.
- It was agreed that the Regional Resilience Advisor would ensure that the various examples of good practice were shared among all members.
- **The Scottish Government and local responders should work together to improve public awareness of the risks we face and to ensure effective communication procedures are in place during and after an incident.**

Discussion outcome:

- The group agreed that existing projects designed to address this recommendation were ongoing and that development in this area would continue. Validation of this work is expected to form part of the Statements of Preparedness process.
- Scottish Government confirmed that their website "Ready Scotland" was being prepared to go live by the end of the year and is being designed to complement information already in the public sphere.

#### **5.4 Learning lessons from training, exercises and incidents**

- **SCG partners and the Scottish and UK Governments should work together to ensure the effective targeting and coordination of exercises and training.**

Discussion outcome:

The group agreed that since the Audit Scotland report there have been improvements in this area, both locally and nationally, and that development in this area is ongoing.

- **Category 1 responders must ensure they are meeting the statutory requirement to exercise all of their emergency and business continuity plans.**

Discussion outcome:

- The group agreed that the emergency plans aspect of this recommendation would be incorporated into the Peer Review process. In addition, at this point any review of business continuity plans would remain an individual Category 1 responder issue.
- **SCG partners and the Scottish Government should ensure that lessons learned from training and exercising activities are systematically shared and that monitoring arrangements are in place to ensure their effective implementation.**

Discussion outcome:

- The group supported the view that, whilst some improvements have been made, work is still ongoing, particularly with reference to the issue of learning lessons from completed exercises and incidents. The Regional Resilience Advisor assured the group that progress would continue in this regard and would form part of the future tactical level considerations.

## **5.5 Costs, capacity and performance**

- **SCG partners and the Scottish Government should work together to develop and apply a consistent framework for managing and reporting expenditure, to demonstrate value for money and seek to deliver increased efficiencies and improved resilience through further partnership working.**

Discussion outcome:

- The group agreed that Scottish Government need to take the lead on this issue to ensure a consistent national approach, whilst taking into consideration the diversity of SCG's when preparing the framework. Scottish Government confirmed there was a recognised desire to achieve this and that the matter was under active consideration.
- With regard to partnership working, the group re-iterated its support and accepted this as a principle for future development, facilitated by work ongoing in relation to other recommendations.

- **Category 1 and 2 responders should develop formal mutual aid agreements. These agreements should take account of cross-border and cross-boundary arrangements, and the voluntary and private sectors.**

Discussion outcome:

- The group agreed the content of this recommendation had, in large part, already been addressed in relation to decisions undertaken in response to recommendation 7. The position of the voluntary and private sectors would be re-visited upon completion of the mutual aid – information sharing work.
- **Local responders, SCGs and the Scottish Government should develop arrangements for managing, monitoring and reporting their performance.**

Discussion outcome:

- The group agreed that the processes inherent in measuring preparedness would, in large part, be based on performance reporting. It was accepted that a common reporting system across the SECG would be preferable.
- With regard to performance monitoring against other SCG's, the group agreed that much of the discussion around recommendation 14 pertained to this and further update from Scottish Government is awaited.

## **6. LOCAL CONTEXT**

- 6.1 Whilst the majority of the findings and recommendations relate to Scottish Government and Emergency Co-ordinating Groups, there are two matters on which early action is required by the Council. These are the provision of training on Civil Contingencies for Elected Members and the introduction of arrangements for the provision of business continuity advice to the voluntary sector.
- 6.2 Both of these matters are being progressed at the present time and a seminar for Elected Members has been arranged for 24<sup>th</sup> November 2009. It is felt that the seminar will be beneficial since it is recognised that the level of involvement and previous training for Elected Members is variable. The seminar will also link to the individual training plans which have been developed for Elected Members.
- 6.3 Insofar as the provision of business continuity advice to the voluntary sector is concerned, it is recognised that there was a gap in the level of provision. A new link has been created from the Council website to the Strathclyde Emergency Co-ordinating Group website where advice and

information is available. Booklets are also being prepared and will be issued to all voluntary groups in East Ayrshire.

6.4 A number of other recommendations have been made in respect of Local Authorities, but following assessment of these, confirmation that these actions are in place is given but in some cases require improvement. These will be taken forward as part of the ongoing work of the Ayrshire Civil Contingencies Team and Strathclyde Emergency Co-ordinating Group.

6.5 It should be noted that prior to the publication of the report and in line with the National Shared Services Agenda the 3 Ayrshire Councils had reached an agreement following discussions between 2006 and 2008 for the provision of a shared emergency planning service. In April 2009 the three Ayrshire Council's Emergency Planning Services merged under the new name of the Ayrshire Civil Contingencies Team (ACCT). The ACCT is co-located, within offices at Prestwick Airport.

6.6 The Ayrshire Civil Contingencies Team remit is to deliver on the 4 main areas identified in the Act, they are:

- To co-ordinate work across Ayrshire to improve resilience to a range of risks.
- To prepare for and co-ordinate the response of the Councils' Involved.
- To support partner responding agencies, to share knowledge and good practice &
- To co-ordinate and participate in multi-agency training and exercising across Ayrshire, and help to ensure that the lessons learned from incidents and exercises are applied.

6.7 The development of the ACCT has greatly contributed to East Ayrshire's ability to meet the obligations of the Civil Contingencies Act 2004 and assurance is given that appropriate governance and accountability arrangements are in place.

## **7. CONCLUSIONS**

7.1 East Ayrshire Council through the work that is ongoing and already progressed by the Ayrshire Civil Contingency Team and the proposals agreed by the Strathclyde Emergency Contingency Group at its meeting on the 07 October 2009 is responding positively and will fully comply with the recommendations set out in the Audit Scotland report.

## **8. FINANCIAL IMPLICATIONS**

8.1 There are no additional financial implications as result of this report as Contingency Planning costs are met from existing budgets.

## **9. LEGAL IMPLICATIONS**

9.1 The Council has a duty under the Civil Contingencies Act 2004 and the Civil Contingencies (Scotland) Regulations 2005 to undertake emergency planning and business continuity preparations.

## **10. POLICY / COMMUNITY PLANNING IMPLICATIONS**

10.1 Civil Contingencies is central to the Community Plan Theme, Improving Community Safety. Increased awareness of emergency planning and business continuity procedures through preparation and training assists key officers to respond to a variety of emergency situations in a professional and integrated manner.

## **11. RECOMMENDATIONS**

11.1 The Governance and Scrutiny Committee are asked to:-

- (i) consider the findings of the Audit Scotland – Improving Civil Contingencies Planning report dated August 2009;
- (ii) note the action being taken to meet the findings; and
- (iii) otherwise note the content of the report.

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WS/KW

11<sup>th</sup> November 2009

### **LIST OF BACKGROUND PAPERS**

Audit Scotland Report – Improving Civil Contingencies Planning, August 2009  
[http://www.accounts-commission.gov.uk/docs/central/2009/nr\\_090806\\_civil\\_contingencies.pdf](http://www.accounts-commission.gov.uk/docs/central/2009/nr_090806_civil_contingencies.pdf)

Any person wishing to inspect the background papers listed above should telephone 01563 576023 and ask for William Stafford, Executive Director of Neighbourhood Services