

# Final Report of Scrutiny Task and Finish Group – Somerset Local Authorities Civil Contingency Partnership

## Introduction

The Flooding events of the last couple of years and more specifically, winter 2013 brought the issue of Civil Contingencies in Somerset very much to the fore. Additionally, there has been some discussion as part of a previous SSDC Scrutiny review of partnerships about the level of funding given to the Somerset Local Authorities Civil Contingency Partnership ('The Partnership') and how this investment is monitored.

It is important to note that this review has NOT been instigated by any concerns as to the performance of those officers employed at all levels in delivering the Civil Contingencies function across the district, the aim of the review has always been to better understand the structure of the partnership and the roles and responsibilities of partner organisations.

Members of the Task and Finish Group (TAF) acknowledged that following the Major Incident declared earlier this year, there was and continues to be, a significant level of activity around the partnership – in particular the debrief process which looks to identify lessons learnt and potential future improvements. Members of the TAF have therefore structured their review around a few key issues which should hopefully aid this wider review process and contribute to some positive outcomes.

Essentially, this review looked to establish clarity about the roles within the partnership and what SSDC residents can expect in return for the £37k plus contributed on annual basis.

As with all Scrutiny reviews, members looked at examples of how Civil Contingencies work is delivered in other two tier local authority areas. The SSDC Civil Contingencies Manager also works on behalf of East Devon District Council, where there are no formal partnership arrangements. Members were therefore able to compare and contrast the Somerset and Devon arrangements in coming to their conclusions.

Nationally members identified a best practice model that exists in the North East of England between Darlington Borough Council and Durham County Council. In this model, Darlington Borough Council entered into a Service Level Agreement with Durham County Council. Under this arrangement, Darlington, the second tier authority, pay an agreed sum to Durham County Council on an annual basis in return for a clearly stated service (details of the SLA are attached at Appendix 1 to this report). Members of the TAF used this SLA document as a basis for their discussions with those SSDC Officers responsible for delivering Civil Contingencies, Laurence Willis – Assistant Director – Environment and Pam Harvey – Civil Contingencies and Business Continuity Manager.

## **Legal framework / context**

As part of the review members were briefed on the Civil Contingencies context and within that, the roles and responsibilities of the various agencies. For the purposes of this review, members agreed the terms Emergency Planning and Civil Contingencies were interchangeable. As a discipline, emergency planning is the process by which 'emergency incidents can be prevented, and if they occur, their effects mitigated. An emergency is defined in Section 1 of the Civil Contingencies Act (CCA) 2004 as:

- a) An event or situation which threatens serious damage to human welfare;
- b) An event of situation which threatens serious damage to the environment of a place in the UK; or
- c) War or terrorism which threatens serious damage to the security of the United Kingdom.

Organisations required to develop emergency plans or who have a stake in responding to 'emergencies' are classified by the CCA into two categories. Category One organisations are 'first responders' - local authorities, NHS bodies and the emergency services, placing both district and county councils in the same category. Category 2 organisations are co-operating bodies – such as transport providers, utility companies and the Health and Safety Executive. These bodies are expected to assist as part of a response to an emergency or where an emergency directly impacts on their service area. Effective partnership working is advocated as the foundation for successful emergency planning and as such all those with a stake in emergency planning are drawn together to form Local Resilience Forums. LRF's are partnerships, rather than formal legal bodies which mirror police force areas, but they do have statutory responsibilities under the Act and associated regulations. In addition to this, a range of local organisations are required under the terms of the CCA and Flood and Water Risk Management Act 2010, to work together to tackle the risk of emergencies – so partnership working is inherent in Emergency Planning / Civil Contingencies.

## **Somerset Position**

Against this background, the Somerset Local authorities Civil Contingencies Partnership is a formal partnership between the 6 Somerset Local Authorities. The Civil Contingencies Unit is the working arm of the partnership and is funded by all local authorities to plan and co-ordinate emergency responses across the county. Although physically hosted by Somerset County Council, both the partnership and the Civil Contingencies Unit remain theoretically answerable to all funding partners South Somerset District Council Pays around £30,000 p.a. into the partnership.

## **Summary of issues discussed**

The need for some level of partnership working is acknowledged by members of the Task and Finish Group and the successes of this approach to date were noted. After

consideration of both the best practice model and discussions with officers, members of the TAF felt that there could be room for improvement with the current partnership arrangements. At this point, it is worth reiterating that the CCU themselves have identified a series of improvements necessary for the future success of the partnership, many of which mirror those recommended by members of this TAF. Their recommendations are contained within the Somerset Local Authorities Debrief report, which is not yet publically available. It is therefore proposed that if endorsed, the recommendations of this report are submitted to those CCU officers conducting the partnership review identified in the Local Authority Debrief document recently produced following the 2014 Major Incident.

In making the following recommendations, members stated that the SLACPP is in effect an historic partnership and given the knowledge and experience partners now have, then perhaps the current format would not be seen as the most suitable **if** a new partnership were being proposed at this stage. As part of the review process, members did consider the possibility of withdrawing from the partnership and working towards a situation similar to that in Devon. However, they concluded that it would not be appropriate to withdraw entirely without giving the partnership and those involved in delivering its aims and objectives sufficient opportunity and support to implement change and improvements.

The current position is that there is a Somerset Local Authorities Civil Contingencies Partnership in place and members of the TAF wished to reiterate that they are supportive of the partnership and, if their recommendations are taken on board, they are confident that it will prove to be a useful vehicle for delivering a cohesive approach to Civil Contingencies across Somerset.

The existence of the partnership should not be seen as an opportunity for SSDC or any other partner to absolve themselves of their statutory civil contingency responsibilities, there remains a need to retain in house capacity. However, the partnership does exist to fulfil the majority of duties of the Somerset Local Authorities and how it does this needs further clarification. Members of the Task and Finish Group feel that the following recommendations will go a considerable way to achieving this.

## **Recommendations:**

The current funding / partnership arrangements are due to expire in April 2015. Members of the Task and Finish Group are strongly of the opinion that there should be no increase of funding from SSDC to the partnership in the short to medium term – the current level of £37k p.a. seems more than adequate given the spending of the other authorities contacted.

Members of the TAF were pleased note that the local authority debrief process had identified many concerns similar to those identified in this review, and hope that this represents an accepted mechanism for driving forward improvements within the partnership. However, in terms of this approach, members of the Task and Finish Group recommend that:

- Clarification is sought from Somerset County Council at the earliest possible opportunity as to:

- the anticipated timescale for the review and re-launch as described in the debrief document? – It is strongly recommended that the entire, comprehensive review is completed well in advance of the current partnership arrangements expiring in April 2015. In order to ensure value for public money, members recommend that no funding is agreed beyond April 2015 until the review as proposed has been completed.
  - The Review process, in particular, who is conducting the review? Is the review sufficiently prioritised and adequately resourced? Such is the significance of this piece of work, members ask the Executive to consider offering some resource to assist with conducting the review.
  - What is the scope of the review, in detail, and how can partners influence the scope and be actively involved in the review process?
- Members recommend that the review considers the governance arrangements within the partnership. At the very least an annual report should be considered by each authority providing an opportunity for elected members to agree on shared aims, objectives and priorities and to consider performance over a preceding period. This is the minimum to ensure meaningful accountability within the partnership.
  - Any re-launch of the partnership should clearly state what each partner can expect in return for their funding contributions, something similar to the SLA model considered by members during this review could be a useful template?

## **Appendix 1**

### **Services to be provided under SLA between Darlington Borough Council and Durham County Council**

Under the terms of the agreement, Darlington Borough Council ( the client) contract the supplier ( Durham County Council) to deliver the following services:

1. Provide a 24/7 Duty Officer Scheme to receive and respond to notifications of potential or actual emergency situations within the Client area:
2. Provide on a 24/7 basis Civil Contingencies Officer to act as specialist advisors to Silver Commanders and Gold Officers in response to an emergency or during the recovery phase of an emergency;
3. Provide on a 24/7 basis Civil Contingency Officer to act as specialist advisors to the Recovery Co-ordinating Group and subsequent working groups, following an emergency:
4. Provide day to day liaison with Voluntary Organisations who form the Voluntary Emergency Liaison Group and activate such voluntary organisations during both emergency response and recovery;
5. Produce and distribute on behalf of the Client SITREPS during the response to an emergency:
6. Assist the client with the internal debriefing process following an emergency including the identification of lessons learned and the production of an Improvement Action Plan.
7. Assist the client with the external debriefing process including, where necessary, representing the client at such debriefs;
8. Produce and maintain as required an annual Emergency rest centre Manager om-call rota;
9. Undertake monthly call-out testing if the Client's Emergency Rest Centre manager rota;
10. Maintain an internal Civil Emergencies Contacts Directory on behalf of the client
11. Maintain a multi-agency Civil Emergencies Contacts list;
12. Horizon scan to identify any new civil contingencies issues which need to be considered and present these,, along with recommendations, to the Client Manager;

13. Monitor for interoperability opportunities across their own work and that of the Client to maximise support opportunities to the LRF: e.g. mutual aid;
14. To represent the Client at LRF, multi-agency or regional meetings if the Client is unable to attend;
15. Provide access to a team of trained Civil Contingency Officers who have Integrated Emergency Management skills, knowledge and experience across the spectrum of civil contingencies including CBRNE, counter terrorism, excess deaths and mass fatalities, COMAH, pipelines, aviation, flooding and inundation:
16. Prepare plans and procedures which are robust, fit for purpose and meet the statutory needs of the Client. This will include national research, identification of best practice and where possible innovation in order to set best practice. Draft plans for the client and oversee the plan distribution and review process;
17. Work with Category 1, Category 2, Other Co-opting bodies and the Voluntary Sector in order to fulfil the statutory duties stated in the Civil Contingencies Act 2004;
18. Provide civil contingencies information for inclusion on the Client's website and intranet;
19. Produce an annual training and exercising programme to meet the needs of the Client's Gold Officers, Silver Commanders, Local Authority Site Liaison Officers, Emergency Support Staff and Emergency Rest Centre Managers, this will include 6 themed Emergency Responder Group meetings per year;
20. Deliver and evaluate training to the Clients' Recovery Co-ordinating Group and the subsequent recovery working groups;
21. Deliver and evaluate training to the Clients' Gold Officers, Silver commanders, LASLOs, Emergency Support Staff and Emergency Rest Centre Managers;
22. Deliver and evaluate training to the Client's key officers responsible for producing Business Continuity Plans;
23. Identify and promote opportunities for cross-border training between Client and Supplier
24. Where appropriate, assist in responding to national consultative documents relating to civil contingencies.