

AGENDA ITEM 6

POLICY, FINANCE AND ADMINISTRATION COMMITTEE

29 SEPTEMBER 2010

REPORT OF HEAD OF REGULATORY SERVICES

PROPOSALS FOR DELIVERY OF EMERGENCY PLANNING SERVICES

1.0 PURPOSE OF THE REPORT

- 1.1 To provide information on proposals for the delivery of emergency planning services, and seek the Committee's authority to join the Leicestershire Resilience Partnership

2.0 RECOMMENDATION

- 2.1 **It is recommended that the Committee authorises the joining of the proposed Local Resilience Partnership at the beginning of the next financial year on the basis set out below.**

3.0 KEY ISSUES

- 3.1 The Public Service Board (PSB) established between the Leicestershire County, the City Council, the Police and the PCTs in Leicestershire has identified Resilience as one of the top priorities in their area.

- 3.2 As a consequence, the Emergency Planning teams of the County Council, the PCT and the City Council have combined to create a Local Resilience Partnership (LRP). Other districts in Leicestershire have been invited to become part of the new team and that invitation also includes the WOW Partnership which comprises Rutland, Melton Borough, Harborough District and Oadby and Wigston Borough Councils. The new team was created in May 2010 and is based at Romulus Court in Leicester.

- 3.3 The role and sphere of responsibility of the team has been defined in a Service Level Agreement to which Melton BC have been party. This sets out that the following tasks, currently carried out under the WOW arrangements, and will continue to be provided by the LRP on behalf of Melton BC:

- Attendance at multi agency meetings (outside an emergency event) - these can amount to 40 hrs per month
- Training events for Local Authority Emergency Centre and 'Command and Control' staff
- Production of 'new style' Emergency Plans and subsequent review/updating
- Co-ordination of privileged and protected phone numbers; organisation of satellite phones
- Internal 'Flu Plans or infection plans.
- Internal 'Members Plan'
- Coordination of input to Multi agency plans (eg. Mass Evacuation, Mass Vaccination)
- Representation at Strategic and Tactical meetings during incidents
- Attendance at major incidents
- Activation of Local Authority response at incident

In essence, therefore, the current emergency planning responsibilities would transfer from the current partnership arrangement (WOW) to a new, larger one (LRP).

- 3.4 Whoever provides the necessary expertise at the LRP level, there will remain the need for some limited expertise retained 'in house' to co-ordinate issues such as training responses, in-house telephone contact lists and regular liaison with the LRP and this must be taken into account as part of the equation. This is similar to the current

arrangement with the WOW team and is fulfilled by the Head of Regulatory services. It is not considered that there will be any need to alter this arrangement nor impact on this role.

- 3.5 With regard to the WOW Partnership there has been no convincing argument to prove that the status quo needs to be changed. It had recently been suggested that the plans of local authorities were not resilient and a full audit of all Plans was conducted in August 2009. Whilst there has been no formal feedback, it has been suggested that plans maintained by the WOW were in good shape with no specific concerns identified. The WOW arrangement has worked well and has been tested on occasions with real incidents.
- 3.6 There is an expectation that the total net emergency planning allocated budget is expected to be transferred to the LRP, thus there is unlikely to be any financial benefit in joining with the LRP. Analysis across all District Councils revealed that approximately £20000 is dedicated to Emergency Planning per annum (either directly or as the proportionate cost of a composite role) and this sum has been identified as an appropriate CONTRIBUTION FOR District Councils. This is almost exactly the sum MBC currently contributes to the WOW arrangements and in effect the funds currently assigned to support the WOW would simply be redirected to the LRP. Proposed staffing levels for each District have been calculated for .5 of a FTE (equivalent to the current WOW arrangement).
- 3.7 Several local authorities are yet to make a firm decision, but it looks inevitable that the LRP will become the only viable arrangement as most Districts do not have their own full time emergency planning staff. If they were all to join it seems that there are unlikely to be any staff to be transferred by them to the LRP.
- 3.8 The main advantages of joining the partnership are considered to be:
- Melton would have a guaranteed 24/7 out of hours response duty officer as part of the SLA. Current arrangements are not as comprehensive, although they have been found to be resilient during recent incidents.
 - Current Emergency Planning staff would have to be transferred to the LRP (for which Leicester City Council is the employing authority) under TUPE arrangements.
 - The LRP would have a much wider range of expertise available and greater capacity in times of civil emergency.
 - Additional expectations of this Council are given in Appendix A which has been extracted from the draft Service Level Agreement for the LRP.
- 3.9 The Head of Regulatory Services has participated in the Project Team developing the approach to setting up the LRP and has had direct input into the Service Level Agreement. This sets out both the Governance of the Partnership and also details of the specific activity the Partnership Team will deliver for the Council. A full copy of the Agreement is reproduced below and the main aspects are considered to be:
- The Partnership will be managed by a Board comprising its Member agencies
 - The Board will meet quarterly to manage performance and determine work planning
 - The scope of work that will be carried out on behalf of the member agencies.

4.0 **POLICY AND CORPORATE IMPLICATIONS**

- 4.1 It is considered that there are limited corporate implications of the proposal. In terms of 'externalising' the service, comfort can be derived that it has been provided in this manner since 2007 through the 'WOW' arrangements. The LRP would be a larger, and potentially more 'remote' arrangement, but through involvement on the Project Team it is considered sufficient safeguard will be in place to ensure MBC's needs and priorities will be met.

4.2 In this respect, the arrangements will emulate those of the existing WOW partnership in that there will be a principal point of contact assigned for the purposes of liaison with MBC. Furthermore, it is envisaged that this officer will be an existing member of the WOW team and as such will ensure familiarity with Melton's officers, organisational structure, ways of working and resilience priorities.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1 The SLA has specified that each 'second tier' Local Authority will contribute £20000. This has been derived from assessment of current levels of expenditure on emergency planning, which included the contribution currently made for the WOW arrangement.

5.2 However, the Partnership would deliver a more comprehensive training package for staff and the current Emergency Planning budget could be reduced by up to £3000 that it currently contains for this purpose. In view of the content of the SLA that the LRP would improve the current service level provided by the WOW arrangements, and the additional resilience that being part of a larger team would allow, it is considered this represents value for money.

5.3 The Governance arrangements allow for the Partnership Board to arrange future funding levels, under the direction of Partners' Chief Executives. Accordingly, there will be opportunities to influence future levels of funding, both in terms of increases and decreases.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 The Civil Contingencies Act 2004 states that "the principal mechanism for multi agency co-operation under the Act is the Local Resilience Forum (LRF), based on each police area. The Forum is a process by which the organisations on which the duty falls co-operate with each other. It does not have a separate legal personality and does not have powers to direct its members". This Council and the WOW partners are already members of the LRF and pay an annual contribution towards running costs.

6.2 The Local Resilience Partnership (LRP) is not the same as the LRF, the latter comprising representations of all the emergency services, the armed forces, voluntary organisations and other statutory agencies such as the Environment Agency.

6.3 While it is possible under the Civil Contingencies Act 2004 for an Authority to employ others to carry out their functions, the duties and responsibilities under the legislation still rest with the Authority.

7.0 COMMUNITY SAFETY

7.1 Emergency Planning has a central role in community safety in the context of an emergency. It is essential that we have arrangements in place to be able to respond in the event of a significant incident. The arrangements proposed are considered to build upon our existing arrangements to provide an more resilient and reliable provision.

8.0 EQUALITIES

8.1 No equalities implications have been identified associated with this report.

9.0 RISKS

9.1 The key risks associated with this report are considered to be those addressed at paragraph 4.2 above.

10.0 CLIMATE CHANGE

10.1 No climate change implications have been identified associated with this report.

11.0 **CONSULTATION**

11.1 Consultation has been undertaken with other partners and particularly existing 'WOW' partners. Existing WOW staff have been consulted by their current employing Authority, Rutland CC.

12.0 **WARDS AFFECTED**

12.1 All wards are affected.

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Appendices: Draft Service Level Agreement

Background Papers: None

Reference: None



The Resilience Partnership

SERVICE LEVEL AGREEMENT FOR THE PROVISION OF SHARED EMERGENCY
PLANNING SERVICES FOR THE RESILIENCE PARTNERSHIP

PARTNERSHIP AGREEMENT –

1. The Resilience Partners are –
 - Leicester City Council
 - Leicestershire County Council
 - Leicester City Primary Care Trust
 - Leicestershire & Rutland Primary Care Trust
 - Blaby District Council
 - Hinckley & Bosworth Borough Council
2. Partners have come together to jointly fund an Emergency Planning team in order to more effectively undertake their own emergency planning arrangements and their responsibilities under the Civil Contingencies Act 2004.
3. The host Authority for the Resilience Partnership is Leicester City Council whose appropriate Head of Service will take day to day and line management responsibilities for the lead Emergency Planning Officer, who in turn is responsible for the day to day and line management responsibilities for the team.
4. The Partners will provide funds as per the attached schedule (*see appendix A*); excepting costs for accommodation and associated costs which will be met by the relevant Authority. Payments will be made annually on receipt of invoice from the host Authority at the beginning of each financial year.
5. The Resilience Partnership will be primarily based at No. 1 Romulus Court, Meridian Business Park, Leicester, LE19 1YG. The existing accommodation at Leicester City Council will also be available. Both of these locations provide access to emergency control centres which are an integral part of any emergency response.
6. A Resilience Partner wishing to withdraw must give a minimum of six months notice, but shall remain financially committed to the year of operation in which notice is given and the full succeeding year (unless the overall agreement terminates within that time in which case the normal termination date applies) or until such time as the fixed term contracts of all team members end, whichever is the longer.
7. Any financial liability arising from this Partnership will be shared proportionately upon the basis of each Partners overall financial contribution.
8. This Agreement, the structure of the team and related job descriptions shall be determined and agreed by a Resilience Partnership Management Board following referral to the Chief Executives as appropriate. Amendments to the Agreement shall be made by the agreement of the Resilience Partnership Management Board
9. The Resilience Partnership Management Board will consist of one representative from Leicester City Council, one representative from Leicestershire County Council, one representative for the Primary Care Trusts, and one representative for Blaby and Hinckley and Bosworth Councils. The Board will meet quarterly in order to provide effective work planning, performance monitoring and support as necessary. A financial report will also be presented to the Board on a quarterly basis in

accordance with the host Authorities existing protocols. Strategic direction will come from partner Chief Executives.

10. This Resilience Partnership does not in any way interfere with the duties and responsibilities of the Partners concerned under the Civil Contingencies Act or related emergency planning legislation and regulations. The Partners take individual corporate responsibilities for their discharge of their functions in accordance with the relevant legislation.
11. Any disputes or grievances will be referred to the Leicester City Council Chief Executive who will resolve the issue in conjunction with the party who has raised the grievance.

TERMS OF REFERENCE –

Resilience Partnership

1. To undertake the preparation of emergency plans for each Partner. A schedule of work is attached as Appendix B.
2. To implement an annual training and exercise programme to meet the requirements of each emergency plan and the needs of each Partner.
3. To provide each of the Partners with expert advice and assistance, (for both planning and in the event of response to an incident) to enable them to deliver and discharge their duties and responsibilities as Category One responders under the Civil Contingencies Act 2004. A suitably qualified and experienced planning officer will be allocated the responsibility to work with each of the District Councils and Health Partners.
4. To implement new legislation, regulations, procedures and guidance in so far as they affect emergency planning.
5. To represent all Partners at LRF meetings and associated working groups as required, and feedback to partners the outcomes of meetings and the necessary actions arising
6. To participate in any post event debriefing or enquiry relating to an incident within a Partners area of responsibility.
7. To assist in the promotion of business continuity.
8. To provide a dedicated 24/7/365 on call Emergency Planning Officer to implement an initial response to emergencies on behalf of Partners.
9. To provide assistance and guidance at times of emergency to the Chief Executives of Partners and their core management teams to enable an effective and co-ordinated response.
10. To produce annual work plans and quarterly performance reports and updates to the annual plan to the Resilience Partnership Management Board.

11. To provide a proposed annual budget to the Resilience Partnership Management Board for agreement for annual recharging to non host Partners.
12. To assist in the development and preparation of emergency plans in accordance with the National Capability Workstreams and Community Risk Register. This work will be prioritised in accordance with the strategic direction given by the LRF Executive and agreed by the Resilience Partnership Management Board as part of the annual plan
13. To help develop, facilitate and participate in the approved LRF training and exercise programme.

The Resilience Partnership will provide the following services to the Leicester, Leicestershire and Rutland Local Resilience Forum

1. To work with all LRF member agencies to develop and maintain a Community Risk Register.
2. To co-ordinate the LRF work schedule in accordance with the strategic direction and priorities identified by the LRF Executive.
3. To co-ordinate the LRF annual training and exercise programme.
4. To provide the administrative function to the LRF Executive, Programme Board and General Working Group
5. To produce a quarterly report to the LRF on the progress made against the agreed work schedule.
6. To produce a proposed annual LRF budget for approval by the LRF Executive and provide subsequent budget monitoring reports to the LRF Board on a quarterly basis

Partner Responsibilities

1. Nominate Senior Officers of each department/service to act as Emergency Co-ordinators for their department both during the planning process and, if necessary, during activation of the plans.
2. Release nominated and other officers from their normal duties to attend relevant and appropriate courses, seminars, exercises and other emergency planning events.
3. Nominate an Emergency Planning Co-ordinator to form the principle point of contact for liaison and reporting with the designated Emergency Planning Officer for each partner.
4. To provide suitable accommodation to be used as Emergency Centres

5. Nominate Chief Officers/Directors who will operate if necessary during activation of plans as the Partners Crisis Management Team. These Officers will take responsibility for co-ordinating their Partners response to an emergency or crisis.
6. Provide office accommodation to enable project work, training and plan preparation to take place, for the duration of the work involved.
7. Each Partner will be responsible for producing and maintaining their own corporate Business Continuity plans
8. Each partner will be responsible for identifying staff to carry out the role of a loggist.