

**Report of:** Director of Legal and Governance Services**Submitted to:** Corporate Affairs and Audit Committee, 4 February 2021**Subject:** Business Continuity Management: Annual Assurance Report 2020**Summary****Proposed decision(s)**

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

<b>Report for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Is the report urgent?</b>
Information	Not applicable	No	Not applicable

**Contribution to delivery of the 2020-23 Strategic Plan**

<b>People</b>	<b>Place</b>	<b>Business</b>
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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 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 report is to outline the Council's approach to Business Continuity Planning, including testing, to summarise activity in the past year and planned activity for 2021 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 plans to enable the continued delivery of 'business critical functions' during a 'business interruption' event.
4. Business continuity planning is separate to emergency planning, which set 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 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 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;
  - ICT Disaster Recovery Plan;
  - Fuel Plan (typically held in abeyance);

- Flu Pandemic Plan; and
  - Coronavirus Pandemic Plan (which was developed this year).
8. The Council does not publish its Business Continuity Plans as they outline sensitive information in respect of 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 staff for critical functions / activity would be relocated to other buildings within the Council's estate or sent home to work using agile working solutions, if one or more buildings became inaccessible.
  12. 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.
  13. The Council's approach is, in the main, not to write numerous plans for different risks to critical functions. The Fuel, Coronavirus Pandemic, Flu Pandemic and ICT Disaster Recovery plans are exceptions to this rule, created in response to specific risks that have faced the Council in recent years and the scale of the interruption that such events could cause.
  14. The **Fuel Plan** outlines how the Council would respond to 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, but is not normally a part of the review schedule. However due to the potential increased risk of disruption to supply and to transport networks in a 'No Deal' Brexit scenario, this plan was updated and reinstated into the schedule during the past year.
  15. The **Flu Plan** was created a number of years ago in response to the increased risk of pandemic at that time and 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 flu pandemic. This plan is normally updated on an annual basis, and has again been reviewed and refreshed in line with the latest national guidance.
  16. 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 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.

17. The Coronavirus 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 the supporting documentation utilised. The Plan is being kept under regular review as the national and local pandemic response develops.

### **COVID-19 – lessons learned**

18. Clearly the COVID-19 pandemic has presented and continues to present a significant test of the Council's business continuity planning, affecting all services. A report to the Executive on 16 June 2020 outlined in detail the Council's response to COVID-19 and proposed recovery arrangements. These arrangements have had to be varied in light of subsequent waves of the pandemic, and the Executive and all members have been regularly updated since that time.
19. As set out in the report, the Council and its partners conducted a very strong response to the COVID-19 pandemic which has been commended by the Government. In line with good practice, the Council conducted a lessons learned exercise with staff involved in the first wave response. Communications were singled out as being particularly strong, in particular the communications from the Chief Executive to all staff, which at the height of the first wave of the pandemic were on a daily basis.
20. Areas for improvement identified included reviewing the delegation of decisions with the aim of reducing the number of issues being escalated to Gold Command and the agreement of a process to ensure that managerial and service capacity was not exceeded in the event of multiple emergency events occurring at the same time. Work has been undertaken since that time to refine these processes to improve future response. The exercise also identified a small number of administrative improvements. Five of these have now been implemented with the remaining four due to complete in April 2021.

### **Plan testing**

21. The Council tests its plans at least once every 12 months, or produces a lessons learnt report if a live has occurred during the past year. As such, due to COVID-19 a test was not undertaken in 2020.

### **Review schedule**

22. 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.

23. This year's review was brought forward to February in response to the COVID-19 pandemic in order to ensure plans were robust, all critical services were covered and plans contained sufficient detail to respond to the specific nature of the event.
24. A number of new business continuity plans were created prior to and during the pandemic for functions newly identified as critical to the response (e.g. cleaning) and for those services that returned to the Council management during the pandemic.
25. As part of this review there was an increased focus on the robustness of agile working given the almost certain likelihood of employees being asked to work from home to maintain service delivery for the public for a sustained period of time.
26. From 23 March 2020, in response to the national lockdown, around 1,200 employees moved to home working. This was a major event for the Council's ICT Services, involving not only rapidly increasing the supply of kit but providing new functionality such as video conferencing. The planned refresh of the firewall and security structure was also brought forward in order to provide longer term additional capacity for up to 2,000 users to work remotely. New ways of using social media were also implemented to support social care services to interact with service users.

### **Progress on the improvement plan for 2020/21**

27. A Business Continuity Improvement Plan was developed for 2020/21 which covered training, documentation, communication, equipment and location arrangements. Progress on this plan is set out below.

#### *Training*

28. A table top exercise was planned for Heads of Service and managers, however as with testing this was not undertaken due to COVID-19, with managers gaining real world experience.
29. A full Disaster Recovery test was undertaken on the Council's data centres during the year, involving testing the resilience of the generators, Uninterrupted Power Supply (UPS) systems and environmental systems e.g. fire suppression. The test was successful and provided assurance that in the event of a major power outage within the town or the loss of one of the data centres, the Council's business critical applications would continue to be supported.

#### *Documentation*

30. As set out above, an update and full review of the Business Continuity Plans was undertaken within the year. The Council's Relocation Plan was also reviewed. The increased ability to work from home following the implementation of solutions during COVID-19 reduces the likelihood that this plan would need to be enacted in future, unless there was also a concurrent loss of access to ICT as well as loss of access to office space.
31. As set out previously, a Coronavirus Plan was created to ensure that all the learning from COVID-19 was captured and appropriate processes, procedures and structures to deal with such an event are able to be stood up again rapidly.

## Communication

32. Initial work has progressed for the Business Continuity Team to access mapping information so it can be utilised during an incident. The mapping tool to be utilised is ESRI and initial training has been received by the Risk Business Partner. The next steps are to identify the data sources that need to be overlaid onto the maps so this information is in place should it be required if an incident occurs. Further work to enhance this will be undertaken in 2021/22.

### **Business Continuity activities for 2021/22**

33. During 2021/22 further work will be undertaken to build on progress made within the previous improvement plan as part of the Council's commitment to continuous improvement in corporate governance. Future planned work includes the following:

Work Activity	Action
Training	<ul style="list-style-type: none"><li>• Produce a scenario and undertake a BC exercise to test the effectiveness of the plans.</li><li>• Produce a scenario and undertake a test of the ICT Disaster Recovery Plan to test its effectiveness.</li><li>• Train a wider cohort of staff to reduce the risk that multiple events could exceed staff capacity to respond.</li></ul>
Documentation	<ul style="list-style-type: none"><li>• Undertake a full review and update of all Business Continuity Plans to ensure they remain fit for purpose.</li><li>• Take the learning from the ICT Disaster Recovery test and include any recommendations in the Business Continuity Improvement Plan.</li></ul>
Communication	<ul style="list-style-type: none"><li>• Further develop the ERSI mapping tool to include data sources which can be overlaid on maps for different types of business continuity incidents.</li></ul>

34. The improvement plan is monitored at the Risk Management Group which meets on a quarterly basis and reviews progress against agreed actions.

### **What decision(s) are being asked for?**

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

### **Why is this being recommended?**

36. To support the Committee in discharging its responsibility in relation to corporate governance, including business continuity management.

### **Other potential decisions and why these have not been recommended**

37. Not applicable.

## **Impact(s) of recommended decision(s)**

### **Legal**

38. The Council has a legal duty to ensure its business continuity arrangements comply with the requirements of the Civil Contingencies Act 2004.

### **Financial**

39. It is anticipated that all activities set out in this report are achievable within existing and planned budgets.

### **Policy Framework**

40. Current and planned activity outlined is consistent with the direction of travel set out in the 'Business' section of the Strategic Plan, so this report does not seek to vary the Council's Policy Framework.

### **Equality and Diversity**

41. Not applicable.

### **Risk**

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

- the 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)**

43. The activity outlined in the main body of the report will result in continued improvements in the Council's business continuity arrangements, with progress reported to the corporate Risk Management Group on a quarterly basis.

### **Appendices**

None.

### **Background papers**

06/12/18	Corporate Affairs and Audit Committee	Annual Assurance Report 2018
19/12/19	Corporate Affairs and Audit Committee	Annual Assurance Report 2019

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