

Report of: Director of Legal and Governance Services (Monitoring Officer)**Submitted to:** Corporate Audit and Affairs Committee, 6 April 2022**Subject:** Business Continuity Management: Annual Assurance Report 2021**Summary****Proposed decision(s)**

That the Committee notes the arrangements in place to manage business continuity within the Council, progress within the last year, and plans to further strengthen those arrangements.

Report for:	Key decision:	Confidential:	Is the report urgent?
Information	No	No	No

Contribution to delivery of the 2021-24 Strategic Plan

People	Place	Business
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Effective Business Continuity Planning will ensure the Council is able to recover and maintain critical services that could be affected by an interruption event.

Ward(s) affected

None.

What is the purpose of this report?

1. The purpose of this report is to outline the Council's approach to business continuity management, including testing and summarise activity in the past year and planned activity for 2022, in order to provide the Committee with assurance that the Council has robust arrangements in place, as required by the Civil Contingencies Act 2004.

Why does this report require a Member decision?

2. To support the Committee in discharging its remit to seek assurance that the Council has good corporate governance practices, which includes business continuity management.

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.
4. Business continuity planning is separate to emergency planning, which sets out how the Council responds to emergency incidents that impact on residents and businesses, though there will be times where the two disciplines interrelate.

The Council's approach

5. 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.
6. The Council will consider activating its business continuity 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.
7. The Council has the following plans in place to respond to the variety of events that could occur:
 - the Corporate Business Continuity plan;
 - supporting Departmental Business Continuity plans;
 - Relocation Plan;
 - ICT Disaster Recovery Plan.
 - Fuel Plan;

- Coronavirus Pandemic Plan; and
 - Flu Pandemic Plan.
8. The Council does not publish its business continuity plans as they outline sensitive information around its critical functions and their recovery that 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 only in broad terms.
 9. 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 effective business continuity planning.
 10. Supporting **Departmental Business Continuity Plans** set out detailed recovery arrangements for each critical function or activity, by Directorate of the Council, outlining information on buildings used to deliver the function or activity, staff information, key equipment and supplies, key records, ICT systems and other key contacts.
 11. The **Relocation Plan** sets out how critical functions / activity would be relocated to other buildings within the Council's estate or employees sent home to work using agile working solutions, if one or more buildings became inaccessible.
 12. The Council's approach is, in the main, not to write numerous plans for risks to critical functions. The ICT Disaster Recovery Plan, Fuel Plan and Coronavirus and Flu Pandemic Plans are exceptions to this rule, created in response to specific risks that have faced local authorities and the scale of the interruption that such events have and could cause.
 13. 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.
 14. The **Fuel Plan** outlines how the Council would respond to a fuel shortages to ensure business critical staff are able to continue to do their work. This plan was created when there was a significant risk of a national fuel strike and is not normally a part of the annual review schedule. However due to the possible increased risk of disruption to transport networks following the UK's exit from the EU, the plan was updated in the year to reflect new ways of working and any new business critical services, and has been reinstated into the schedule for reviewing and updating.
 15. The **Coronavirus Pandemic Plan** was newly created in 2020, capturing the learning from the first wave of the COVID-19 pandemic. The Council's response to the initial wave used existing emergency plans and the Flu Pandemic Plan. However, in line with the national policy developments, it was agreed that a separate plan would be developed given the differences between novel coronaviruses and influenza and the required responses to each. The plan is structured by phase of response, pandemic preparedness, response, outbreak control, recovery and review, with each phase setting out the required processes and procedures along with supporting documentation utilised.

16. The Coronavirus Pandemic Plan is kept under regular review as the national and local pandemic response continues. The lessons learned action plan from COVID-19 in last year's annual report to the Committee and an update on this is attached at Appendix 1, with all actions now completed.
17. The **Flu Pandemic Plan** was created a number of years ago in response to the increased risk of Flu Pandemic at that time and outlines how the Council would prioritise certain services and change operating practices to enable to be able to continue to deliver critical functions in the event of a flu pandemic. This plan has been rewritten to align with the structure of the Coronavirus Plan has been reviewed and refreshed in line with the latest national guidance.

Plan testing

18. The Council tests its plans at least once every 12 months, or produces a lessons learned report if a live incident has occurred during the past year. As such, due to COVID-19 a test was not undertaken in 2021. The opportunity has also been taken to identify lessons learned from the recent lockdown of several council buildings in response to a reported threat.

Review schedule

19. In a normal planning cycle, business continuity plans are updated every six months, and reviewed on an annual basis (May and November) with the scale of the review 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.
20. As part of this review there was an increased focus on the robustness of plans in relation to the potential for a cyber-attack. The lessons learned from the cyber-attack on Redcar and Cleveland Borough Council were reviewed and plans updated accordingly. Battleboxes are also to be pulled together, and will include key documents and templates should an incident of this type should occur which will be held offsite and returned to ensure business critical services can still function until systems are restored.

Improvement plan for 2021/22 – update

21. A Business Continuity Improvement Plan was developed in 2021/22, covering training, documentation, communication, equipment and location arrangements. Progress on this plan is reported to Risk Management Group on a quarterly basis and is set out below.

Training

22. A full Disaster Recovery test exercise has been undertaken on each of the Council's data centres (DC1 – July 2021 and DC2 – October 2021) which involved testing the resilience of the generators, Uninterrupted Power Supply (UPS) systems and also environmental (e.g. fire suppression) systems. This test ensured that in the event of a

major power outage within the town or the loss of one of the data centres entirely, the other data centre will continue to support the Council's business critical applications, with no changes required.

Documentation

23. An update and full review of Directorate Business Continuity Plans has been undertaken within the year to reflect changes in the service, location and employee details.
24. Particular attention has been paid in these updates to the Council's preparedness for cyber-attack, as outlined elsewhere in the report. In addition, call cascades were expanded to cover all services, rather than just business critical functions, as previously.
25. With the easing of COVID-19 restrictions late last year and Government guidance advising that offices could be reoccupied, the Council produced a Reoccupation Plan. Reoccupation was planned to be implemented in three phases so employees could become accustomed to being back in the office and to limit numbers in the event of outbreaks. All three phases of the reoccupation were complete by the early December 2021, however shortly afterwards work from home guidance was reissued in light of the Omicron variant. At the time of writing, offices are being reoccupied with the majority of office based staff continuing to work using a hybrid approach.

Communication

26. A Business Continuity and Emergency Planning mapping portal has been built in the Council's mapping software, including flood plains, gritting routes, schools, Council buildings, care homes etc. The next steps in the development of this work are to identify any further data sources required such as critical infrastructure and COMAH sites. Once completed, access will be provided to the relevant individuals so use in emergency and / or business continuity incidents.

Business Continuity activities for 2022/23

27. During 2022/23, further work as set out below 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.

Training

- Produce a scenario and undertake a business continuity exercise to test the effectiveness of plans.
- Undertake a cyber-attack exercise on a key system as the next ICT Disaster Recovery Plan exercise to test its effectiveness.
- Increase the number of trained loggists to support Business Continuity responses in an invocation.

Documentation

- Undertake a full review and update of all business continuity plans to ensure they remain fit for purpose.

- Take the learning from the ICT cyber-attack exercise and include any recommendations in the Business Continuity Improvement Plan.
- Battleboxes to be created by business-critical services to enable service delivery to be maintained in the event of a cyber-attack.
- Revision of plans to reflect occupation of the new main offices this year.
- Take learning from the lockdown incident to set out how incidents should be managed in a hybrid model where a proportion of the response team may be based in their own homes.

Communication

- Call cascade trees in place but need to ensure that this form of communication is maintained across the organisation.
- Communications Plan for BC to be enhanced to cover communications in the absence of ICT system.

What decision(s) are being asked for?

28. That the Committee notes the arrangements in place to manage business continuity within the Council, progress within the last year, and plans to further strengthen those arrangements.

Why is this being recommended?

29. To support the Committee to discharge its responsibility to maintain an overview of corporate governance within the Council, which includes business continuity management.

Other potential decisions and why these have not been recommended

30. Alternative models for delivery of business continuity arrangements are available (e.g. liver testing), however they would require significantly increased resources to be put in place.

Impact(s) of recommended decision(s)

Legal

31. 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

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

Policy Framework

33. This report does not seek to amend the Council's Policy Framework.

Equality and Diversity

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

Risk

35. Business continuity management positively impacts on the following risks within the Council's risk registers:

- 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 (O8-052); 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 (O8-037).

Actions to be taken to implement the decision(s)

36. Following endorsement of the Council's approach actions will be taken during 2022/23 to further strengthen business continuity management, as outlined in the report.

Appendices

1 COVID -19 Lessons Learned Action Plan – progress update

Background papers

Body	Report title	Date
Corporate Affairs and Audit Committee	Business Continuity – Annual Assurance Report	4 th February 2021
Corporate Affairs and Audit Committee	Business Continuity – Annual Assurance Report	19 th December 2019
Corporate Affairs and Audit Committee	Business Continuity – Annual Assurance Report	6 th December 2018

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Appendix 1 – COVID -19 Lessons Learned Action Plan – progress update

Date raised / occurred	Incident / issue	Was there a warning Indicator Y / N?	Lesson learned	Action required	Owner	Target date	Status
01/05/2020	Review of Council's COVID response and recovery in preparation for Executive report, identified that a formal decision log had not been maintained in line with the Flu Pandemic Policy although most details required by the decision log were captured. Standard log was shared but not used.	Y	Process used (meeting logs) wasn't a comprehensive log of all decisions, only those within meetings - resulted in not having a full historic record of what was recorded and when. Person used to facilitate response structure was not familiar with plans. Needs including in future training events and communications around business continuity if the decision is that they maintain that co-ordinator role.	Revise the current standard log and supporting plan to pick up changes made by the logger where they added value and develop a revised procedure note to give guidance to future loggers to ensure all required information is captured. Refresh loggist training with nominated loggists. Revise loggists to use more senior officers.	AM Johnstone	30/09/2020	Completed
01/03/2020	Decision log co-ordinator replaced by more senior officer, mid-way through response to Pandemic. Whilst this change was more effective in coordination of response, processes were created which was a variance from Business Continuity processes.	Y	Loggist had needed support in the test environment. The 2 officers who did this were on leave / sick. Improve loggist guidance and identify more senior officer to undertake this role and deliver the loggist training with them.	Revise pre-identified loggist in plans and make them aware of the guidance in place for the loggist role.	AM Johnstone	01/04/2021	Completed
16/03/2020	The Business Continuity and Flu Pandemic Plan had an expectation of more separation between business continuity and emergency response functions. The Command structure put in place varied from this, though worked well.	N	The revised structure should be reflected as a revised approach in standard operating procedure going forward for flu / corona virus pandemic planning.	Flu Pandemic plan to be revised to reflect the structure used.	AM Johnstone	01/04/2021	Completed
02/06/2020	Safety plans for children that were required by government for CIN children were not shared with all partners, social workers misunderstood the emphasis on sharing with schools as only share with schools in some cases	N	Ensure clearer communications going forward and reiterate expectations.	Communications to social workers on this issue.	S Williams	N/A	Completed

Date raised / occurred	Incident / issue	Was there a warning Indicator Y / N?	Lesson learned	Action required	Owner	Target date	Status
01/06/2020	there was no process in place for capturing impacts of the pandemic on services across the organisation within one form	Y	A sit rep template was put in place to capture impacts across the organisation on a daily basis using a simple RAG tool to highlight areas of vulnerability. This should be captured within future planning documents for business continuity / flu pandemic events so that it can be quickly updated and implemented.	embed the sit rep template within the corporate Business Continuity plan and the Flu Pandemic Plan	H Pearce	30/09/2020	Completed
10/03/2020	The council had in place a Business Continuity Plan for a flu pandemic rather than a corona type virus	Y	there had been several outbreaks of a corona type virus in recent years (SARs, MERs) Consider either revising the flu pandemic plan to be more generic and plan for a range of zoonic and non-zoonic diseases or create a separate corona virus pandemic plan	Create a Business Continuity plan for a coronavirus-based pandemic and reflect all actions applicable to the Flu Pandemic Plan in that document too	H Pearce	30/09/2020	Completed
01/07/2020	The task of managing and coordinating the range of response and recovery groups was underestimated.	N	Additional resource should be identified within the Flu Pandemic Plan and the Corona virus plan to improve this.	The current flu pandemic plan should be strengthened to include more information on the scope and scale of the recovery effort likely to be required	H Pearce	01/04/2021	Completed
09/06/2020	There was demand for information to be collated and shared from day one but there was a lag as it took time to develop required report templates to facilitate this e.g. sickness levels, PPE stocks	Y	the Flu Pandemic plan had insufficient templates embedded within it that could be utilised, this needs to be addressed	Review the content of flu pandemic plan to identify what data will be required to be known from the start to capture all the information that was developed for this pandemic and roles and responsibilities for the provision of this information, coordination and standardisation of incident data	H Pearce	01/04/2021	Completed
Date raised / occurred	Incident / issue	Was there a warning Indicator Y / N?	Lesson learned	Action required	Owner	Target date	Status
09/06/2020	Pastoral support from Managers to teams / staff found to be insufficient in some areas, with no regular debrief calls or opportunities to connect with colleagues virtually.	N	Better communication, structured guidance and training required for Managers to ensure clarity on role and responsibilities in terms of pastoral support.	Communications to managers on contact expectations with staff who are working remotely or away from their usual line managers. Place prompt in	N Finnegan	N/A	Completed

				revised flu pandemic plan to address this			
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