

<b>Report to:</b>	Health Overview and Adult Social Care Scrutiny		
<b>Date of meeting:</b>	31 August 2022		
<b>Report of:</b>	Helen Lowey Director of Public Health	<b>Report Number:</b>	51,771
<b>Reporting Officer:</b>	Lynn Donkin AD/Consultant in Public Health	<b>Telephone Number:</b>	07748651462
<b>Contact Officer:</b>	Louise Lindsay Strategic Lead in Health Protection, Healthcare, Civil Contingencies and Intelligence	<b>Telephone Number:</b>	07385422271
<b>Report title:</b>	Bolton Civil Contingency (Emergency Preparedness Resilience and Response – EPRR) Assurance and Governance Annual Report 2021-22		
<b>Non Confidential</b>			
This report does not contain information which warrants its consideration in the absence of the press or members of the public.			
<b>Non PDG report – For wider circulation</b>			
<b>Purpose:</b>	The purpose of this report is for the Executive Cabinet Member for Wellbeing to note and approve the Bolton Civil Contingency Assurance and Governance Annual Report 2021-22.		
<b>Recommendations:</b>	The Executive Cabinet Member for Wellbeing is recommended to: <ul style="list-style-type: none"> <li>• Receive the Civil Contingency Assurance and Governance Report 2021-22.</li> <li>• Note the update on key local developments since the commencement of the portfolio being led by Public Health in April 2021.</li> </ul>		
<b>Decision:</b>			
<b>Background documents:</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>		
<b>Signed:</b>			
	Executive Cabinet Member	Monitoring Officer	
<b>Date:</b>			

<b>Consultation with other officers</b>			
Finance	Yes	13/5/2022	Connie McMullen

Legal	Yes	17/5/2022	Louise McGuinness/Elizabeth Cunningham-Doyle	
HR	Yes	13/5/2022	Francesca Rowbotham	
Climate Change	Yes	29/3/2022	Nicola Farrell	
Equality Impact Assessment	Yes	13/5/2022	Rebecca Albrow/Jenny Foy	
Business Continuity/Risk Register	Yes	13/5/2022	tom.powell@manchester.gov.uk	
GM Resilience Officer	Yes	1/4/2022 – 13/5/2022	leor.giladi@manchester.gov.uk	
Post consultation reports			No	
<b>Vision outcomes</b> Please identify the appropriate Vision outcome(s) that this report relates or contributes to by putting a cross in the relevant box.			1. Start Well	
			2. Live Well	
			3. Age Well	
			4. Prosperous	
			5. Clean and Green	X
			6. Strong and Distinctive	X

## **1. INTRODUCTION & BACKGROUND**

- 1.1 The Civil Contingencies Act (2004), referred to as The Act 2004 provides a single framework for civil protection in the United Kingdom (UK). Part 1 of The Act 2004 establishes a clear set of roles and responsibilities for those involved in emergency preparedness and response at the local level. The Act 2004 divides local responders into two categories, Category 1 and Category 2, imposing a different set of duties on each. Those in Category 1 are organisations at the core of the response to most emergencies. Local authorities along with emergency services and NHS bodies are Category 1 responders. It is important to note that the Civil Contingencies Act is due for renewal this Autumn 2022, and any changes to the local authority's responsibilities will be advised by GM Resilience Unit and respective local authority legal teams.
- 1.2 As Category 1 responder, Bolton Council is subject to the full set of civil protection duties set out in the statutory guidance Emergency preparedness - GOV.UK and required to:
- assess the risk of emergencies occurring and use this to inform contingency planning
  - put in place emergency plans
  - put in place business continuity management arrangements
  - put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency
  - share information with other local responders to enhance co-ordination
  - co-operate with other local responders to enhance co-ordination and efficiency
  - provide advice and assistance to businesses and voluntary organisations about business continuity management (local authorities only)
- 1.3 In April 2021, corporate responsibility for the civil contingency agenda within Bolton Council transferred from Place Directorate to the Public Health Directorate.
- 1.4 The Association of Greater Manchester Authorities Civil Contingency Resilience Unit (AGMA CCRU) now known as GM Resilience Unit from 1<sup>st</sup> April 2022, provides a tool for assessing and monitoring the status of local authority contingency arrangements which require ongoing maintenance at a borough level. An annual assessment of Bolton Council's Civil Contingency arrangements is carried out jointly with AGMA CCRU and recommendations arising from the assessment will be included in Bolton Council's Emergency Preparedness, Resilience and Response (Civil Contingency) annual report. The annual assessment is referred to in the Civil Contingency Annual Report (Appendix 1 of this report).
- 1.5 This paper presents an overview of the arrangements in Bolton Council for meeting these duties and includes governance and assurance processes, the local resilience partnership with GM Resilience Unit and, highlights key developments since the commencement of the portfolio in the Public Health Directorate.

## **2. CIVIL CONTINGENCY ANNUAL REPORT SUMMARY 2021-22**

- 2.1 The Emergency Preparedness Resilience and Response (Civil Contingency) Annual Report 2021 -22 is attached (Appendix 1) and provides assurance and governance that the local authority is compliant with its duties under the Civil Contingency Act 2004, and

an update on key local developments since the commencement of the portfolio being led by the Public Health Team in April 2021. Key points to note on this report are:

- Governance and assurance arrangement are in place for the council's responsibilities as a Category 1 responder and include oversight and expert advice from GM Resilience Unit.
- All functional plans have been reviewed or being reviewed and updated to ensure contacts and procedures are in line with GM standardised plans.
- Incident responses and associated recovery have totalled 37 during the period 1<sup>st</sup> April 2021- 31<sup>st</sup> March 2022 including two significant weather events related to storms and flooding.
- Learning from incidents is captured in post-incident reviews and incorporated into future learning and training for council on-call and functional responders.
- An emergency response on-call rota operates with a total of 54 responders across the roles of forward incident officers, tactical officers and strategic officers.
- Communication and infrastructure checks are completed frequently to ensure that the council's response to incidents is timely and effective. This also includes a comprehensive review of emergency control centre sites and familiarisation of responders to these centres.
- The training and development plan is set each year by GM Resilience Unit and Bolton Council's Public Health Team with the opportunity to include bespoke training in response to emerging local and national learning to incidents.
- Training is provided to all on-call responders and Bolton Council's Civil Contingency training matrix is reviewed regularly to ensure compliance.
- Bolton Council in partnership with GM Resilience Forum provides horizon scanning assessments affecting emergency planning, resilience and response and the Bolton Council civil contingency work plan including; impacts of climate change and forthcoming new legislation such as the Protect Duty Legislation (expected Autumn 2022), and reviews of legislation – The Civil Contingencies Act 2004.
- Risk assessments and identification of risks are integral to the Bolton Council Contingency work plan, practice, and continuous review. Risks that are identified are recorded on the Corporate Risk Register as appropriate.

### 3. FINANCE

3.1 For the financial year 2021/22, the budget was £191,600 to deliver the local authority's Civil Contingency duties of emergency planning, preparation and response duties.

3.2 The table below shows the budget for 21/22 for Civil Contingencies.

Budget Category	Budget 21/22 £
Employee costs	89,800
Premises Costs	0
Transport Costs	100
Supplies & Services	14,500
Contracts & Agency	59,200
Support Costs	1,200
Support Costs - Recharges	26,800
<b>Total</b>	<b>191,600</b>

3.3 The majority of this budget is committed (£177,600) to emergency planning and preparedness activities and the administration of the on-call rota for staff responding to emergencies including:

- GM Resilience Unit for the provision of expert Civil Contingency Support for emergency preparedness and plans and Business Partner support (as agreed with the AGMA Civil Contingency Local Resilience Forum is a total of £55,481)
- Emergency Planning and Preparedness Project Officer role including administration of the on-call rota for all levels of emergency response staff (included in employee costs).
- Cost of staffing the rota including stand-by payments and over-time payments to staff who qualify for these payments (Tactical Officer and Forward Incident Officer) which is a total of £43,500 incorporated into employee costs. This is a shared contribution by each service of equal proportions.
- Additional costs include; training; maintenance of off-site incident management centres; one-voice annual subscription; emergency control centre equipment and support costs (finance and corporate).

3.4 The government operates a scheme of emergency financial assistance (Bellwin), to assist local authorities in covering costs that occur as a result of work related to the response phase of emergencies. There is no automatic qualification for financial assistance and the decision to activate is made by ministers after considering the circumstances of individual cases. Attempts to claim financial assistance for recovery work following the floods in Horwich in 2021 were unsuccessful. With increased frequency of severe weather events, there is a clear need for a sustainable approach to planning and budgeting for emergency incident recovery work and there is currently an identified risk regarding recovery funding.

## 4. **LEGAL**

4.1 The legal context for assurance and governance of the Civil Contingency work is outlined in the **Civil Contingency Act 2004**, as follows:

- The legislative framework for civil protection in the UK is in two parts; local arrangements (Part 1) and; emergency powers (Part 2, updated from 1920 – only deployed in extreme exceptional circumstances)
- Clear set of roles and responsibilities on those organisations with a role to play in preparing for and responding to emergencies
- Local authorities are a Category 1 responder under Part 1, (those organisations deemed to be at the core of an emergency response e.g. blue light, NHS, LA's) under the act and have a key role in discharging their duties for emergency preparedness and response:
- Assessing the risk of emergencies occurring & using this to inform contingency planning to form a community risk register
- Put in place emergency plans
- Create business continuity plans to ensure they can continue to exercise critical functions in the event of an emergency
- Provide information available to the public – warn, inform and advise
- Share information and co-operate with other local responders to enhance co-ordination & efficiency
- Provide advice and assistance to businesses and VCFS about business continuity
- Management

- 4.2 In addition, the Act, also places **core functions** on the local authority in how it responds to an emergency, as follows:
- civic leadership
  - assisting in delivery of the emergency response (including warning and informing the public)
  - supporting displaced people
  - providing humanitarian assistance
  - leading the recovery of the community and locality
- 4.3 It is important to note that the Civil Contingencies Act is scheduled for review this Autumn 2022, and any implications on the local authority's responsibilities will be advised by GM Resilience Unit and respective local authority legal teams at the time of publication of the new legislation.
5. **HR**
- 5.1 On 1 April 2021 the responsibility for Civil Contingencies transferred to the Director of Public Health. This function is supported by an Assistant Director, a Strategic Lead for Health Protection and Healthcare Public Health and a Project Officer. In addition, a Business Partner from GM Resilience Unit provides support in delivery of specific training, exercises, major incident response, emergency planning preparedness and specialist advice.
- 5.2 Officers at grade N (Head of Service) and above who started after 2018, have the below statement in their Person Specification. All other officers on the Tactical rota starting prior to 2018 are voluntary as are all Forward Incident Officers (FIO).
- 5.3 *'Applicable to all roles Grade N and above: Bolton Council is committed to providing robust Civil Contingencies planning and response arrangements. You will be required to join the Tactical Officer rota. This will involve working outside of routine working hours on a rota basis.'*
- 5.4 All Assistant Director Level and above are required to be on the Strategic Officer rota. This is written in the Chief Officer Handbook
- 5.5 Officers volunteering for the Forward Incident Officer volunteer role are required to be at grade F and above and require support from their manager prior to volunteering along with supporting documentation. All officers are expected to commit to the rota for a period of an annual year from 1 April to the 31 March of the following year. Any changes made to the rota as a result of GM Resilience Unit review/s, that may result in a reduction of staffing on the local on-call rota, will be discussed with HR and in consultation with Trade Unions.
- 5.5 The Forwarding Incident Office (FIO) role includes the following activities; the FIO is the first point of contact and plays a key role within the Bolton Council's response arrangements. In liaison with a Tactical (Silver) Officer, the FIO works closely with multi-agency partners and may attend the scene to join the emergency services to co-ordinate

the response for Bolton across all the Council's services. Team working is of paramount importance in launching an incident response.

- 5.6 Recruitment of FIOs is complete, and full training has now been provided to ensure that all new FIOs (total of eight) are confident and knowledgeable in their voluntary paid role. Each new FIO will also be provided with an experienced 'buddy' to help guide through their initial year on the 'on-call' rota and minimum standards training to ensure understanding and confidence in the roles and responsibilities of the forward incident officer role.
- 5.7 Staff welfare: It is important to acknowledge that all civil contingency incidents (emergency preparedness, resilience, and response) are a shared corporate responsibility and on-call staff at all levels (FIO, TO and SO) may need rest periods and/or time away from their main role, if for example, they are called out to an incident and are needed during the night. Reasonable time off would be discussed with the immediate line manager and advised by the Strategic or Tactical Officer on step down or handover of the incident.

## 6. CLIMATE CHANGE

- 6.1 Given the varied nature of emergency incidents, the recovery actions and associated costs are difficult to predict and are subject to a considerable uncertainty. However, the local authority is seeing increased frequency of severe weather events including storms and floods. The Met Office have noted an emerging pattern of extreme high temperatures and more extreme rainfall e.g. six of the top 10 wettest years have occurred since 1998 (State of the UK Climate – Met Office, 29 July 2021). Actions to respond to climate change include a focus on adaptation, as well as efforts to mitigate. Therefore, there is a need for a sustainable approach to planning and budgeting for emergency recovery work.

## 7. EQUALITY IMPACT ASSESSMENT (EIA)

- 7.1 Under the Equality Act 2010, the council has a general duty to have due regard to the need to:
- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
  - **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
  - **foster good relations** between people who share a protected characteristic and people who do not share it.
- 7.2 It is important to consider how the proposals contained within this report may impact positively or negatively on protected characteristics. An initial screening has been carried out and as it is not anticipated that the proposals will have a negative differential impact on Bolton's diversity groups, a full EIA is therefore not required at this stage. Should these proposals be agreed, then the Equalities impacts will be monitored as part of an ongoing review of the Emergency Planning Resilience and Response (Civil Contingencies) work and delivery plan.

## 8. CONSULTATION

8.1 Feedback from the officers conducting civil contingency rota response and AGMA CCRU Business is included in the Appendix 1: Bolton Civil Contingency Report 2021-22 and was gained through civil contingency post incident review meetings and included in this report as part of the lessons learned aspect to incidents summarised in the main report in Appendix 1.

8.2 All officers listed in the 'Consultation with Officers List' have been consulted with during the writing of this report.

## 9. **VISION 2030**

9.1 The intention of the Bolton Civil Contingency Assurance and Governance Annual Report 2021-22 is to give assurance that the health and safety of Bolton's population is best protected in any civil contingency incidents and there is an appropriate local authority response that meets the requirement of the Act.

## 10. **RECOMMENDATIONS**

10.1 **The Executive Cabinet Member for Wellbeing is recommended to:**

1. Receive the Civil Contingency Assurance and Governance Report 2021-22
2. Note the update on key local developments since the commencement of the portfolio being led by the Public Health Team in April 2021

## 11. **APPENDICES**

APPENDIX 1: Bolton Civil Contingency Annual Report 2021-22