Inverclyde council

Report To:	**Policy & Resources Committee**	**Date:**	**21 November 2023**
Report By:	**Director, Environment & Regeneration**	**Report No:**	**PR/24/23/MM**
Contact Officer:	**Martin McNab**	**Contact No:**	**01475 714246**
Subject:	**Business Continuity Policy**		

1.0 PURPOSE AND SUMMARY

1.1 ☒For Decision   ☐For Information/Noting

1.2 The Council and HSCPs' Business Continuity Policy is reviewed every three years to take account of changes in the legislative and risk landscapes. The 2023 revised Policy is attached at Appendix 1 for approval.

1.3 The Business Continuity Policy together with the plans and arrangements made under it are an explicit requirement of the Civil Contingencies Act 2004 and are also essential to enable the Council and Inverclyde Integrated Joint Board (IJB) to meet all other statutory obligations in the event of a disruptive event.

1.3 The main changes in the policy from the previous version are detailed in Section 4 of this report. The policy provides a framework to support the decision-making response of the Council and HSCP around service prioritisation in the event of a disruptive event. Although both the Council and IJB are separately cited as Category 1 responders under the Civil Contingencies Act (2004) and Contingency Planning (Scotland) Regulations 2005 both work together in the response to an event as was seen to be the case during the Covid pandemic.

1.4 The Corporate Management Team recommends approval of the Business Continuity Policy.

2.0 RECOMMENDATIONS

2.1 That Committee approves the revised Business Continuity Policy

Stuart Jamieson
Director, Environment & Regeneration

3.0 BACKGROUND

3.1 The Civil Contingencies Act (2004) and the Contingency Planning (Scotland) Regulations 2005 place statutory obligations on Category 1 Responders in the event of a disruptive event/emergency. These obligations include a specific duty to maintain Business Continuity Plans. The Council has always been a Category 1 Responder under the legislation however Integration Joint Boards have been added to the list of Category 1 Responders since the previous version of the Business Continuity Policy. While this makes a change to the legal status of the IJB it does not alter the way both business continuity and the wider emergency response is delivered in Inverclyde as the Council and HSCP have always acted together in response to incidents.

3.2 The Business Continuity Policy and the framework of Business Continuity Plans made under it have been informed by the experience of the Covid Pandemic, in particular in respect of service prioritisation. The framework identifies "Essential Services" which must be prioritised when large scale disruptions occur. This does not indicate that other services are not extremely important in the long term, rather it seeks to identify services which must be delivered in the short term.

3.3 The main changes in the Business Continuity Policy from the previous iteration are:

- Inclusion of a specific reference to the Inverclyde HSCP within the Policy to reflect the IJB's new statutory responsibilities under the CCA.
- Further reference to the guiding principles which underpin the policy, e.g., consideration of key risks as identified in the National Risk Assessment (NRA) and Scottish Risk Assessment (SRA)
- Further reference to the prioritisation of "Essential Services" during a disruption informed by experience during the Covid pandemic.
- Providing the rationale through which "Essential Services" are identified and referenced in BC Plans.
- Incorporation of the Council's Incident Management System, which provides the mechanism for the Strategic (Gold) – Tactical (Silver) – Operational (Bronze) tiers of response in a serious or major incident.
- Identifying the specific documentation and plans which together comprise the Council and HSCP's business continuity arrangements – and the process / timeframes through which they are reviewed and updated.
- More clearly defining the roles and responsibilities of key stakeholders in adhering to the policy.

4.0 PROPOSALS

4.1 That the Committee approves the Business Continuity Policy attached at Appendix 1.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk	X	
Human Resources		X

Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

5.2 **Finance**

None.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

5.3 **Legal/Risk**

The Business Continuity Policy together with the plans and arrangements made under it are an explicit requirement of the Civil Contingencies Act 2004 and are also essential to enable the Council and IJB to meet all other statutory obligations in the event of a disruptive event.

5.4 **Human Resources**

None.

5.5 **Strategic**

None.

5.6 **Equalities, Fairer Scotland Duty & Children/Young People**

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. An EqIA will be required at the point that processes are developed for approval.

(b) <u>Fairer Scotland Duty</u>

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty.

(c) <u>Children and Young People</u>

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.7 **Environmental/Sustainability**

None.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.8 **Data Protection**

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

6.0 CONSULTATION

6.1 The Corporate Management Team recommends approval of the Business Continuity Policy.

7.0 BACKGROUND PAPERS

7.1 None.

BUSINESS CONTINUITY POLICY

DRAFT Version 3.0 – Updated August 2023

DOCUMENT CONTROL

Document Responsibility		
Name	**Title**	**Service**
Council Resilience Management Team (CRMT)	Business Continuity Policy	Civil Contingencies Service (CCS)
Change History		
Version	**Date**	**Comments**
1.0	2011	Policy Created
2.0	November 2019	Review
3.0	August 2023	Review incorporating CRMT / CMT Feedback
Policy Review		

Updating Frequency	Review Date	Responsibility	Service
3 years unless required earlier	May 2026	Council Resilience Management Team (CRMT)	Civil Contingencies Service (CCS)
Document Review & Approvals – this document requires the following approvals			
Name	**Action**	**Date**	**Communication**
CMT			
P&R Committee			

Contents

Introduction

Inverclyde Council and Inverclyde HSCP deliver services that affect every aspect of people's lives across the area. It is therefore vital that Essential Services are maintained to an acceptable level in the event of a disruption, whether from potential risks / threats as identified in the UK National Risk Register / Scottish Risk Register, or from more routine disruptions.

Statement of Intent

Inverclyde Council and Inverclyde Integration Joint Board require to meet their statutory obligations as 'Category 1' responders under the Civil Contingencies Act (2004) and Contingency Planning (Scotland) Regulations 2005, which includes a specific duty to maintain Business Continuity Plans.

The Council / HSCP's response to a disruptive event or serious emergency, and the continued delivery of our key services when facing an interruption, is supported by maintaining effective business continuity plans and incident response procedures.

The Chief Executive and Corporate Management Team (CMT) provides leadership in matters of Business Continuity Management. The Council Resilience Management Team (CRMT) of Heads of Service and Service Managers provide co-ordination during periods of service disruption.

The Council and HSCP's business continuity arrangements identify Essential Services and the maximum tolerable period of disruption for which those services could be suspended. These arrangements follow the 'consequences, not causes' ethos enshrined in Scottish Integrated Emergency Management principles.

Aim

This policy outlines the way in which Inverclyde Council and Inverclyde HSCP conducts its business continuity management. This includes identifying roles and responsibilities across the organisation to ensure arrangements are effective, up to date, tested and validated.

The policy provides a framework to support the Council and HSCP's decision-making processes around service prioritisation during periods of significant disruption. This process will always depend on the circumstances faced – so the rationale included in this policy is intended as a guide and is not a substitute for professional experience and flexible approach to decision making.

The Council and HSCP's business continuity arrangements take a holistic approach to:

- Support the ongoing provision of Essential Services in times of disruption.
- Make best use of personnel and resources when the availability of either may be scarce.
- Support the resumption of normal working after a period of disruption.
- Comply with recognised standards of corporate governance.
- Maintain a level of embedded resilience across the Council.
- Reduce the operational, financial and reputational impacts of any disruption.

Approval

This Business Continuity Policy is owned by the Corporate Management Team (CMT) and the Council Resilience Management Team (CRMT). Compliance with the policy is monitored by the CMT, with activities coordinated through the CRMT.

1. Scope

Incident Management System

Business continuity informs our work throughout all three phases within the Incident Management Cycle (Planning, Response & Recovery) and will impact all three recognised tiers of the Council / HSCP's established incident management system (Strategic, Tactical & Operational). These business continuity arrangements seek to provide a framework for coordinating response in the event of a disruption.

Business Continuity Plans are supported by arrangements comprising the Council / HSCP's Incident Response Documentation Suite – a range of dedicated, incident focussed arrangements which are either consequence-specific (e.g., Support Centre Guidance for use in evacuations) or generic (e.g., Incident Response Procedures).

Inverclyde Council / HSCP's established tiers of Coordination and Response, are:

- **Strategic (Gold)** – fulfilled by the Corporate Management Team (CMT).
- **Tactical (Silver)** – fulfilled by the Council Resilience Management Team (CRMT).
- **Operational (Bronze)** – fulfilled by Service Managers / Team Leads and their supporting officers within services.

Where appointed, the Council Incident Officer (CIO) provides a focal point of communication between the Council and other responding agencies – and supports the activities of the CMT / CRMT.

The Civil Contingencies Service (CCS) supports the incident response activities of the CIO, and wider to the CMT / CRMT.
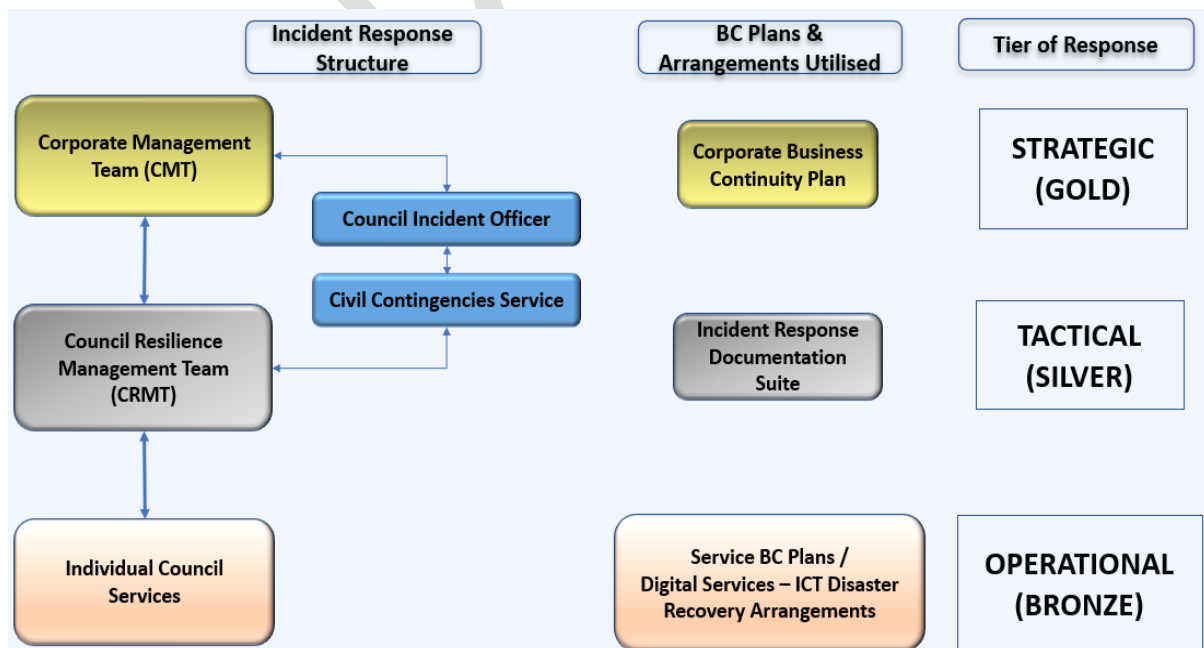
Business Continuity Management

Inverclyde Council / Inverclyde HSCP's business continuity arrangements consist of the following documentation:

Document	Description	Approved By	Maintained By	Review Frequency
Business Continuity Policy (This document)	Document outlining the Council's approach to business continuity management, with roles & responsibilities.	CMT / CRMT	CRMT / Civil Contingencies Service (CCS)	Every 3 years
Corporate Business Continuity Plan	Defines the procedures to support the continued operation / restoration of essential services in a significant disruption.	CMT / CRMT	CRMT / Civil Contingencies Service (CCS)	Annually or following a major incident
Service Level Business Continuity Plan	Document outlining service priorities, resource and personnel requirements in a significant disruption.	Heads of Service / Service Managers	Service Managers, supported by CCS	Annually or following a major incident
ICT Disaster Recovery Arrangements	Identifying how ICT systems will be recovered following an incident affecting these systems.	Digital Services (ICT)	Digital Services (ICT), supported by CCS	Annually or following a major incident

Business Continuity Lifecycle

Inverclyde Council / HSCP's business continuity arrangements are implemented on a continuous (cyclical) basis, as follows:

1. **Policies & Programmes (Embedding)**	A policy is in place, with strategic support that outlines key responsibilities for the implementation of business continuity. Templates & training are in place to empower and equip staff to understand and carry out the business continuity role.	The policy will be updated every three years. Templates & training are regularly reviewed to support Services.
2. **Plans: Reviewed & Maintained (Analysis, Design & Implementation)**	Consideration is given to the functions that Services deliver; the constraints upon them and the support required to facilitate delivery. Essential Services are prioritised, and minimum resource requirements to support these are identified. Strategies and solutions to disruptions are considered and outlined.	Service Level Business Continuity Plans and the Corporate BCP are reviewed and updated annually.

3. Validation	Learning from incidents, or the training and exercise programme to test the assumptions within our Business Continuity arrangements will be adopted to ensure they remain appropriate and support an improved response to future incidents.	The Civil Contingencies Service will coordinate regular training and exercising activity, while offering support / guidance for Service Level Plan validation.

2. Roles & Responsibilities

CMT / CRMT

The CMT / CRMT maintain ownership of this Business Continuity Policy, which will be updated by the Civil Contingencies Service (CCS).

Business Continuity is a standing item at the regular meetings of the CRMT to facilitate discussion across Council / HSCP services on best practice, accounting for the current and emerging risk landscape, and reviewing / updating on key training and exercising requirements. Any escalations or concerns will be raised to the CMT.

Civil Contingencies Service (CCS)

The CCS is responsible for ensuring that the business continuity model employed by Inverclyde Council / Inverclyde HSCP is fit for purpose and reflective of established best practice. This will include:

- Facilitate updates of the Council / HSCP's Business Continuity Policy, in conjunction with the CRMT.
- Develop and provide access to templates that empower services to take ownership of their business continuity arrangements. Templates will be reviewed to account for the current and emerging risk landscape.
- Provide training opportunities and professional guidance– ensuring that appropriate officers are equipped to carry out their business continuity role(s).
- Assist in developing exercises / tests to validate Service Business Continuity Plans.
- Ensure that Council-wide exercising is provided to test and validate Business Continuity arrangements.
- Maintain oversight of Corporate and Service BC arrangements and provide ongoing support to their ongoing development.
- Provide Digital Services (ICT) with access to appropriate business continuity data to assist in the ongoing development and maintenance of ICT Disaster Recovery arrangements.

Heads of Service / Service Managers

Heads of Service and Service Managers are expected to take ownership of Service business continuity plans, their annual review, and to contribute to the development and review of the Corporate Business Continuity Plan. Heads of Service and Service Managers should endeavour to participate in training and exercises to validate their business continuity arrangements.

3.   Decision Making

Decision Making in a Widespread Disruption

In the event of widespread interruptions to service delivery, the Corporate Management Team (CMT) and Council Resilience Management Team (CRMT) will take the appropriate strategic / tactical decisions to support response and recovery

They will determine which services will continue, and if necessary to support the Council / HSCP's strategic priorities, which will be paused. This decision-making will include identifying resource / support requirements and potentially re-allocating resources across the Council / HSCP.

Meeting frequency during a Business Continuity disruption will be determined by the CMT in conjunction with the CRMT.

Contact details for CMT & CRMT members are held in the Council / HSCP's Incident Management Contacts Directory. This is regularly updated and supports prompt contact between key officers in a disruption either in, or out-with standard business hours.

Decision Making in Single Service Disruptions

Where a single service has been impacted by a disruption to their established service delivery, the Service Business Continuity Plan will be activated, and the service will be supported on direction of the appropriate Head of Service / Director.

They will determine which services will continue, and if necessary to support the Council / HSCP's strategic priorities, which will be paused. This decision-making will include identifying resource and support requirements, and potentially reallocating resources.

The Service Manager (or depute) will be supported by their Head of Service and Senior Management Team, or officers determined as appropriate to addressing the disruption encountered.

Decision Making in a Disruption – Prioritisation of Essential Services

Each Essential Service has one of three levels of tolerance for disruption – these are identified in Service / Corporate Level BCP's.

Category	Tolerance for Disruption
Category 1	Up to 24 hours
Category 2	1 to 7 days
Category 3	8 to 14 days

To categorise each Essential Service, competent officers (Service Managers and Heads of Service) have considered four key potential consequences of their non-delivery:

- Life and limb impact (on service users and / or the wider community),
- Whether the essential service is undertaken as a 'statutory duty',
- Financial impact (on the Council and wider community),
- Reputational impact of non-delivery (on the Council and / or service delivery partners).

Categorising Essential Services into three broad categories across the Council and HSCP provides a clear and consistent approach to corporate prioritisation and continued delivery in a significant disruptive incident. 'Essential' or 'key' workers can be defined as those officers that are involved in the delivery of Essential Services.

A key planning assumption for the categorisation of Essential Services is the occurrence of a major incident that results in profound community and / or organisational impacts – hence the requirement for important strategic priorities, e.g., the preservation of life to be considered first and foremost. '*Category 1*' Essential Services, as identified in Service / Corporate BC plans are intended to reflect this requirement.