

TO: EXECUTIVE
14 MARCH 2017

**PROPOSED SHARED EMERGENCY PLANNING SERVICE FOR BERKSHIRE
Director of Environment, Culture and Communities**

1 INTRODUCTION

1.1 The purpose of this paper is to set out in summary what is being proposed with regard to the creation of a combined Berkshire Emergency Planning Service and to seek agreement as to the way forward. A similar report is being presented to all Berkshire authorities.

2 RECOMMENDATIONS

2.1 That:

- (i) **The six unitary authorities in Berkshire set up a shared Emergency Planning Service governed through the Berkshire Chief Executives' Group. It is proposed that West Berkshire act as Lead Authority.**
- (ii) **The Shared Service will provide Emergency Planning, Business Continuity Planning and Out of Hours Coordination (where appropriate), to all six unitary authorities.**
- (iii) **A Joint Team of 5 FTE is established. The Team Manager will be based in the Lead Authority. 2 teams of 2 FTE will be based in Berkshire West and Berkshire East. It is proposed that no fixed base is established. The Team Manager will be responsible for deciding on work locations in liaison with the six unitary authorities.**
- (iv) **The budget for the service is set in the first year at £371k and apportioned to each unitary authority as an annual payment as follows:**

Bracknell Forest -	£45k
Reading -	£65k
RBWM -	£71k
Slough -	£48k
West Berkshire -	£82k
Wokingham -	£60k
- (v) **Permanent staff would TUPE to the Lead Authority on their existing terms and conditions and will be slotted into the staffing structure set out in this report where appropriate. Vacancies will be filled through internal/external recruitment where required.**
- (vi) **The Borough Solicitor, in consultation with the Borough Treasurer and Director of Environment, Culture & Communities be authorised to agree the terms of an Inter Authority Agreement between the constituent authorities formalising the arrangement.**
- (vii) **Subject to Executive approval in all six unitary authorities, the Service will commence on 1st October 2017.**

3 REASONS FOR RECOMMENDATION

- 3.1 The proposal provides for greater resilience across the six Berkshire councils when it comes to the strategic planning needs; helps ensure cover during periods of leave for example, and results in a small reduction in cost.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 To continue as we are would mean accepting the risk of not being able to meet mandatory obligations in response to a major civil emergency. The risk is considered too high as the arrangements now rely on too small a pool of officers.

5 BACKGROUND INFORMATION

- 5.1 Consultants were employed to look at the existing arrangements across Berkshire. Their report highlighted a number of key issues which were undermining the effectiveness of the current service. They are:

- a lack of resilience in each authority due to a reliance on one or two key individuals. Where vacancies or prolonged absences occurred, the individual authority was seen as vulnerable in the event of an incident, and the shared planning workload inevitably fell more heavily on the officers in post with other authorities;
- no managerial resource empowered to drive through initiatives to deliver standardisation and improve efficiency. This resulted in duplicated work, wasted resource and the parties moving at the speed of the slowest;
- a disparity in the resourcing of Emergency Planning between some of the Councils, resulting in the cost of multi-agency work being funded inequitably;
- a lack of a career structure/personal development framework with opportunities for succession planning to aid retention;
- multiple points of contact for communication with partner agencies.

- 5.2 The consultants concluded that 'whilst the Emergency Planning officers have demonstrated a high level of professional commitment and a willingness to work together, the lack of overall management and the inequitable funding arrangements across the partners have resulted in wasted effort and, overall, an ineffective use of resources'.

- 5.3 The current service was originally structured in 1998. Much has changed since. The original model was based on each Unitary Authority (UA) having its own dedicated Emergency Planning resource with a range of activities being shared and these being managed through a Memorandum of Understanding. A key element of this approach was the retention of a local presence.

- 5.4 There are valid questions as to whether or not such a model is the most effective in light of current circumstances. It has led to a somewhat fragmented approach across the County, in a Service where a consistent and unified response is often particularly important. Collective leadership is vague and, in an area where engagement with partners and the Thames Valley Local Resilience Forum (TVLRF) is important, this has become an increasing problem and concern.

The Service – what needs to be delivered

5.5 The local authority Emergency Planning function is driven by the requirements of the Civil Contingencies Act within which there can be seen to be seven key requirements:

1. *Assess the risk of emergencies occurring and use this to inform contingency planning*

This is largely done at a Thames Valley level although each UA will carry out an overview of their own risks which would usually contribute to the Corporate Risk Register. There is a TVLRF Risk Group that produces an LRF Risk Register which is kept regularly updated.

2. *Put in place emergency plans and maintain those plans for the purpose of ensuring that if an emergency occurs, or is likely to occur, the person or body is able to perform its functions.*

Plans are developed based on legislative requirements or identified risk. Some are based on specific requirements e.g. the need for an emergency mortuary – others are based on specific geographies most notably Berkshire and the Thames Valley. Each local authority has a Major Incident Plan which seeks to provide an authority specific overarching response in the event of a major incident. In Berkshire responsibility for the development of many Plans is designated to a specific UA within the Memorandum of Understanding. Perhaps the most visible element of Emergency Planning is when there is actually an emergency. From a local authority perspective the function will usually be the first ‘port of call’ and is seen as performing an essential coordinating role. In addition to assisting with the response to the emergency, the local authority also takes the lead in recovery work in relation to any major incident. This role will fall to emergency planning to coordinate.

3. *Put in place business continuity management arrangements*

With the exception of West Berkshire, this role is undertaken by Emergency Planning. At the moment it sits outside of the scope of the proposed shared service. The responsibility lies both internally within the Council and more broadly within the wider business community.

4. *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*

Each UA will do this to some degree through their own website, but this is an activity that is also supported through the LRF which has its own groups that develop and support this area of work. A range of leaflets are also produced both locally and at LRF level.

5. *Share information with other local responders to enhance coordination*

Given the local geography there is an extensive and fairly complex governance structure focused around Berkshire based activities and more extensive LRF activities which have a Thames Valley focus. There are a wide range of LRF sub groups which are in the process of being consolidated. At the moment these Groups tend to be disproportionately resourced by Berkshire EPOs which is an issue which has been raised at the LRF and is currently being reviewed.

6. *Cooperate with other local responders to enhance coordination and efficiency*
As above.

7. *Provide advice and assistance to businesses and voluntary organisations about business continuity management*

This is largely done through UA websites and through the Berkshire Business Continuity Forum.

- 5.6 It is clear from the above that a significant amount of this work is already being undertaken jointly and through the MOU. There are however, further opportunities to 'join things up' and thereby improve effectiveness – the collective preparation of Major Incident Plans being just one example.

Critical Success Factors

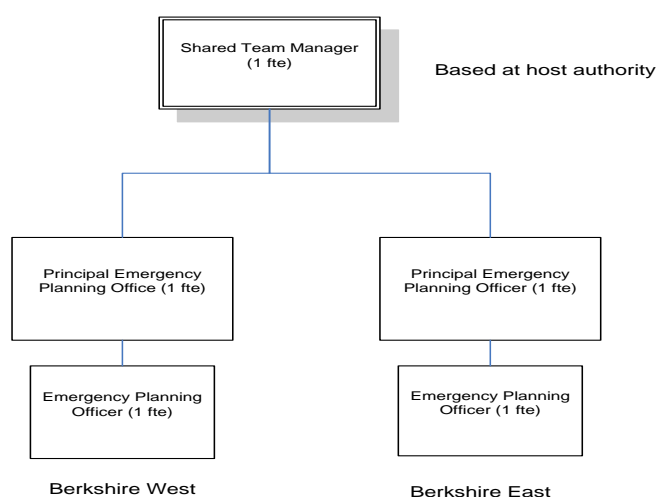
- 5.7 The following success factors are considered relevant to the proposals for change:

- 1) *Enhanced resilience* – a shared team will allow resources to be deployed much more effectively to where they are needed rather than rely on mutual aid arrangements. Under the proposed arrangement the total capacity across Berkshire will reduce to 5 FTE. In theory it should be more than 6 FTE but in practice it is better than the current arrangement where there are 4.5 FTE located in just four authorities, covering more than just an Emergency Planning function and with two of those already operating a shared arrangement.
- 2) *Enhanced effectiveness* – there is considerable scope to reduce or eliminate duplication most notably in plan development, training and exercising and in attendance at meetings. A shared service, should still deliver these benefits through the appointment of a single manager. At present leadership is diffuse and all but non-existent at a strategic level;
- 3) *Strengthened mutual aid arrangements* – this will be much more easily coordinated in a shared arrangement;
- 4) *No increase in costs* – the proposal delivers a saving overall, although the distribution of those savings varies significantly depending on the UAs current financial contribution to emergency planning;
- 5) *Local presence* - the proposal is to create 2 teams of 2 FTE with one being based in Berkshire West and the other in Berkshire East. The Team Manager would be based within the Lead Authority. Each Authority will need to be comfortable with this. Under the new arrangement there will not be an Emergency Planning resource sat in each of the six Council offices five days a week.
- 6) *Enhanced working relationships with the Thames Valley Local Resilience Forum (TVLRF) and Berkshire Resilience Group (BRG)*. The appointment of a single manager should greatly enhance these relationships. Berkshire is not acting as one and in the arena of Emergency Planning where planning and operational work is increasingly undertaken across a Thames Valley geography this is increasingly important. There are significant efficiencies that could be achieved at Local Resilience Forum (LRF) and Berkshire Resilience Group (BRG) meetings by rationalising the attendance of Emergency Planning officers. This would bring savings in time and money and the added benefit of Berkshire speaking and acting with one voice.

Staffing Structure

- 5.8 The model proposes 2 officers for three authorities with a team manager working within the host authority.
- 5.9 The appointment of a team manager is seen as key. Appointing the right manager with the required skill set/experience to motivate the team and with sufficient influence and access to decision makers will be critical to the success of the enterprise.
- 5.10 The overall proposed staffing structure is set out in Fig 1. It is proposed that existing staff are transferred under TUPE. Table 2 includes staffing costs which have been used to build the indicative budget.
- 5.11 Emergency planning staff currently do more than Emergency Planning. All but one Authority has their Emergency Planning function supporting Business Continuity Planning. Following further discussion it has now been agreed that this role should be undertaken by the Shared Team.
- 5.12 Out of hours coordination is another area that is frequently undertaken by Emergency Planning. The position in each unitary authority is not entirely clear but in four authorities the Emergency Planning Officer either coordinates a rota of out of hours officers or is part of the rota (or both). Some Emergency Planning Officers are also responsible for managing the contract for the out of hours contact centre. Once again, following further discussion it has been suggested that these responsibilities are taken on by the Shared Team.

Fig 1 – Proposed staffing structure for the Shared Emergency Planning Service



For these arrangements to work each Council will need to have in place its own interface arrangements. Each Council has its own needs and expectations. The current support arrangements would require little change with the principle lead still being provided via the Chief Officer: Environment and Public Protection’s Division.

Operating Base

- 5.13 It is proposed that the Team Manager is based at the Lead Authority and the two teams located in their respective areas with either a main base chosen for the teams in one authority in Berkshire West and Berkshire East or the staff work more flexibly. This would be determined by the Team Manager once appointed. The accommodation costs would be absorbed by the respective Authority given the small size of the Team.

Financial Appraisal

- 5.14 Setting up the Shared Service might create one off transitional costs estimated at £8,500. These costs require further investigation. If realised they will need to be shared between the six Authorities.

- 5.15 The financial appraisal is set out in accompanying tables:

Table 1 - The anticipated costs associated with retaining the current Emergency Planning arrangements in 2017/18;

Table 2 - The costs associated with a new shared service model in 2017/18 based on the assumptions set out earlier in this report;

Table 3 - Proposals for how the costs of the proposed shared service might be apportioned across the six UAs.

- 5.16 Further discussion at the Berkshire Chief Executives' meeting has led to an agreement that the contribution of each UA to the Shared Service should be based on a combination of population base and inherent risk. Some unitary authorities present an inherently greater risk and therefore potentially greater workload in terms of emergency planning. The largest risk is seen to be in West Berkshire (a combination of land area, AWE and major rivers), followed by Reading and RBWM (major rivers). Proposed contributions reflect this. In every case the proposed contribution to the Shared Service is seen to be close to, or below, the cost of maintaining an 'in house' service.
- 5.17 Further discussion is required on the provision of support services. A small allocation has been put within the budget.
- 5.18 Overall the final analysis highlights the need for a budget of £371k per annum would be required for a new Emergency Planning Shared Service. This includes a contingency of £14k per annum for the Team Manager as they see fit.

Conclusions

- 5.19 There is a general view that the operating framework established in 1998 for Emergency Planning is no longer sustainable. Ongoing financial constraint is perhaps at the heart of this but the need for Berkshire to present a stronger single voice coupled with opportunities to avoid duplication of effort are clearly evident.
- 5.20 It is proposed to operate a team of 5 fte with 2 teams of 2 fte providing support in both Berkshire West and Berkshire East. The Team Manager would be based in the Lead Authority. Whilst there is a geographical alignment the emphasis will be on deploying resources to where they are needed and in moving towards formulating a Berkshire wide approach to working practices, rather than one focused on each

Unrestricted

unitary authority. Each unitary authority will need to come to terms with the fact that it will not have a dedicated resource sat in its Authority. In addition to Emergency Planning it is also proposed that the Shared Service would undertake Business Continuity Planning and Out of Hours Coordination.

- 5.21 On current assumptions the expectation is that the new shared service will operate with an annual budget of £371k per annum. Contributions from each unitary authority have been based on a combination of population base and risk. Contributions should be close to, or below, current expenditure.
- 5.22 In terms of governance it has been suggested that West Berkshire should be the Lead Authority and that the Berkshire Chief Executives' Group will act as the governance mechanism. This will need to be finalised.
- 5.23 Staff transition may cause issues and some form of salary protection may be required. If this proposal gets unanimous support across the six unitary authorities, then a target date of 1st October 2017 has been set for implementation.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The proposal envisages an Emergency Planning shared service spanning the six Berkshire Unitaries to be hosted by West Berkshire Council as lead authority. An inter authority agreement will be entered into prior to the shared service becoming operational setting out the contractual obligations of the parties under the arrangement. Affected staff will be transferred to West Berkshire Council under the operation of TUPE and thereafter placed at the disposal of each of the other participating authorities pursuant to S113 of the Local Government Act 1972.

Borough Treasurer

- 6.2 The financial implications are contained within the body of the report. Based on the proposal the shared service should deliver a small saving against current budget of £15k pa, this will allow the initial start-up costs to be contained within budget.

Chief Officer: Human Resources

- 6.3 BFC has responsibility to ensure that the staff affected at this Authority are managed appropriately in accordance with TUPE and that appropriate, early and meaningful consultations take place with them and the recognised Trade Unions. It is normal practice for the host Authority's job evaluation scheme to be used to determine the grades of the new structure. There are no potential redundancies at BFC arising from this joint working arrangement.

Equalities Impact Assessment

- 6.4 Not applicable

Strategic Risk Management Issues

- 6.5 The proposals seek to reduce the risk to the Council

7 CONSULTATION

Principal Groups Consulted

7.1 Berkshire Chief Executives Group and Emergency Planning Officers

Method of Consultation

7.2 Direct

Representations Received

7.3 Relevant comments incorporated into the decision making process

Background Papers

None

Contact for further information

Steve Loudoun
Chief Officer: Environment & Public Protection
01344 352501
Steve.loudoun@bracknell-forest.gov.uk