MIDDLESBROUGH COUNCIL

Middlesbrough
moving forward

Report of:	James Bromiley, Strategic Director of Finance, Governance and Support

Submitted to:	Corporate Affairs and Audit Committee, 19th December 2019

Subject:	Business Continuity – Annual Assurance Report

Summary

Proposed decision(s)
That the Corporate Affairs and Audit Committee notes the Council's approach to Business Continuity and considers whether any further assurance is required.

Report for:	Key decision:	Confidential:	Is the report urgent?[1]
Information	Not applicable	No	Not applicable

Contribution to delivery of the 2019-22 Strategic Plan		
Business Imperatives	**Physical Regeneration**	**Social Regeneration**
Effective Business Continuity Planning will ensure the Council is able to recover and maintain critical services that could be affected by an incident e.g. electricity failure.		

Ward(s) affected
The proposals have no direct impact on wards in Middlesbrough.

What is the purpose of this report?

1. The purpose of this annual report is to outline the Council's approach to Business Continuity Planning and to testing its Business Continuity plans, present a summary of the findings from this year's tests, and detail the future review schedule to provide the Committee with assurance that the Council has robust business continuity arrangements in place which comply with the Civil Contingencies Act 2004.

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[1] Remove for non-Executive reports

Why does this report require a Member decision?

2. Part of Corporate Affairs and Audit Committee's remit is to consider reports that ensure it is assured that the Council has an effective corporate governance framework in place. This report provides information to enable the Committee to be assured that the Council's Business Continuity arrangements are appropriate.

Report Background

3. The Council has a duty under the Civil Contingencies Act 2004 to develop and maintain Business Continuity plans to enable continued delivery of 'business critical functions' during a 'business interruption' event. Business continuity plans manage the internal impacts of disruptions on the Council's business critical services. This is separate to emergency planning plans which set out how the Council responds to incidents that impact on residents and businesses.

    The Council's approach

4. The Council's corporate Business Continuity plan defines critical functions as those which, if interrupted could result in:

    - risk of serious injury;
    - risk of death;
    - massive financial losses; or
    - significant damage to the Council's reputation.

5. The Council will consider activating its plans if there is a business interruption event that:

    - is likely to last for more than half a working day;
    - affects a vulnerable group of service users;
    - impacts on the delivery of key critical activities;
    - restricts access to one of the key council buildings;
    - could generate significant damage to the Council's reputation; or
    - is highly likely to escalate into one of the above categories.

6. The Council has the following Business Continuity plan in place to respond to the variety of events that could occur:

    - the Corporate Business Continuity plan;
    - supporting Departmental Business Continuity plans;
    - Relocation plan;
    - Fuel plan (held in abeyance);t
    - Flu Pandemic plan; and
    - ICT Disaster Recovery Plan.

7. The Council does not publish its Business Continuity plans as they outline sensitive information around its critical processes, which could be misused, and contain personal information relating to employees that have agreed to share personal contact details to enable the Council to get in touch with them quickly in the event of an incident. Therefore the paragraphs below outline the content of the Council's plans in broad terms.

8. The corporate Business Continuity plan is the overarching plan for the organisation. It sets out the structure used to identify and prioritise critical functions; mechanisms for enacting

the plan; how all plans are maintained, tested and reviewed; and policies and procedures in place to support Business Continuity planning.

9. For each critical activity, there is a departmental level plan which sets out information on buildings used to deliver that service, staff information, key equipment and supplies, key records, ICT systems and other key contacts.

10. The relocation plan sets out how critical staff would be relocated to other buildings within the Council or sent home to work using the agile working solutions, if one or more buildings became inaccessible.

11. The Council's approach is, in the main, not to write numerous plans for the different risks which if they occurred, could interrupt delivery of critical functions. The Fuel, Flu Pandemic and ICT Disaster Recovery plans are the exceptions to this rule, created because of specific risks facing the Council in recent years, and the scale of the interruption that such events could cause over a period of months.

12. The Fuel plan outlines how the Council would respond to a fuel strike to ensure business critical staff that need to be mobile are able to continue to do their work. This plan was created when there was a significant risk of a national fuel strike, but is not normally a part of the review schedule. However due to an increased risk of disruption to transport networks in a no deal BREXIT scenario this plan has been updated and reinstated into the schedule during the last 12 months.

13. The Flu plan was created a number of years ago in response to the increased risk of Flu Pandemic at that time. This plan is normally updated on a yearly basis, and has been reviewed and refreshed in line with the latest national guidance. The plan outlines how the Council would prioritise certain services and change operating practices to enable them to be able to continue to deliver critical functions in the event of a pandemic.

14. The ICT Disaster Recovery Plan focuses on maintaining ICT for business critical functions, highlighting those applications which are hosted externally, and any services supported by the Council's key partners.

Plan testing

15. The Council tests its plans at least once every 12 months, or produces a lessons learnt report if a live Business Continuity incident occurred during the past 12 months.

16. This year's approach has been to provide the Leadership Management Team with a Business Continuity Masterclass in order to develop the knowledge and skills of the Council's Business Continuity Recovery Team in the round. The masterclass took place on the 12th September 2019 and covered the following:

- the six elements of the Business Continuity Management lifecycle and how this applied within the organisation;
- the importance of the Business Continuity Management governance arrangements;
- highlighted the importance of undertaking a Business Impact Analysis;
- described the three levels of an incident response structure;
- highlighted the five type of exercise that can be undertaken and the importance of exercising the Business Continuity plans;
- and evaluated methods for embedding Business Continuity within the organisation.

17. The comments received from the masterclass in the evaluation highlighted that the training was very well received by LMT. The Risk Business Partner worked with the Emergency Planning College trainer to ensure that the masterclass was bespoke to the Council's arrangements. The trainer is also an auditor of plans and stated within the masterclass that the Council's Business Continuity arrangements were well developed and in his opinion they would be classed as a leading exemplar.

Lessons Learnt

18. Lessons have also been learnt from a number of incidents that occurred in the last 12 months. A report outlining these was considered by the Risk Management officer group and resulting actions will be embedded within Business Continuity improvement planning for 2020/21.

19. On 13th June 2019 a large fire destroyed the Marton Country Club Hotel. Whilst this was predominately an Emergency Planning situation managed by the Emergency Management Response Team this highlighted the linkages to the Council's Business Continuity Planning. It was identified that two business critical business plans (Connect and the Customer Contact Centre) needed to be reviewed and strengthened to support a similar situation in the future. These Business Continuity plans have now been reviewed to take on board the lessons learnt which should now make the processes and procedures more robust.

20. On the 24th July 2019, the hottest day of the year, there was a high electricity demand in the town which caused an electricity outage that affected part of the town centre, including the Civic Centre complex. A number of learning points have been taken from this event and have been included in the Business Continuity Improvement Plan.

21. On Sunday 25th August 2019 a fault occurred on the rear door entry system to one of the Civic Centre complex buildings as a result of another town centre electricity outage. There were a number of issues arising from this and other local complicating factors that were also included in the lessons learnt report.

22. The ICT Disaster Recovery Plan has been reviewed and updated and the 13 recommendations from the previous exercise undertaken in November 2018 have been fully implemented. A further exercise is planned for the 23rd January 2020 and this will present the ICT Disaster Recovery Team with a different scenario and the learning from this will be utilised to strengthen the plan further.

Review schedule

23. Business Continuity plans are updated every six months, and reviewed on an annual basis. The scale of the review is dependent on the level of organisational change that has occurred in the intervening period. In some years this means that only minor updates (e.g. contact details) are required; in others fundamental reviews will be required to reflect changes to the Council's structure or other significant developments e.g. where services have been outsourced, or brought back in house.

24. This year's review has focussed on reflecting changes to the organisation's staffing structure that were recently announced. As part of the review managers were also reminded that if staff are identified as critical, they should be encouraged to take their devices home to ensure the service is able to resume operations quickly in the event that access to a building is lost overnight.

25. The review has also had a focus on the particular risks that could occur in a no deal BREXIT, strengthening plans as far as is practicable to account for possible disruptions to supplies.

Improvement plan for 2019/20 – update

26. A Business Continuity Improvement Plan was developed which covered training; documentation; communication, equipment and location arrangements. Progress on this plan is set out below:

Training

27. A Business Continuity Masterclass provided by the Emergency Planning College to the Leadership Management Team (LMT) on 12 September 2019 as detailed previously. Training is to be provided to the Wider LMT/HoS in March 2020 in relation to the Council's Business Continuity Framework to cascade the training received by the Leadership Management Team.

28. The ICT Disaster Recovery Team were also provided with training on the Council's approach to business continuity to ensure they understood how ICT disaster recovery actions aligned.

Documentation

29. An update and full review of the Business Continuity Plans has been undertaken within the year to reflect changes in the service, location and staff details etc.

30. The Council's Relocation Plan has been reviewed and a new appendix added which provides specific information for the relocation for an additional Council building.

31. Also included as an appendix to the Relocation Plan is a list of locations within the Council's estate that can be utilised for meetings and a list of partner buildings which may be able to be utilised in an event with key contacts to arrange this and Wi-Fi access.

Communication

32. A generic script has been developed for communication relating to a Business Continuity event with the Marketing and Communications Team. This allows for an initial response to a situation being communicated to the members of the public and it provides scripts for a low level and critical level. Also included within this information is an initial communication for staff. This allows for a quick communication to be provided following an event whilst further information is being gathered and will be followed up when further information becomes available.

33. Communications protocols between the Business Continuity Team and Emergency Planning will be reviewed during 20/21 to ensure these tools are reflected in plans and used effectively.

Business Continuity activities for 2020/21

34. During 2020/21 further work will be undertaken to build on progress made within the previous improvement plan as part of the Council's commitment to continual improvement in Business Continuity planning. The improvement plan is monitored at the Risk

Management Group which meets on a quarterly basis and reviews progress against agreed actions. Future planned work includes the following:

Work Activity	Action
Training	To provide training to the Wider LMT/HoS on Business Continuity and include within this elements of a table top exercise so they can gain knowledge and experience in Business Continuity.
Documentation	To undertake a full review and update of all Business Continuity Plans to ensure they remain fit for purpose. To implement any recommendations from ICT Disaster Recovery Exercise.
Communication	Communications protocols between the Business Continuity Team and Emergency Planning will be reviewed during 20/21 to ensure these tools are reflected in plans and used effectively.

What decision(s) are being asked for?

35. That the Corporate Affairs and Audit Committee notes the Council's approach to Business Continuity and considers whether any further assurance is required.

Why is this being recommended?

36. To support the Committee to discharge its responsibility to maintain an overview of corporate governance within the Council, which includes Business Continuity planning.

Other potential decisions and why these have not been recommended

37. Alternative models for delivery of Business Continuity arrangements are available, however they would require significantly increased resources to be put in place.

Impact(s) of recommended decision(s)

Legal

38. Business Continuity is a part of corporate governance, and the Council has a legal duty to ensure arrangements comply with the requirements of the Civil Contingencies Act 2004.

Financial

39. There are no new direct financial consideration in relation to Business Continuity as a result of this report. By having robust plans in place, the Council will be better placed to mitigate financial impacts from any Business Continuity event.

Policy Framework

40. This report will not result in an amendment to a Policy Framework document.

Equality and Diversity

41. There are no direct implications from this report on equality and diversity.

Risk

42. Business Continuity planning positively impacts on the following risks:

- risk of the Council not having adequate governance processes in place to ensure that compliance is in place with all relevant legislation (O8-054).
- Should a large scale incident occur then the Council must ensure it has suitably robust plans in place which will allow business critical services to continue (08-052); and
- that these are tested on a regular basis to ensure they are fit for purpose and they allow for a diversion of resources if required (08-037).

Actions to be taken to implement the decision(s)

43. Following endorsement of the Council's approach actions will be taken during 2020/21 to further strengthen Business Continuity preparedness, as outlined in the report.

Appendices

None.

Background papers

Body	Report title	Date
Corporate Affairs and Audit Committee	Business Continuity – Annual Assurance Report	6th December 2018

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