

EMERGENCY PLANNING JOINT COMMITTEE

AGENDA

Friday, 26 March 2010 at 12 noon
at Cleveland Police Authority, Ladgate Lane, Middlesbrough

MEMBERS: EMERGENCY PLANNING JOINT COMMITTEE:-

Hartlepool Borough Council:-

The Mayor, Stuart Drummond

Middlesbrough Borough Council:-

Councillor Barry Coppinger

Redcar and Cleveland Borough Council:-

Councillor Dave McLuckie

Stockton Borough Council:-

Councillor Terry Laing

1. **APOLOGIES FOR ABSENCE**

2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

3. **MINUTES**

To confirm the minutes of the meeting held on 16 December 2009

4. **REPORTS OF CHIEF EMERGENCY PLANNING OFFICER**

4.1 Responding to H1N1 Swine Flu – Lessons Learned – *Chief Emergency Planning Officer*

4.2 Exercise Watermark - *Chief Emergency Planning Officer*

- 4.3 Multi-Agency Exercise Calendar – *Chief Emergency Planning Officer*
- 4.4 “Prepare” – Part Of The National Contest Strategy – *Chief Emergency Planning Officer*
- 4.5 Civil Contingencies Act 2004 – The Fit with Other Legislation: Guidance to complement Emergency Preparedness – *Chief Emergency Planning Officer*
- 4.6 Revision to Chapter 3 “Information Sharing” of the statutory guidance ‘Emergency Preparedness’ – *Chief Emergency Planning Officer*
- 4.7 National Resilience Planning Assumptions and Local Risk Assessment Guidance 2009/2010 – *Chief Emergency Planning Officer*
- 4.8 Potential to increase Warning and Informing Capability – *Chief Emergency Planning Officer*
- 4.9 Revision of Chapter 2 “Co-operation” of the statutory guidance ‘Emergency Preparedness’ (Under the Civil Contingencies Act (CCA) enhancement programme) – *Chief Emergency Planning Officer*
- 4.10 Reported Incidents / Cleveland Communications Strategy – *Chief Emergency Planning Officer*
- 4.11 Auditors’ Report from BDO Stoy Hayward – 2008/09 Annual Report – *Chief Financial Officer*
- 4.12 Review of the Effectiveness of the System of Internal Audit – *Chief Financial Officer*
- 4.13 Revenue Financial monitoring Report to End December 2009 – *Chief Financial Officer*

5. ANY OTHER BUSINESS

6. DATE AND TIME OF NEXT MEETING

To be confirmed at this meeting

EMERGENCY PLANNING JOINT COMMITTEE

MINUTES AND DECISION RECORD

16 December 2009

The meeting commenced at 12 noon at Cleveland Police Headquarters,
Ladgate Lane, Middlesbrough

Present:

Councillor Barry Coppinger(In the Chair)

The Mayor, Stuart Drummond
Councillors Terry Laing and Dave McLuckie

Denis Hampson, Chief Emergency Planning Officer & LRF Manager
Sarah Bird, Democratic Services Officer

23. Apologies for Absence

None.

24. Declarations of Interest

None.

25. Minutes of the Meeting held on 25 September 2009

Confirmed.

Matters Arising

Members asked for an update on the relocation of the Emergency Planning Unit (EPU) and were informed that negotiations were currently taking place with a view to moving to Aurora Court, Middlesbrough before 31 March 2010.

26. Duty to Assess Risk (Expectations and Indicators of Good Practice) – Chief Emergency Planning Officer

Purpose of Report

To inform Members how the Emergency Planning Unit, particularly through the Local Resilience Forum, would use the new Civil Contingencies Act (CCA) Expectations and Indicators of Good Practice document to monitor and validate the work that the EPU performs to show how the Local Authorities meet their statutory duties under the Civil Contingencies Act.

Issues for Consideration

Members of the EPU had begun the evidence gathering process to fulfil the requirements set out in the indicators and would be used for assessments that would be used in the future by regulatory bodies. It would also be used by the EPU as a tool to self assess the activities of the unit and Local Authorities. Central Government would use that information to clarify if Local Authorities were meeting their responsibilities and duties under the CCA and the Resilience Capabilities programme.

Once sections of the assessments were complete, they would be brought to the Committee for information. Although the duty to assess risk was led by the EPU it was conducted on a multi agency basis which stopped unnecessary duplication of effort by other responder agencies. Work thus far indicated that there was ample evidence that the Local Authorities through the work performed by the EPU on their behalf was meeting the expectations of the CCA in respect of their duty to assess risk (Part A of the Expectations and Indicators of Good Practice).

Members queried whether there were any areas of concern and were informed that the evidence highlighted that the multi-agency approach of the Local Resilience Forum ensured that any risks could be identified and measures put into place to counteract risks including training of identified staff.

Decision

Members endorsed the evidence provided

Members endorsed that the evidence demonstrated that the indicators were being adequately met.

27. Expectations and Indicators of Good Practice – Functional Work Stream – Animal and Plant Disease – Chief Emergency Planning Officer

Purpose of Report

To inform Members how the EPU on behalf of the four Local Authorities was meeting the functional work stream requirements of the Civil Contingencies Act Expectations and Indicators of Good Practice document in relation to Animal and Plant Diseases.

Issues for Consideration

The report provided evidence of how the EPU and Local Authorities had met the requirements of the functional workstream in respect of Animal and Plant Diseases of the Expectations and Indicators of Good Practice document. However the Chief Emergency Planning Officer reminded Members that the prime responders were external partners such as the Department for Environment, Food and Rural Affairs (DEFRA) and the State Veterinary Service but the EPU plans would dovetail into those of the other agencies.

Decision

Members endorsed the evidence produced.

Members endorsed that the evidence demonstrated that the indicator was being adequately met.

28. Pitt Review – Progress Report – Chief Emergency Planning Officer

Purpose of Report

To provide an update to the Emergency Planning Joint Committee on progress being made against the recommendations from Sir Michael Pitt's report into the floods of Summer 2007.

To inform Members that on 21 September 2009 the Cabinet Office and DEFRA wrote to all Local Authority Chief Executives and Chairs of Local Resilience Forums (LRF) asking that they provide an update on progress towards implementing the recommendations which were targeted at them.

To inform Members that much of the work involving the recommendations placed upon the Cleveland LRF had been carried out by the EPU together with some of the work which overlapped into the recommendations placed on Local Authorities.

To inform Members that the Chief Emergency Planning Officer had provided a response to the Cabinet Officer letter on behalf of Cleveland in respect of recommendations for the LRF and those relating to emergency resilience planning. The Local Authorities provided separate responses. The EPU had been provided with the Cabinet Office response to Ministers which had highlighted a number of points from the Cleveland response which were shown in the draft national progress report and highlighted as good practice.

Issues for Consideration

The report highlighted a number of recommendations from the Pitt Report for the Local Resilience Forums, Local Authorities and Emergency Services and what work had taken place to complete the outstanding actions. Work was on target to complete the outstanding actions by 31 March 2010. Some of the recommendations were out of the remit of the EPU, for instance the surface water drainage plan was the responsibility of the Local Authority Engineers.

One of the recommendations related to a 'door knocking' exercise to alert residents of imminent flooding but this had proved impractical in other areas and so other ways would be considered e.g. the utilisation of the police helicopter.

Category 2 responders had been written to seeking clarification as to what Business Continuity Management plans were in place, however responses had not been forthcoming. Members asked that a report be brought to the next meeting outlining progress on this.

Members referred to the recent flooding in West Cumbria and asked whether there had been any information as to how the emergency services/environment agency had coped. The Chief Emergency Planning Officer said that the Environment Agency had compiled an initial report but it was too soon to contain any analysis. There was however, a report from Northumberland in relation to flooding last year in Rothbury and Morpeth which he would bring to the next meeting for information for the Committee.

The current Cleveland adverse weather protocol had been circulated to members and this had been invoked twice during November 2009. The Chief Emergency Planning Officer acknowledged that previous planning had revolved around rivers, streams and becks but there was now a need for planning around surface water. However the emergency flood protocol appeared to be working well with a close partnership with the Environment Agency.

A Member referred to the possibility of a tidal surge and was informed that there were arrangements in place, but the current flood defences could be overtopped and so evacuation could be required from the affected areas.

A Member commented on the strain put on drainage systems due to increasingly frequent heavy rainfall. The Chief Emergency Planning Officer referred to the Water Resources Act which was due in the early part of 2010 which would place responsibilities on Local Authorities to have effective surface water management plans, drainage and sewage systems.

Decision

Members noted the good progress against the recommendations in the Pitt Review

Members noted the action plan 'Appendix A' to the report and the work being undertaken to achieve the outstanding recommendations.

Members noted the provisions of the Cleveland Adverse Weather Protocol.

29. Planning for Infectious Diseases – Chief Emergency Planning Officer

Purpose of Report

To inform Members of the Emergency Planning Joint Committee of plans and procedures in place for dealing with an infectious disease outbreak.

To inform Members that the report had been compiled in conjunction with the Emergency Planning Manager of the Tees Primary Care Trusts and highlighted the sharing of information and co-operation between the Cleveland EPU and the Health Community.

Issues for Consideration

The report gave background information in relation to the ongoing flu pandemic which was coming to the end of the second wave. Details of anti-viral distribution was outlined. The report also contained details of the mass vaccination plan which was not solely confined to swine flu. This had been produced by the Primary Care Trust (PCT) but had had co-operation from a number of other agencies including Local Authority Children's and Adults' Departments.

A Member thanked the Chief Emergency Planning Officer for the updates received in relation to swine flu. It was clarified that weather and flood updates were obtained from the Regional Meteorological Office.

Decision

Members noted the report and ongoing work to prepare Cleveland for

an infectious disease outbreak

Members noted the involvement of the EPU and Adult and Children's Services departments in much of this planning and preparation.

30. Reported Incidents/Cleveland Communications Strategy – *Chief Emergency Planning Officer*

Purpose of Report

To inform Members of the Emergency Planning Joint Committee of the incidents reported, severe weather and flood risk warnings received and communications strategy faxes received and dealt with by the Cleveland Emergency Planning unit. The report covered the period between 1 September and 30 November 2009.

Issues for Consideration

There had been a total of 34 warnings relating to adverse weather conditions during this period. In relation to the Communications Strategy, 38 blue faxes had been received and dealt with. An appendix to the report detailed a number of incidents which had affected the general public.

Decision

Members noted the report.

The meeting concluded at 1.10 pm.

CHAIRMAN

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee
From: Chief Emergency Planning Officer
Date: 26 March 2010
Subject: **RESPONDING TO H1N1 SWINE FLU – LESSONS LEARNED**

1. Purpose of the Report

- 1.1 To inform Members that the Swine Flu pandemic that had been ongoing for the past 8 - 9 months has subsided and whilst the immunisation programme is continuing, most other activities around swine flu have now abated.
- 1.2 To inform Members that the North East Regional Resilience Team has completed some work on capturing the lessons learned from the outbreak, particularly the first wave.
- 1.3 For Members to consider the response that occurred within Cleveland and what lessons we learned and what needs to be taken forward for the future, either within the Emergency Planning Unit or within individual Local Authorities.

2. Background

- 2.1 The potential for an influenza pandemic had been recognised for some years and prior to the recent swine flu event, the local authorities had been developing preparatory plans. Within Cleveland much of the early work was completed by the Emergency Planning Unit on behalf of the Local Authorities, working closely with the 'health community'. A Tees-wide Health Planning Group led by Professor Peter Kelly and involving the emergency services and others, e.g. prison service, was established, together with the formation of a Health and Social Care Group chaired by the Chief Emergency Planning Officer. This resulted in the Cleveland LRF producing a pandemic flu plan, an anti viral distribution plan and a mass vaccination plan and culminated in Cleveland undertaking the national exercise "Exercise Steel Ingot" in February 2009.
- 2.2 Swine flu spread to the UK in late April leading into a containment phase followed by moving into treatment on a larger scale. However with planning continuing across Cleveland, it enabled a co-ordinated and appropriate response when the swine flu struck at Teesside High School and then High Tunstall School in Hartlepool in June. Subsequent to this,

primary care absorbed the main impact through patients telephoning surgeries or the out of hours service for advice and treatment, prior to the availability of the National Pandemic Flu Service.

- 2.3 Whilst there have been a significant number of persons who contracted swine flu within the Cleveland area and the North East, compared with other English regions the North East experienced many fewer cases than elsewhere. For example, at the peak of the first wave, London was estimated to have over 30,000 cases per week, compared with fewer than 5,000 in the North East. Further, although there have been a great many people who contracted the virus, most have recovered quickly and within the anticipated five to seven day period. Across Cleveland there have been no reports of businesses or organisations being adversely affected by high number of staff absenteeism through suffering from swine flu.
- 2.4 The National Pandemic Flu Service went live on Friday 24th July 2009. From this point on, the public could access treatment either by a web-based self- assessment, a telephone assessment to the NPFS or as a result of being given an authorisation voucher after assessment by a prescriber. Flu friends presented at an anti-viral collection point (ACP) with a Unique Reference Number (URN) from the NPFS or a voucher for their medication. Prior to the NPFS being made live anti-virals were available on prescription only.
- 2.5 The first Cleveland anti-viral collection point (ACP) was opened on Monday 6th July at Primecare in Thornaby. It was followed, as demand increased by the opening of North Ormesby, Guisborough and Wynyard Road in Hartlepool. Whilst the public could call at any ACP, the locations of these four ACPs was designed to increase access across the 4 PCT/Borough areas. Opening hours and decisions to close ACPs were governed entirely by public demand, but Primecare was the consistent ACP and also operated a home delivery service. If all ACPs were operational simultaneously it is estimated that they could provide up to 10,000 distributions of anti-virals per week, but throughout both waves of the swine flu event, this figures were never reached. In addition it has been apparent from the start of the NPFS that more URNs were issued that realised in collections.
- 2.6 Throughout the swine flu pandemic, hospitalisations associated with swine flu have put a strain on our hospitals but this has been managed and caused relatively minimal effect on general secondary care services. However there has been a small number of deaths associated with swine flu within the Cleveland area but in all cases the patients also had very serious underlying health conditions. Throughout, there has been no sign that the virus changed or developed resistance to anti-virals.

- 2.7 In June 2009 the Department of Health (DH) announced preparatory work towards a swine flu vaccination strategy and in August announced that the following groups would have priority:
- People aged 6 months and up to 65 years in the current seasonal flu vaccine clinical at-risk groups
 - All pregnant women subject to licensing conditions on trimesters
 - Household contacts of immunocompromised individuals
 - People aged 65 and over in the current seasonal flu vaccine at-risk groups

This vaccination programme commenced in November and included frontline health and social care workers as part of the first clinical risk group. The uptake of vaccination stands at above 50%.

- 2.8 Within the NHS, leadership was provided through the appointment of regional and local Flu Directors, supported by advisory and operational staff to form a flu control team at regional level. Communications to local PCTs was through daily reporting, face to face meeting and later teleconferences, according to operational need. Locally, the PCT Director of Nursing and Quality became the Flu Director in conjunction with the Executive Director of Public Health. A pattern of briefings and meetings were established, with information being regularly disseminated on guidance to staff, anti-viral collection point operations, social care issues with local authority representation, impact upon other hospital services and latterly, the vaccination programme.

- 2.9 The Health Protection Agency played an important role in the containment phase through providing positive confirmation of cases, but once the strategy moved to treatment their role in this respect ended on a routine basis. The HPA continue to monitor trends and provide specific advice for particular outbreak control purposes. A Health Advisory Cell was also set up in July 2009, drawing together clinical experts to develop and publish specialist guidance.

- 2.10 Alongside the H1N1 vaccination programme the NHS, through PCTs have undertaken the routine seasonal flu vaccination programme delivered through GP practices.

3. **What went well in ‘Cleveland’ (List of not exhaustive)**

- Effective multi-agency working, sharing knowledge
- The event forced organisations / agencies to consider business continuity management issues either in greater depth or for the first time.
- Good communication between Peter Kelly / Peter Heywood from the PCT and the Chief Emergency Planning Officer assisted with dealing

- with a number of minor issues which had they not been deal with could easily have escalated.
- Raised the planning profile for dealing with up to 40% staff absenteeism
 - Tees-wide steering group convened (chaired by Peter Kelly) with representation from the local authorities and a variety of partner organisations that produced an action plan together with a needs assessment, delivery options, data recording and supply and distribution.
 - The response to the incidents at Teesside High School and High Tunstall School.
 - Ancillary multi-agency groups set up e.g. Social Care Group
 - Development of our plans to deal with mass deaths, including greater knowledge of mortuary capacity, crematoria workings and throughput, cemetery capacities and religious beliefs relating to the dead.
 - Communications structures – through the Chief Emergency Planning Officer the Chief Executive and senior officers in the four local authorities were kept abreast of information, often on a daily basis. The information was kept to a manageable level by a summary of the main points being provided by the Chief Emergency Planning Officer.
 - Elected Members on the Emergency Planning Joint Committee were provided with a weekly summary of the situation.
 - Participating in the Gold Standard national flu exercise (Exercise Steel Ingot) on 11th February 2009 allowed all four local authorities and other agencies to focus on their arrangements for dealing with pandemic flu.
 - Excellent attendance by the four local authorities at the Steel Ingot exercise which demonstrated their commitment.
 - The LRF Strategic Plan for Pandemic Flu.
 - Trust between the health community and representatives from the Emergency Planning Unit and Local Authorities (Adult/Children's Services).
 - Early decision and information cascade that, although the WHO had declared it as a 'pandemic' and gone to alert level 6, it was not being treated as a pandemic within Cleveland and the LRF plan was not being invoked.

4. **Issues the Swine Flu event raised**

- Changes in strategic decisions at a national level which were contrary to agreed strategy and procedures e.g. decisions to close schools whereas all previous agreements were that schools should remain open.
- The nationally agreed alert levels did not fit when WHO declared it a global pandemic and this caused some confusion.

- The 'Frequently Asked Questions' document issued by Civil Contingencies Secretariat became unwieldy and grew to nearly 200 pages long.
- The 'Frequently Asked Questions' document was classed as restricted with a PROTECT marking thereon which made information sharing somewhat restrictive.
- Needed greater clarity of the procedures in the containment phase as to what agencies should do if a member of staff reported ill with swine flu.
- Misunderstanding of the role of the Tees Outbreak Committee from both within some parts of health and external agencies.
- Due to the flu event not creating the effects many expected because of the mildness of the virus, focus on the planning and ongoing response somewhat easily faded.
- Demand for information from the 'centre' though the regional resilience team, sometimes at short notice, created what was seen as unnecessary work and was not adding value to the response locally.
- Other LRFs in the region calling extra LRF meetings to debate the swine flu event created pressures within Cleveland to do the same when it was believed they were not necessary.
- Towards the end of the first wave in August / September 2009 the information flow from the centre was extremely heavy with guidance being issued to schools, health community, care homes, social services providers, etc, and this deluge of information was difficult to keep on top of.
- It was well into the event before hygienic hand gels were provided in buildings. Earlier provision may have assisted to stop the spread of the virus.

5. Regional Lessons Learned

- 5.1 The Regional Resilience Team have captured some of the lessons learned and their report is shown at appendix A for information.
- 5.2 It is considered that all the issues raised in the report that may have an impact in Cleveland and the Local authorities are known and have/are being addressed where considered appropriate.

6. Conclusions

- 6.1 It is recognised that pandemic influenza will remain a high risk and there is acknowledgement from the Department of Health that swine flu could be the strain of virus for next winters' seasonal flu.

- 6.2 It is understood that the local 'health community' are holding a debrief on swine flu on 15th March and any issues that affect the Emergency Planning Unit and EPU/LRF/Local Authority plans and response will be picked up.
- 6.3 Once debriefs have taken place and lessons learned are identified, there will be a need to review the LRF Pandemic Plan which was produced by the Chief Emergency Planning Officer. He will need to liaise closely with the Tees PCTs to ensure that health plans that are subject to review link to the plan.
- 6.4 During the swine flu event there were numerous changes to the existing Anti-Viral Distribution planning and the plan is currently being re-written. Again the Chief Emergency Planning Officer will need to pick up on changes and ensure plans reflect such changes.
- 6.5 There is a need to ensure that the Local Authorities continue with the hygiene messages and procedures that were adopted during the swine flu event.
- 6.6 As stated, the 'health community' are undertaking debriefs and reviews of plans and it is considered that the Local Authorities should also undertake similar reviews of their plans and procedures to identify and take forward any lessons learned. The Emergency Planning Officers with responsibility for each of the four Local Authorities will actively encourage this action.

7. **Recommendations**

- 7.1 Members note the report.
- 7.2 Members support the need for the Local Authorities to review their plans and arrangements for pandemic flu (swine flu).
- 7.3 Members support the need for Local Authorities to continue with any hygiene protocols and procedures adopted during the swine flu event.
- 7.4 That the Chief Emergency Planning Officer undertakes a review of the LRF Pandemic Influenza Plan and feeds the revised version into the Local Authorities.

Report author: Denis Hampson
Chief Emergency Planning Officer

Report date: 14th March 2010

North East Regional Resilience Team - December 2009

Responding to H1N1 swine flu - lessons learned in Phase 1

Background

1. The current swine flu outbreak has been the first test of the planning that has been undertaken over the last 4-5 years to deal with a flu pandemic. As Phase 1 developed it was clear that some of the planning assumptions we have worked on were challenged by contact with the “real thing”; it was also clear from RRF, LRF and other meetings that lessons were already being learned.
2. The RRT agreed with LRF Chairs that it would be useful to begin capturing the lessons learned from the first months of this outbreak, partly because we might be faced with a more challenging Phase 2 later in the year and partly because if we didn't capture the lessons we were learning they would be lost.
3. We tried to keep the information capture as simple as possible, using a template. We asked LRFs and their C1 and C2 partners to:
 - summarise the activities and processes that had gone well or not so well for their organisation;
 - identify what they thought were the key learning points,
 - suggest what should be done to share what has gone well,
 - suggest how to improve what has not gone so well and who should take the improvement action, and
 - suggest how the learning should be shared and which organisation would be best placed to do that
4. We received 12 written responses and a number of verbal updates from a combination of C1 and C2 responders in the region.

What went well?

5. We received a lot of feedback in this section from the respondents. The outbreak caused responders to react quickly in the first instance and partners felt that multi-agency working had gone well. Many organisations chose to provide in house briefings for their own staff, covering absence protocols, making sure those with symptoms stayed at home. Category 1 and 2 Responders who had national offices felt their own organisations cascaded information quickly and efficiently to local level.
6. Within LRFs, the high activity with pandemic influenza sub groups, or outbreak control committees prompted other organisations to redefine flu as a priority response. It was felt that these groups showed strong leadership.

7. The outbreak meant that some plans were not fit for purpose, particularly around Business Continuity Planning and staffing levels. Quick solutions were put in place and plans were updated. As there was no declaration of a UK alert level, plans that were linked to the alert levels had to be reviewed. We soon realised that this was a slow-burn event, the virus was not the one we had expected and based our planning on and the forecast peaks, particularly around deaths and hospital admissions did not materialise. A key learning point after WHO Level 6 had been declared was to ensure that a check is made of what is happening in the real world before actions linked to alert levels are initiated.

8. Category 1 responder organisations made sure that their own response was appropriate in anticipation of staff absences and how peak call handling would work, and what priorities could be put on hold at high absence levels.

9. Communication and information sharing has featured strongly. Some organisations have set up internal arrangements - shared drives for example, that staff could see and retrieve key documentation easily. Others identified a lead officer for all information cascades. Working groups and sub-groups were felt to have communicated well with partners. Some LRFs chose to deliver H1N1 awareness sessions to organisations with the LRF partners who had not been part of the Pandemic Flu Planning. These were well received.

10. The national Top Lines Brief, National Situation Report and FAQs sharing process has been appreciated, although there was some negative feedback around the security classification of PROTECT on the FAQs.

What didn't go well?

11. As some agencies had not completed some aspects of their flu planning, they had to react quickly to the outbreak. Plans and guidance needed to include some hard to reach groups, such as traveller communities, the independent sector and social care. The National Planning assumptions that were used to develop plans did not match this outbreak. At the first peak, some of those involved in the immediate health response said they had difficulty maintaining the levels of response. Issues raised included staffing, working at weekends and longer working hours overall.

12. Within some organisations, there was some panic when people began to fall ill, and it was felt that key health and hygiene messages could have been cascaded sooner to avoid rumours. There was a perception of the NHS dominating the outbreak and issuing instructions, although as a major health emergency this might not have been surprising.

13. It was felt that there were too many meetings in the early stages, and better use could have been made of teleconference facilities.

14. Antiviral Collection Points and Flu Advice lines have caused some concerns. Some health organisations did not have access to additional staff in the early stages. Some

Local authorities raised questions about the type of buildings identified for use as ACPs, as this would have an adverse impact on their normal revenue streams. Funding for ACPs was an issue for some responders. It was felt that HR policies needed to be streamlined so that if staff from different organisations were working together in an ACP they would share the same terms and conditions for consistency.

15. The language used by agencies can differ and it has been suggested that an agreed Lexicon should be put in place across the region to standardise wording within plans and other key documents.

16. Communication has generally gone well but there were some issues around consistency and timing of key messages. Health messages being released without any prior warning were seen to have affected some local services being withdrawn.

17. Some partners were slow to participate and burdens fell on the “willing few”

Key issues and actions for partners

Multi-agency working	
Issue	Who should take action
<p>There is a need to maintain effectiveness of multi-agency groups through the LRF and this has implications for the people involved. Resilience needs to be built in to how organisations respond.</p> <p>RRF/LRF partners to review how they interact, rather than one partner issuing instructions</p> <p>RRF/LRF to ensure that collaborative approach must be effective to continue multi-agency activities.</p>	<p>LRFs should review their multi-agency arrangements and adjust as they see fit.</p> <p>RRF to review its arrangements</p>
<p>Local Authorities did not understand RRF and LRF structures and functions. Good practice to ensure senior Management within Local Authorities re briefed by LRF representative</p>	<p>LRF can take action with their member local authorities</p> <p>RRT is trying to arrange session with ANEC leadership to cover the resilience agenda, that will cover structures and functions</p>
<p>RRF/LRF Chairs to reinforce the need for senior management buy-in and participation from all Cat 1 and Cat 2 responders at all stages.</p>	<p>LRF and RRF</p>

Multi-agency plans	
Issue	Who should take action
Review of Planning Assumptions in LRF and RRF multi-agency plans– plans should be flexible enough to enable the local response to be adjusted to reflect what is happening in the real world.	<p>LRFs should undertake through the appropriate LRF multi-agency groups.</p> <p>RRF should review any cross-referenced regional plans</p>

Communications	
Issue	Who should take action
Update Communications Plans to reflect timings of regular updates and sources	<p>LRFs should review their own Communications Plans.</p> <p>Regional Communications Plan in preparation and will be considered at December 2009 RRF meeting.</p>
Use teleconference facilities in early stages of second peak	RRT to monitor and action if necessary.
Continue to use email as key method for document distribution – RRT and Cabinet Office	RRT –current practice and unlikely to change.
Consider use of shared drive on internal IT systems, for key documents	For LRF partners to consider and action.
Lexicon of key terms for plans – either at LRF or RRF level.	RRT to consider and report back to LRFs
Suggest a single NHS web-site devoted to a pandemic as there are too many health sites, and it is confusing for non-health personnel.	No action needed – government has decided on the web communications approach

Anti-viral Collection Points (ACP)	
Issue	Who should take action
Staffing for ACPs needs to be agreed and sourced	LRF decision where request is for non-NHS staff to support/staff ACPs
Post-pandemic debrief	
Issue	Who should take action
Debrief meetings for each organisation after the pandemic and review of individual plans.	All C1 and C2 responders should action with LRF coordination. RRT will arrange regional debrief.
Review of PPE distribution and stock levels by Health colleagues, post pandemic	NHS North East
Business continuity	
Issue	Who should take action
Business Continuity Plans should be reviewed in the light of the pandemic experience.	All C1 and C2 responders should action
Miscellaneous	
Issue	Who should take action
Suggestion that PROTECT marking removed from FAQ – RRT to seek advice from Cabinet Office	RRT to raise with CCS

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee
From: Chief Emergency Planning Officer
Date: 26 March 2010
Subject: **EXERCISE WATERMARK**

1. Purpose of the Report

- 1.1 This report provides a brief on Exercise Watermark which is a national level exercise being organised by the Department for Environment, Food and Rural Affairs (DEFRA) scheduled to take place in March 2011. This report considers the request for the Local Authorities within Cleveland and other agencies to be involved in this exercise.
- 1.2 The exercise seems to be taking a steer from a national Dutch Exercise which reached all levels from Government to town mayors. http://www.expatica.com/nl/news/dutch-news/Netherlands-kicks-off-5_day_flood-disaster-exercise_47105.html
- 1.3 No specific scenario has been released as yet, but it is felt that the exercise is likely to include all types of flooding in different locations resulting in a national level incident.

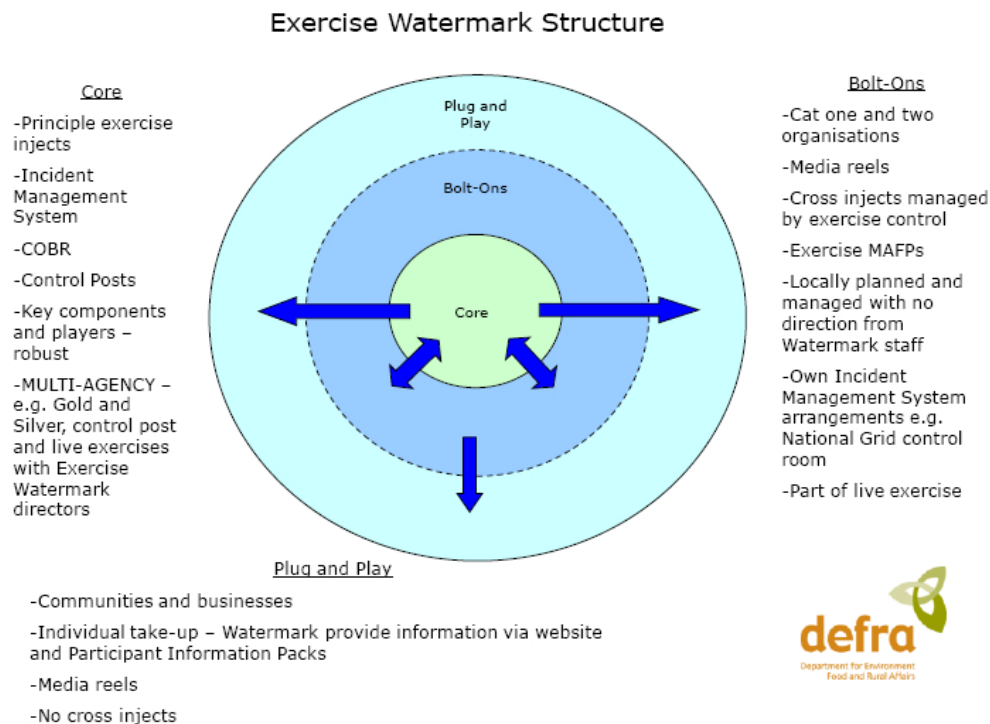
2. Background

- 2.1 The stated aim of exercise watermark is to ***“conduct a wide ranging and publically engaging exercise that tests the arrangements across England and Wales to respond to all aspects of severe, wide-area flooding.”***
- 2.2 The exercise timeline produced by RAB consultants working for DEFRA is as follows:
 - Exercise Specification was published January 2010.
 - Exercise Watermark to run 7th -11th March 2011 (5 days Mon – Fri).
 - Lessons issued December 2011
- 2.3 The exercise will have a core component in which all the scenario(s), principal exercise injects and exercise management system will be developed and operate during the live play. This is the feature which will provide the platform to manage the Tier 1, Cabinet Office Briefing Room (COBR) involvement. It will also provide the core architecture of the

exercise upon which numerous other exercises will be able to “bolt on” or “plug and play”.

2.4 Bolt on exercises may be developed and run by a whole range of organisations including utility and essential services sectors. Such exercises will either operate independently from the core exercise (drawing on the scenarios and media reels etc) or have an interactive interface with the core exercise that enables cross-injects to take place. The interface will be managed by Exercise Control.

2.5 Plug and play functionality will mean businesses, local authorities, community groups, schools and other organisations who may be at risk of flooding, can participate and/or observe the exercise during the course of the week, drawing on the material used in the core exercise. The plug and play function will not entail any active interface with the core exercise.



2.6 This architecture will enable a wide spectrum of involvement and will also mean that Local Authorities and other emergency responder organisations can play in a way that meets their own need to train and exercise local and regional flood emergency response plans, Multi Agency Flood Plans (MAFPs) or individual organisational response arrangements.

2.7 It is envisaged that the exercise should be organised and publicised in such a way that a diverse range of organisations can “bolt on” their own exercises locally by using the exercise branded material, exercise

scenarios and planning assumptions (for example: businesses, schools, and housing associations should be able to test their own preparations and be able to plug into the main exercise where appropriate).

- 2.8 Benefits of participation could include;
- Providing a government backed test of the plans.
 - Demonstrating to a wide audience that our plans are appropriate.
 - Raising awareness of the plans and protocols that are in place.
 - Possible tie in to national and local media, providing a means of reinforcing the key public messages.
 - Testing the key major incident plans and BCM plans within the area and therefore could be beneficial.
 - Providing a focus for the Local Authority to ensure that training and multi-agency flood planning is on their agenda.
 - Linkage to warn and inform and community preparedness if as planned national and local media are used.

3. **Recommendations**

- 3.1 It is considered that the demand on resources, both financial and in terms of staff time given the existing exercise commitments, may exclude Cleveland from participating in the core exercise.
- 3.2 However the benefits from being involved in a national demonstration/test will include reinforcing the public message and actions required in flooding and demonstration that agencies are up to speed with flood planning following the Pitt Review. Therefore the three following recommendations are made;
- 3.3 **Recommendation 1:** That through the Cleveland Emergency Planning Unit (EPU) one of more of the four Local Authorities, participate in Exercise Watemark.
- 3.4 **Recommendation 2:** That Cleveland involvement in this exercise is limited to either a “bolt on” exercise or “plug and play” exercises with key local groups (e.g. industry around the estuary, communities and/or groups identified as vulnerable in the Multi-Agency Flood Plan).
- 3.5 **Recommendation 3:** That Local Authority / EPU involvement is managed through the existing Exercise Planning Group.

Report Author: Denis Hampson
Chief Emergency Planning Officer
Date: 14 March 2010

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee

Report from: Chief Emergency Planning Officer

Date: 26 March 2010

Subject: **MULTI-AGENCY EXERCISE CALENDAR**

1. Purpose of the Report

- 1.1. To provide Members of the Emergency Planning Joint Committee with:
- An overview of the multi-agency exercises which have taken place during 2009-2010.
 - A summary of the significant lessons learnt and areas of concern identified as a result of the exercises conducted.
 - The proposed multi agency exercise and training calendar for 2010-2011.

2. Background

- 2.1 The Local Authorities have a duty under the Civil Contingency Act to ensure that the plans maintained for use in the event of a major emergency / incident are fit for purpose.
- 2.2 Exercising is the recognised means of testing plans, providing evidence of their suitability and familiarising staff with procedures that they may rarely use in the normal course of their work.
- 2.3 In the Cleveland area, a number of means of exercising are undertaken each year to test statutory duties or topics of note/interest (e.g. during the last year, pandemic influenza plans were tested on a number of occasions). The common forms of testing are tabletop exercises, command post/small scale exercises or major live plays exercises.
- 2.4 It should be noted that over the past 12 months a number of exercises originally intended as Major Live Plays have been downgraded due to the economic situation. Where this has occurred the key components of plans are still being tested, however less staff received that exposure.
- 2.5 A significant proportion of the exercises held in Cleveland are statutorily required under the Control of Major Accident Hazard (COMAH) Regulations and Radiation (Emergency Preparedness and Public Information) Regulations (REPPPIR). Whilst primarily focused on testing agencies response to industrial hazards affecting the public, these exercises also allow the generic command and control functions

and specific response arrangements of the local authorities to be exercised.

- 2.6 Exercises are then debriefed in accordance with the Multi-Agency debrief protocol. Lessons learnt are recorded by the exercise planning group.

3 Exercise Planning Groups

- 3.1 Given the number of exercises in Cleveland, a multi-agency local Exercise Planning Group chaired by the Principal Emergency Planning Officer meets monthly. Membership of the group is comprised of emergency planners from the Emergency Services and Local Authorities.
- 3.2 The group primarily coordinates the resources required for running the statutory COMAH and REPIR Exercises.
- 3.3 A larger Exercise Planning Group has recently been established but due to staff turnover this group has not yet met. The intention is that this group will over time provide a forum for all emergency responder agencies.
- 3.4 To assist with the process of recording the significant issues learned; priorities/actions to be taken forward and providing evidence to show that organisations are meeting their statutory duties, the Exercise Planning Group has developed a register that provides a monitoring and auditing process of exercises and ensures actions resulting from exercises are followed up.

4 Exercise Calendar

- 4.1 A draft exercise calendar is appended to this report. It is anticipated that there will be further additions to the calendar as the year progresses. It should also be noted that dates may be changed or exercises postponed dependant on resourcing and priorities.
- 4.2 In addition to the multi-agency exercises outlined, organisations continue to conduct other training and exercising within their respective organisations and these have not been entered onto the calendar.

5 Debriefing and Follow Up

- 5.1 Following every exercise, a debrief process is undertaken to identify good or problematic issues that arose during an exercise. Debriefs are conducted according to the Cleveland Multi-Agency Debrief Protocol.
- 5.2 A structured debrief training package has been developed by the Exercise Planning Group and a number of staff have been trained from

the Police, Fire, Ambulance and Local Authorities. A register of debriefers is held by the exercise planning group.

6 Exercises

6.1 The following table outlines the number and type of exercises conducted since 2006 and those planned for the period 1st April 2010 – 31st March 2011. Specific details on individual exercises can be obtained from the exercise planning group.

Table 1: Summary of exercises conducted in CLRF April 2006 - March 2010 and proposed April 2010-March 2011. Note as yet industrial training has not been confirmed.

Exercise Type		2007-2008	2008-2009	2009-2010	2010-2011
Training Events	Industry	2	21	20	TBC
	Local Authority inc BCP	5	15	16	12
	Multi Agency	4	3	2	4
COMAH	Small Scale	2	3	5	8
	Table Top	9	3	4	4
	Major Live Play	7	4	9	2
Other	Local Authority Rest Centres	4	2	2	2
	Multi-Agency Training Days	4	4	4	4
	Multi-Agency Table Top	3	2	1	1
	Reppir	9	12	4	4
	Schools Out	4	4	0	0
Total		53	65	67	41

6.2 Notable Exercises in 2009-2010

6.2.1 **Exercise Gold Steel Ingot** – A pandemic flu exercise that tested the LRFs response to a flu pandemic. Run by “Gold Standard” the exercise went through several stages of a pandemic, lessons were identified and a debrief report issued.

6.2.2 **Town Centre Evacuation Training Days.** Several of these events have been run and additional dates are planned for 2010-11. Led by the police with input from a number of agencies, the event provide an awareness of the planning being undertaken on town centre evacuation and more generic evacuation and the expectations on staff from various agencies.

6.2.3 **Tall Ships Multi-Agency Training Day.** This will take place on 23 March 2010 and provide a test of the existing draft procedures and provide input for the event safety manuals by bringing key agencies and players together to work through a number of Hartlepool Tall Ships

scenarios. This follows on from a 4 day Institution of Occupational Safety and Health (IOSH) course arranged by Cleveland Emergency Planning Unit which took place in February 2010 on which fourteen staff from the Police (2 staff) and Local Authorities (12 staff) received training on the subject of 'Managing Large Scale Events Safely.

6.2.4 **Exercise Venus, Middlesbrough** – Whilst based upon a COMAH scenario this exercise provided an opportunity for several staff and functions to be tested. The scenario being was based upon a chemical release that affected Middlesbrough Town Centre. Evacuation and road traffic cells were established as part of Silver Command.

6.3 Notable Exercises planned for 2010-2011

6.3.1 **Exercise Plata** – A level 2 nuclear exercise at Hartlepool PowerStation which will test the response to an offsite incident at the Power Station. A number of elements of the offsite plan as well as agencies generic major incident plans and procedures will be tested. The exercise will have an emphasis on reassurance messages and media handling and will provide an opportunity to test communications between several operational command rooms.

6.3.2 **ConocoPhillips Major Live Play** – This exercise will test the COMAH offsite emergency response plan under COMAH combined with the Marine Pollution Plan.

6.3.3 **Exercise Watermark** – A national flood exercise the involvement of the Local Resilience Forum (LRF) is to be determined. This is a chance to test the Multi-Agency Flood Plan developed by the LRF.

6.3.4 **CLRF Flood Exercises** – two dates have been identified to test the Multi-Agency Flood Plan developed by Cleveland EPU. One will focus on the co-ordination of information from a range of agencies in line with the adverse weather protocol. The other exercise will be a seminar style recovery exercise based upon a flooding event.

6.3.5 **Multi-Agency Training Day on Recovery** – One of the recommendations following Exercise Jordan (a previous level 2 exercise) was a test of the recovery to a radiological incident. Yet to be confirmed, a date has been set aside for a recovery exercise based upon the scenario used in Exercise Plata.

6.3.6 **Multi-Agency Training Day** – Diseases of Animals is a risk that has been on the community risk register for several years without a test of the existing plans. Given the impact on the rural areas of Cleveland, it is proposed to run a Multi-Agency Training Day on the response to animal diseases (foot and mouth/Rabies etc). This will follow the normal format of a number of presentations combined with seminar discussions around roles and responsibilities.

- 6.3.7 **Rest Centre Exercise** – Every year Cleveland EPU aims to test Local Authority Rest Centre plans during an exercise. This combines a test of the plan with staff training and familiarisation.
- 6.3.8 **Walkthrough of Mass Casualties/Casualty Bureau Arrangements** – discussions are ongoing within the Cleveland EPU regarding a test of the mass casualties/casualty bureau. More information will be provided when made available.
- 6.3.9 **Exercise Chit Chat Two** – Following on from last years exercise Chit Chat, a similar exercise will be undertaken again. The exercise is a request to voluntary agencies to confirm the number and availability of various personnel and resources relied upon by agencies in major incidents. No staff will be deployed on the ground but the exercise provides a realistic indication of response times and resources available.

7 Identified Issues

- 7.1 The following issues are re-occurring and presented here for note.
- a) The majority of exercises demonstrate that the four Local Authorities are proficient in their roles and in joint working at all levels (strategic through to operational).
 - b) There is a recognition that due to the number of COMAH exercises undertaken in this area, we could take “our eye off the ball” with regards to the other key hazards in this area. The draft exercise calendar attached assists in allaying any concerns and the Emergency Planning Group will continue to act on requests for exercises based upon those issues identified as high risk in the community risk register.
 - c) As a means of reducing the number of COMAH exercise a prioritisation system is currently being trialled whereby any bids received from operators are ranked 1-3 dependant on the timeframe in which a test of statutory duties are required.
 - d) The demands of satisfactorily testing the COMAH Offsite Emergency Response plans on the emergency responders are recognised, however several incidents have shown the benefits of prior interaction between responder agencies and the sites.
 - e) There is a lack of understanding from some agencies around their responsibilities under COMAH i.e. testing of the offsite emergency response plan is not solely a test of the company but of all agencies included in the offsite emergency response plan.
 - f) We continue to put an emphasis on exercising in conjunction with the operators onsite emergency response plan, although it has

been noted that some operators have concerns regarding the financial impact of exercising, particularly with regards to cost recovery from outside agencies. However the majority see the benefit in this approach for all parties.

- g) Communications from intrinsically safe sites remains an issue in some cases. However several sites have reassessed their policy for allowing communications onsite given that they would allow non-intrinsically safe equipment on in the event of an incident.
- h) It is clear that Exercise Directors need to have a more proactive role with players i.e. as exercise scripts have become more challenging with more offsite consequences, players have required more feedback from exercise controllers, e.g. where a player feels that they would request a particular resource the director needs to be able to supply details of the information requested or a reasonable explanation why that information cannot be provided.
- i) The exercise planners from both industry and the emergency services are constantly improving their means of exercise delivery for example the use of particle illusion software, the use of injects from members of the public via switchboards forces, or queries regarding the ability to maintain essential services in an affected area force officers to think what the wider impacts are offsite.

8 Recommendations

- 8.1 That Members support the schedule of exercises for 2010 –11.
- 8.2 That Members note the excellent work that is undertaken in ensuring plans are tested and exercised as appropriate
- 8.3 That Members support the Wider Exercise Planning Group and a joint Civil Contingencies Act exercise matrix.
- 8.4 That Members note that further information is available via the Exercise Planning Group / Cleveland EPU.

Report Author: Denis Hampson
Chief Emergency Planning Officer

Date: 14 March 2010

**CLEVELAND EMERGENCY PLANNING UNIT
Exercise Calendar 2009 – 2010**

Date	Site	Borough	Type
07/05/2009	BCM Voluntary Orgs	Cleveland	<i>Seminar</i>
12/05/2009	LRF	Cleveland	<i>MATD</i>
20/05/2009	ConocoPhillips	Stockton/Hartlepool	<i>TT</i>
27/05/2009	Corus	Redcar	<i>MLP</i>
11/06/2009	Vopak	Stockton	<i>MLP</i>
02/07/2009	Wilton (Croda)	Redcar	<i>MLP</i>
04/08/2009	INEOS	Stockton	<i>MLP</i>
25/08/2009	LRF	Cleveland	<i>MATD</i>
08/09/2009	ConocoPhillips	Stockton/Hartlepool	<i>MLP</i>
16/09/2009	PX Seal Sands	Stockton	<i>SS</i>
16/09/2009	OCNS Security Exercise	Hartlepool	<i>SS</i>
25/09/2009	Hunts man Pigments	Hartlepool	<i>MLP</i>
01/10/2009	Haz mat Seminar	Cleveland	<i>Seminar</i>
08/10/2009	Baker Petrolite	Hartlepool	<i>SS</i>
21/10/2009	Dow Seal Sands	Stockton	<i>TT R & R</i>
28/10/2009	BOC	Redcar	<i>MLP advised SS</i>
29/10/2009	Grow how Billingham	Stockton	<i>TT (SCUK)</i>
10/11/2009	Lucite	Stockton	<i>MLP</i>
18/11/2009	Koppers	Stockton	<i>SS</i>
24/11/2009	LRF	Cleveland	<i>MATD</i>
03/12/2009	Dow Middlesbrough	Middlesbrough	<i>MLP</i>
09/12/2009	Exw old	Hartlepool	<i>SS</i>
11/02/2010	Dow Billingham	Stockton	<i>MLP</i>
23/02/2010	LRF	Cleveland	<i>MATD</i>
TBC 03/03/2010	Power Station	Hartlepool	<i>Level 1</i>
17/03/2010	Fine Organics	Stockton	<i>TT</i>
TBC 19/05/2010	Power Station	Cleveland	<i>Level 2</i>
TBC	Rest Centre Exercise	Cleveland	<i>MLP</i>
TBC	Flood Exercise	Cleveland	<i>CP</i>

Exercise Calendar 2010-2011

Date	Exercise	Type	Legislation
April			
7 th	Growhow North Tees	Table Top	COMAH
15 th	Sabic North Tees	Table Top	COMAH
21 st	Nuclear Site Exercise	Site Exercise	REPIIR
May			
5 th	Nuclear Site Exercise	Site Exercise	REPIIR
5 th	Durham Tees Valley Exercise	Airport	
12 th	ConocoPhillips Main Site	Table Top	COMAH
19 th	Nuclear Level 2 Exercise	Major Live	REPIIR
June			
2 nd TBC	MATD Flooding	Small Scale	CCA
10 th	Level 2 MOD Training Day	Seminar	CCA
16 th	Vertellus	Small Scale	COMAH
July			
16 th	Sabic Wilton International	Major Live	COMAH
August			
4 th – 11 th	Tall Ships Event	NA	NA
September			
17 th	Calor Gas	Small Scale	COMAH
22 nd	MATD Recovery	Seminar	CCA
29 th	Baker Hughes	Table Top	COMAH
October			
5 th	HPA Regional Exercise	TBC	CCA
13 th	ConocoPhillips MLP Jetties	Major Live	COMAH/CCA
	Town Centre Evacuation	Seminar	CCA
27 th	Nuclear Pre-Level 1	Site Exercise	REPIIR
November			
4 th	Growhow Billingham	Small Scale	COMAH
10 th	Diseases of Animals	MATD	CCA
25 th	Sabic North Tees	Small Scale	COMAH
December			
1 st	Nuclear Pre-Level 1	Site Exercise	REPIIR
15 th	Exwold	Small Scale	COMAH
January			
20 th	Ensus, Wilton	Small Scale	COMAH
February			
17 th	Koppers	Small Scale	COMAH
March			
7 th	Exercise Watemark (TBC)	National TBC	CCA
11 th	MATD (TBC – Radiological Recovery)	MATD	CCA
23 rd	NGN Brinefields	Small Scale	COMAH

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee
From: Chief Emergency Planning Officer
Date: 26 March 2010
Subject: **“PREPARE” – PART OF THE NATIONAL CONTEST STRATEGY**

1. Purpose of the Report

- 1.1 To inform Members of the need for the Cleveland Emergency Planning Unit to become involved with the national CONTEST (counter-terrorism) strategy through the “Prepare” strand of the strategy.
- 1.2 To inform Members of the broad outline of the CONTEST strategy and how it is considered that the Emergency Planning Unit will become involved in both the overall CONTEST strategy and fulfil the requirements of the “prepare” strand.

2. Background

2.1 The CONTEST (counter-terrorism) strategy was introduced in 2008 with the key aim to reduce the risk the United Kingdom faces from international terrorism so that people can go about their lives and business freely and safely. The Security Services say that they over the past few years reduced the capability of international terrorists to carry out an attack in the UK, but the terrorists intent and general capacity remains undiminished.

2.2 The national strategy is divided into four work-streams:

- **Pursue:** this is about reducing the threat by disrupting terrorists and their operations through:
 - Gathering intelligence
 - Disrupting terrorist activity, preventing attacks and bringing offenders to justice
 - International co-operation and working with allies.
- **Protect:** this is about reducing our vulnerability to a terrorist attack through:
 - Strengthening border security
 - Protecting key utilities
 - Protecting the transport infrastructure to reduce the risks and impacts of attacks
 - Protecting people in crowded places

- **Prevent:** this is about stopping people becoming terrorists or supporting violent extremism through:
 - Challenging extreme ideology and supporting mainstream voices
 - Disrupting those who promote extremism
 - Increasing the resilience of communities to violent extremism
 - Addressing the grievances that extremism exploits
- **Prepare:** this is about ensuring Category 1 and 2 organisations and agencies are ready as we can be to deal with the consequences of a terrorist attack through:
 - Identifying the potential risks and assessing their impact
 - Building our capacity to respond to attacks
 - Evaluating and testing our plans and preparedness

2.3 The “Pursue” and “Protect” work-streams are predominantly the domain of the Security Services, Police, Criminal Justice system and UK Border Agency and Government Departments such as the Home Office and Foreign Office. The “Prevent” strategy, whilst in the main is led by the Police, is focused on local policing working together with communities and multi-agency partners, primarily the local authorities. Working with partners, the central aim is to identify and gain a better understanding of the hard to reach groups, listen to their concerns and work to build sustainable solutions to reduce alienation and potential radicalisation.

2.4 Under the “Prevent” work-stream, Cleveland has created a “Gold” group, chaired by an Assistant Chief Constable, of senior representatives from the four local authorities, the health community and other agencies. It meets bi-monthly and has produced a Development Plan. Within each of the Police Territorial Divisions, a ‘Silver’ group is formed to take forward the development plan at a local level. This involves effective partnership working between Neighbourhood Policing, local authorities and other agencies.

2.5 It is now recognised that the Prevent strategy needs to link into the Prepare strategy which until recently has been the work-stream that has received the least attention. The Chief Emergency Planning Officer has now joined the Gold Prevent group to provide a link between the two strategies and the Senior Emergency Planning Officers in each of the four Policing/Local Authority areas are being asked to join the local Silver Prevent groups. It has been recognised that the Prevent strategy must link into emergency and contingency duties and planning that is statutorily required under the Civil Contingencies Act 2004.

3. The “Prepare” work-stream

- 3.1 As Members are aware, a great deal of planning, testing and exercising takes place within Cleveland, although most is not counter terrorism focussed. However, very similar responses and command structures would be implemented to respond to a terrorism incident as for 'natural disaster' incidents/accidents, but some changes are likely to be necessary. Whilst it is acknowledged that the 'disaster scene' will be a Police crime scene and the incident will be subject to a major Police investigation, this fact needs to be more clearly shown within our plans.
- 3.2 The Cleveland Community Risk Register prepared by the Emergency Planning Unit has within it several risks that can be associated with terrorism, but it will now be enhanced to show a specific risk, in line with the CONTEST strategy.
- 3.3 The present Command and Control structure through the Gold, Silver and Bronze strands is standard practice, whether terrorism, other man-made major incidents or natural disasters. Certainly the Senior Co-ordinating Group (SCG) would be established at Police Headquarters whether it be a terrorism incident or a non-terrorism incident and the present arrangements for a STAC (Scientific and Technical Advice Cell) would be enacted.
- 3.4 Present arrangements exist for establishing a multi-agency media cell under the SCG during a non-terrorist incident, but these arrangements may need 'tweaking' to meet the requirements of responding to a terrorist incident. The present Cleveland Communications Strategy can be adopted to warn and inform the public as a result of a terrorist incident.
- 3.5 The existing Major Incident Response Plans of the four Local Authorities, together with the generic response plans and procedures for the emergency services and the health community are likely to need some modification to reflect that the plans or some parts of the plans could also be used in the response to and recovery from a terrorist incident.
- 3.6 The Cleveland Major Incident Procedures Manual already covers the response to both terrorism and non-terrorism major incidents but was produced prior to the CONTEST strategy being introduced. It was already planned to review the manual within the next 12 months and therefore the review can ensure the procedures in the manual reflect the current work-streams of the CONTEST strategy.
- 3.7 The present Recovery Plan produced by the Emergency Planning Unit already reflects that it could be invoked for any kind of major incident, whether the incident is caused by terrorism, CBRN, nuclear release, chemical release or accident or natural disaster. It therefore does not require amendment although when next reviewed, reference will be made to the CONTEST strategy.
- 3.8 On-going work within the Resilient Telecommunications sub group under the chair of a Senior Emergency Planning Officer does not differentiate

between terrorism or non-terrorism threats to communications. For example, the MTPAS (mobile overload scheme) could be invoked for all kinds of incidents.

- 3.9 The current evacuation planning being undertaken for town centres will be able to be adopted for any type of incident and link to the existing survivor reception centre plans, rest centre plans, decontamination plans, transport plan and Police casualty bureau plan.
- 3.10 In line with government advice, a CBRN specific plan will be prepared for Middlesbrough over the next 12 months. It will dovetail with many of the plans mentioned above.
- 3.11 To aid this process of linking the two strategies more closely together, it has been agreed that the Chief Emergency Planning Officer should have bi-monthly meetings with the Cleveland Police Counter Terrorist Security Advisors (CTSA) to ensure that emergency and civil contingencies planning takes into account vulnerable and strategic infrastructure. Further, as recommended in the Pitt Report (Flooding 2008), the CTSA must ensure that the Chief Emergency Planning Officer is aware of the critical infrastructure within their area. It is also necessary that the CTSA's have close liaison with emergency planners within the joint Cleveland Emergency Planning Unit.
- 3.12 There is a need for the CTSA to be aware of 'crowded places' events and therefore it will be incumbent upon Emergency Planners from the CEPU to ensure they are aware of large scale events which will attract a lot of people to the same place at the same time. To a certain extent, this already occurs but needs to be built upon. For example, a CTSA is a member of the Safety Advisory Group for the Tall Ships Race taking place in Hartlepool in August.
- 3.13 Staff from the CEPU have assisted the CTSA to set up and run 'Argus exercises' with businesses in the local authority areas and have also participated in these exercises.

4 Conclusion

- 4.1 Many of the plans that are in place within Cleveland reflect the risk and impact from a terrorism incident although they do not specifically focus on terrorism. These plans can without a significant amount of effort be amended to reflect that they would be implemented to deal with a terrorist related incident and show any specific requirements that a response to a terrorist incident would require that are different to a "normal" response to a major incident, whether man-made or natural disaster. Proposed changes and reviews have been highlighted within section 3 above.
- 4.2 There must be a 'two way street' between the Counter Terrorism Security Advisors and the joint Emergency Planning Unit that enables good liaison

to take place and information to be shared whenever possible, as described earlier. It should be encouraged that when exercise scenarios can have a terrorism theme they should do so.

5. Recommendations

5.1 The report is noted.

5.2 The Chief Emergency Planning Officer ensures that the plans and procedures mentioned within the report are amended as proposed to reflect the CONTEST strategy and 'Prepare' aims.

Report Author: Denis Hampson
Chief Emergency Planning Officer

Report date: 14 March 2010

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee

From: Chief Emergency Planning Officer

Date: 26 March 2010

Subject: **CIVIL CONTINGENCIES ACT 2004 – THE FIT WITH OTHER LEGISLATION: GUIDANCE TO COMPLEMENT EMERGENCY PREPAREDNESS.**

1. Purpose of the Report

- 1.1 To inform Members of the consultation document issued by the Civil Contingencies Secretariat (CCS) as part of the Civil Contingencies Act Enhancement Programme.
- 1.2 To inform members that the Chief Emergency Planning Officer prepared a response on behalf of the four local authorities and the Emergency Planning Unit which has been forwarded to the CCS. The closing date for responses was the 26th February.

2. Background

- 2.1 The Cabinet Office is conducting a review of Part 1 of the Civil Contingencies Act 2004 (CCA), the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 (the Regulations) and the statutory guidance “Emergency Preparedness”. The Cabinet Office is delivering this review through the CCA Enhancement Programme. Phase 1 of the programme includes a specific project: Better Fit with Other Legislation. Through this project, the Cabinet Office aims to produce guidance to ensure effective alignment and greater consistency between the planning and response arrangements established by the Civil Contingencies Act 2004 and other civil protection legislation.
- 2.2 The rationale of the CCS to the proposed changes in the Emergency Preparedness Guidance is:
 - Evidence suggests that local planning and response arrangements are not always effectively integrated;
 - Different standards apply to readiness and response;
 - Some hazard specific regimes are not integrated well into emergency planning work;
 - Warning and informing arrangements for some regimes differ from the CCA requirements; and
 - Inconsistency can cause confusion for the public and responders and increase the risk of poor planning and response.

The main focus of the guidance document is how the CCA duties interface with the site specific legislation concerned with industrial emergency planning and safety at sports grounds and events. Focus is also given to the CCA duties relating to Warning and Informing the Public, extendibility of plans, and Command and Control.

- 2.3 The following points are the proposed additions to the Emergency Preparedness Guidance:

Risk Assessment

Ensuring that risk assessments give consideration to the potential for major incidents to occur at COMAH, REPPIR, PSR sites as well as arenas and events and take into account impacts on the wider community. They should consider site safety reports and site specific risk and impact assessments produced under other legislation (regimes). Such risks should be recorded in the Community Risk Register, along with control measures. Risk assessments should respond quickly to changes in the risk environment and should be regularly reviewed.

Extendibility of plans

Emergency response and recovery plans should interface with the requirements of each regulatory regime (i.e. site specific plans developed under industrial emergency planning legislation, plans developed under Safety at Sports Grounds guidance and Event Safety planning guidance, should link with multi-agency plans required under the CCA). (Basically plans should interface enough to cover all bases).

Nuclear Emergency Planning Liaison Group

The Consolidated Guidance document issued by the Department of Energy and Climate Change including a framework for extending nuclear plans should be adopted for extended COMAH site plans and PSR emergency plans. Such emergency plans should address:

- Roles and responsibilities of responding agencies;
- Arrangements for Mutual Aid
- Communications strategy between all responding agencies including a register of all communication facilities and equipment;
- Warning and Informing the Public;
- Arrangements for media handling;
- Community information – population, transport availability, hospitals, schools;
- Reception Centres;
- Recovery plans dovetailed into off-site plans.

Emergency Planning

Many Local Authorities establish multi-agency event safety planning groups. Many sports grounds have multi-agency stadium/ground SAGs (safety advisory groups) which provide specialist advice to the LA, discharging its function under the Safety of Sports Grounds Act 1975 (SSGA). Emergency Planning Officers on these groups will help ensure

the interface between site safety plans and multi-agency emergency plans developed under the CCA. Plans will need regular exercising.

Command and Control

It is vital, in local arrangements, for there to be **one** agreed Command and Control structure for responding to emergencies which all Category 1 and 2 responders, industry and voluntary organisations understand and agree.

Business Continuity

It is important that emergency responders, including local authorities, understand the potential impact of an incident on the business continuity. Local Authorities should seek to promote the benefits of BCM to COMAH site operators. The production of such plans will ensure that each agency and members of the business community, i.e. site operators, involved in contingency planning arrangements are able to maintain a level of response to incidents at all times.

Co-operation and Information Sharing

In COMAH, REPPIR and PSR there is a requirement to co-operate and share information between site operators and emergency responders to ensure that emergency plans prepared under different regimes are fit for purpose.

Communicating with the public

Emergency responders and site operators should develop joint strategies for communicating with the public. These strategies should be exercised and tested as part of an exercising regime. Websites of emergency responders should be effectively linked to provide public information before, during and after an emergency.

Generic Considerations

When undertaking emergency planning activity, Local Authorities as emergency responders should consider their duties under the following legislation:

- Human Rights 1998
Local Authorities as well as other emergency responders and planners should consider the following areas when fulfilling their duties under the CCA and any duties under the HR Act:
 - Risk Assessment: Contextualisation – what risks are there that human rights be contravened?
 - Emergency Planning: Vulnerable people, people affected by the emergency, survivors, family and friends.
 - Communicating with the Public (Warning and Informing): Vulnerable people and those who have difficulty understanding the message.
 - Information Sharing: Personal information, Data Protection and Sharing Information.

The Human Rights Act states that the rights of an individual should never be allowed to obscure public safety and the Convention recognises that there are situations where a state must be allowed to decide what is in the best interests of its citizens.

- Corporate Manslaughter and Corporate Homicide Act 2007
The Act creates an offence where organisations, including Local Authorities, can be convicted of manslaughter if the way in which their activities are managed or organised causes a person's death. This amounts to a gross breach of a duty of care to the deceased.
- Human Resources
In the planning phase for emergencies, unrealistic expectations may be placed on management and personnel. Therefore Local Authorities should give proper consideration for staff welfare when producing emergency plans. When identifying human resources requirements as part of the emergency response, responders should consider their duties under the Health and Safety at Work Act 1974, and Working Time Regulations 1998.
- Health and Safety at Work Act 1974
Employers have a duty to manage risks (i.e. assessing significant risks and identifying suitable control measures to those risks) to their employees that arise from their work. This includes those employees whose work includes responding to emergencies.
- Working Time Regulations 1998
The regulations relate to the number of hours that an employee can work during a single week, unless a workforce agreement is sought. This allows a normal, weekly, working time of 48 hours unless an opt-out agreement is sought, which allows workers to exceed the maximum.

3. How Would the Proposed Additions Impact upon Cleveland?

Due to the area having 37 top tier COMAH sites, together with a number of hazardous pipelines and the Nuclear Power Station at Hartlepool, the Cleveland Emergency Planning Unit already have plans produced that action or take into consideration all the proposed additions to the guidance. For example:

- Risk Assessment – risks associated with the COMAH sites, hazardous pipelines and power station are all detailed in the Community Risk Register.

- Emergency Planning – All 37 COMAH establishments have plans which show extendibility and interface with the response plans of the emergency services and local authorities.
- Nuclear Planning – Members of the Emergency Planning Unit are members of the Local Consultation Liaison Committee and Emergency Planning Consultative Committee which deal with all the issues raised in the consultation document.
- Command and Control – Cleveland already practises one single command and control structure based on the Command Room at Cleveland Police Headquarters and this is exercised regularly.
- Co-operation and Information Sharing – The Chief Emergency Planning Officer and staff from the joint Emergency Planning Unit have regular meetings with COMAH site officers.
- Communicating with the Public – Cleveland has in place its Communications Strategy for communicating with the public.

4. Response to Consultation Document

- 4.1 Responses to the consultation document were sought and collated. The response provided to the Civil Contingencies Secretariat is shown in the template at Annex A.

5. Recommendations

- 5.1 Members note the report, particularly how Cleveland fits with the proposed guidance.
- 5.2 Members note the response sent to CCS on behalf of the CEPU and Local Authorities.

Report Author: Denis Hampson
Chief Emergency Planning Officer

Report dated: 14th March 2010

ANNEX A

Details of the Consultation

Document being consulted on:	Civil Contingencies Act 2004 – The Fit With Other Legislation. Interim guidance to complement Emergency Preparedness.
Closing date:	26 February 2010
Responses to be sent to:	ccact@cabinet-office.x.gsi.gov.uk
Queries to:	Martin Klaassen: Martin.Klaassen@cabinet-office.x.gsi.gov.uk 0207 276 5017

Consultation Response

Name:	Denis Hampson	
Title:	Chief Emergency Planning Officer & Local Resilience Forum Manager	
Organisation:	Cleveland Emergency Planning Unit / Unitary Local Authorities of Hartlepool, Stockton-on-Tees, Middlesbrough and Redcar & Cleveland	
Contact Details: (Will be used if we need to follow up any of your detailed comments. Please provide an e-mail address and telephone number if possible)	Denis.hampson@hartlepool.gov.uk Tel: 01642 221121	
Industrial Emergency Planning		
<u>Question 1:</u> Are you content with the description of the interface between CCA and Control of Major Accident Hazards Regulations, 1999 (COMAH)?	YES	
<u>Comments on Question 1:</u> Having 37 'top tier' COMAH establishments in the LRF area, Cleveland is well versed in writing, reviewing and exercising COMAH related plans as well as co-operating and information sharing with the COMAH site operators. This ensures there is proper interface between the COMAH legislation/plans and the Emergency Response plans of the Local Authorities, Emergency Services and Health.		
<u>Question 2:</u> Are you content with the description of the interface between CCA and Radiation Emergency Preparedness & Public Information Regulations, 2001 (REPPPIR)?	YES	

<u>Comments on Question 2:</u>	
Due to Hartlepool Nuclear Power Station being within the Cleveland area, emergency planners and responders are well aware of the need to ensure there is proper interface between the REPIR legislation/planning and the Emergency Response plans of the Local Authorities, Emergency Services and Health.	
<u>Question 3</u>	
Are you content with the description of the interface between CCA and Pipeline Safety Regulations 1996 (PSR)?	YES
<u>Comments on Question 3:</u>	
<u>Question 4:</u>	
Are you content with the description of the interface between CCA and Safety of Sports Grounds Act, 1975 (<i>Guide to Safety Sports Grounds</i>)?	YES
<u>Comments on Question 4:</u>	
The Cleveland Emergency Planning Unit is a member of the Safety Advisory Group of Middlesbrough Football Club. The description within the guidance is appropriate and adequate.	
<u>Question 5:</u>	
Are you content with the description of the interface between CCA and the Event Safety Planning (<i>Event Safety Guide</i> and Health and Safety at Work Act, 1974)?	YES
<u>Comments on Question 5:</u>	
The guidance must re-iterate the need and importance of Safety Advisory Groups being established for events and the need for emergency planners, dependant upon the scale of the event and apparent risks, to be active members of safety advisory groups. This applies particularly to events that are being organised and/or licensed by local authorities. Currently work is being carried out in the Cleveland area to prepare for the Tall Ships event at Hartlepool in August 2010 which it is anticipated will attract up to one million visitors over a four day period. The Chief Emergency Planning Officer for Cleveland is the Chair of the multi-agency Safety Advisory Group. Therefore we are well aware of the need to interface between the CCA and HSE legislation and guidance.	
<u>Question 6:</u>	
Do you think that the guidance adequately addresses the three main issues which have emerged during the review of the CCA and other relevant legislation:	
(a)Extendibility of Plans	YES
(b)Warning and Informing	YES

(c)Command and Control	YES
<p><u>Comments on Question 6:</u></p> <p>(a) Issues of extendibility are a feature of the COMAH off-site plans produced by the Cleveland EPU.</p> <p>(b) Cleveland has a communications strategy in place for warning and informing the public. Whilst it can be used for all forms of incident (CCA, REPIR or COMAH), one of its fundamental features is that it is used should a serious incident/accident occur on a COMAH site or at the Power Station and the Chemical Industry and Power Station can activate the strategy should an incident occur on their site(s). The strategy is tested during exercises with COMAH site operators on a regular basis.</p> <p>(c) Cleveland already practises one single command and control structure based on the Command Room at Cleveland Police Headquarters.</p>	
<p><u>Question 7:</u></p> <p>Do you think that the framework for extending nuclear emergency plans can be used for extending emergency plans produced under the COMAH and PSR regulations as well as plans produced under the <i>Event Safety Guide</i> and Safety at Sports Ground Act, 1975?</p>	YES
<p><u>Comments on Question 7:</u></p> <p>A very similar framework is already used in the Cleveland area for writing COMAH off-site plans. The use of such frameworks should be encouraged.</p>	
<p><u>Question 8:</u></p> <p>Is it sufficient to describe in guidance the need to extend warning and informing beyond Public Information Zones (PIZ), detailed Emergency Planning Zones (DEPZs), sports grounds and event sites?</p>	YES
<p><u>Comments on Question 8:</u></p> <p>The need to plan for extendibility is necessary but the guidance cannot be prescriptive due to the variation and variety of incidents which could lead to the need to extend beyond PIZs, etc. The essence of a good plan is that it provides flexibility to be extended should the need arise and that it dovetails with other plans. For example, a local authority major incident response plan must dovetail and compliment a COMAH off-site plan for an establishment within that local authority area (and vice versa).</p>	
<p><u>Question 9:</u></p> <p>Do you agree that the impact on the wider community of an incident occurring at a sports ground or event should be reflected in the risk assessment and subsequently the Community Risk Register?</p>	YES

<u>Comments on Question 9:</u>	
The likelihood of such incidents must be reflected in risk assessments and where appropriate included in the Community Risk Register. This activity should be undertaken by the multi-agency Risk Assessment Working Group. (LRF sub group)	
<u>Question 10:</u>	
Is it sufficient for the 'generic considerations' section to focus on:	YES
<ul style="list-style-type: none"> • Human Rights Act 1998; • Corporate Manslaughter and Corporate Homicide Act 2007; • Health and Safety at Work Act, 1974; and • Working Time Regulations, 1998. 	
<u>Comments on Question 10:</u>	
Reference that the working week (under the Working Time Regulations 1998) is averaged over a period of 17 weeks.	

Other Comments on the consultation paper: Civil Contingencies Act 2004 – The Fit with Other Legislation (Please use a separate line for each detailed issue that you think needs to be addressed, adding more rows as necessary)	
Paragraph number	Comments
	There is no mention on how the CCA fits with the Reservoir Act 1975 and it is considered the enhancement programme should consider this. It is pertinent due to the fact that from spring 2010 it will be a legal requirement for reservoir owners to produce on-site flood plans and for local authorities to produce reservoir flood inundation plans.

Thank you for your input into this consultation.

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee

From: Chief Emergency Planning Officer

Date: 26 March 2010

Subject: **REVISION TO CHAPTER 3 “INFORMATION SHARING” OF THE STATUTORY GUIDANCE ‘EMERGENCY PREPAREDNESS’**

1. Purpose of Report

- 1.1 To inform Members on the consultation document issued by the Civil Contingencies Secretariat (CCS) as part of the Civil Contingencies Act Enhancement Programme.
- 1.2 To inform members that the Chief Emergency Planning Officer prepared a response to the document on behalf of both the four Local Authorities and the Cleveland Local Resilience Forum (LRF). The response has been forwarded to the CCS as the closing date for responses was 19 February.

2. Background

- 2.1 Members will be aware that the Chief Emergency Planning Officer also manages the Cleveland Local Resilience Forum on behalf of multi agency partners / emergency responders, including the four Local Authorities. In both capacities, as Head of Emergency Planning and Manager of the Cleveland LRF, he has reviewed the consultation document, sought views of other responding agencies from across Cleveland and responded to the consultation document. The Local Authorities are classed as Category 1 responders under the Act.
- 2.2 The Cabinet Office is conducting a review of Part 1 of the *Civil Contingencies Act 2004 (CCA)*, the *Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 (the Regulations)* and the statutory guidance “Emergency Preparedness”. They are delivering this review through the CCA Enhancement Programme. Phase 1 of the programme includes a specific project: Information Sharing. The project sought to identify ways to improve information sharing between all Category 1 and Category 2 responders. As part of this project the Cabinet Office identified a need to review Chapter 3 of Emergency Preparedness (Information Sharing).
- 2.3 Summary of Proposed Key Changes
 - Greater emphasis on the benefit of Information Sharing protocols.

- Suggests the LRF co-ordinate requests for the same information required by numerous Category 1 responders, in order to reduce the burden on the agencies giving the information.
- Clarification of Category 2 responders' duties under the CCA to share information about vulnerable people.
 - If such a request is made, the Category 2 responder must in principle comply. There are exceptions within the chapter where a Category 2 responder can refuse to provide the information (e.g. if the receiver is known to have a problem with information leaks to the media). In addition, there are certain regulations preventing the release of information, i.e.;
 - The information requested is personal data;
 - Disclosure would contravene a data protection principle; or
 - Disclosure would be likely to adversely affect the confidentiality of the information.
 - In relation to information on vulnerable people, disclosure must not contravene a data protection principle. Provided that the requesting agency gives assurance that confidentiality in the information will not be breached, the Category 2 responder would be expected to provide the information as a general duty under the regulations.
- A section on storing information.
 - Category 1 and 2 responders should be aware of the differences required in handling personal data when compared to handling sensitive security related or commercial information.
 - Essential for Category 1 and 2 responders requesting information (either formally or informally) to have appropriate, secure, storage methods for any information received. Each agency should have a locally defined protocol for handling, accessing and storing information, especially that of a sensitive nature.
- A section on information sharing about testing and exercising. Information management must be exercised and staff trained properly.
 - Vital that Category 1 and 2 responders are aware and comfortable with their roles before an incident occurs. Responders should receive awareness training in understanding and interpretation of the legislation relating to information sharing i.e. Data Protection Act 1998, Freedom of Information Act 2000, and Environmental Information Regulations 2004. Lessons identified from incidents should be included in future training of staff and exercising of plans. References made to national reports and recommendations from major incidents.
 - Training and exercising programmes should be reviewed regularly to validate, exercise and test the information sharing and interoperability of communications elements of an emergency plan.

3. How the Proposed Change will affect Cleveland

- 3.1 The proposed changes to the CCA statutory guidance “Emergency Preparedness” should have little effect upon the workings of emergency responders within Cleveland due to the nature of present working practises, including having a joint Emergency Planning Unit for the four local authorities and the emergency planners from the emergency services being co-located within the CEPU. Through these arrangements, close co-operation and information sharing already exists. However, the potential changes to the guidance will assist Emergency Planners and responders in their roles and responsibilities and provide added focus and clarity.
- 3.2 The Cleveland multi-agency Exercise Planning Group chaired by the Principal Emergency Planning Officer produces on an annual basis, a multi agency training and exercise calendar where encapsulates exercises and training days being provided under both Civil Contingencies Act and COMAH / REPPIR regimes. These exercises and training days create environments where information, knowledge and experience are openly shared.
- 3.3 The Cleveland EPU has produced a “List of Lists” whereby a contact list is available to the Emergency Planners and Emergency Services in their role as responding agencies, that gives details of whom to contact to obtain details of vulnerable people. The Local Authorities together with a number of Category 1 and 2 responders and voluntary agencies hold and update information on vulnerable persons, albeit the term ‘vulnerable persons’ is defined / applied differently within particular organisations.
- 3.4 Cleveland has in place an Information Sharing Protocol produced for the Cleveland Local Resilience Forum (LRF) by Cleveland Police Data Protection Officer and the Chief Emergency Planning Officer.

4. Recommendations

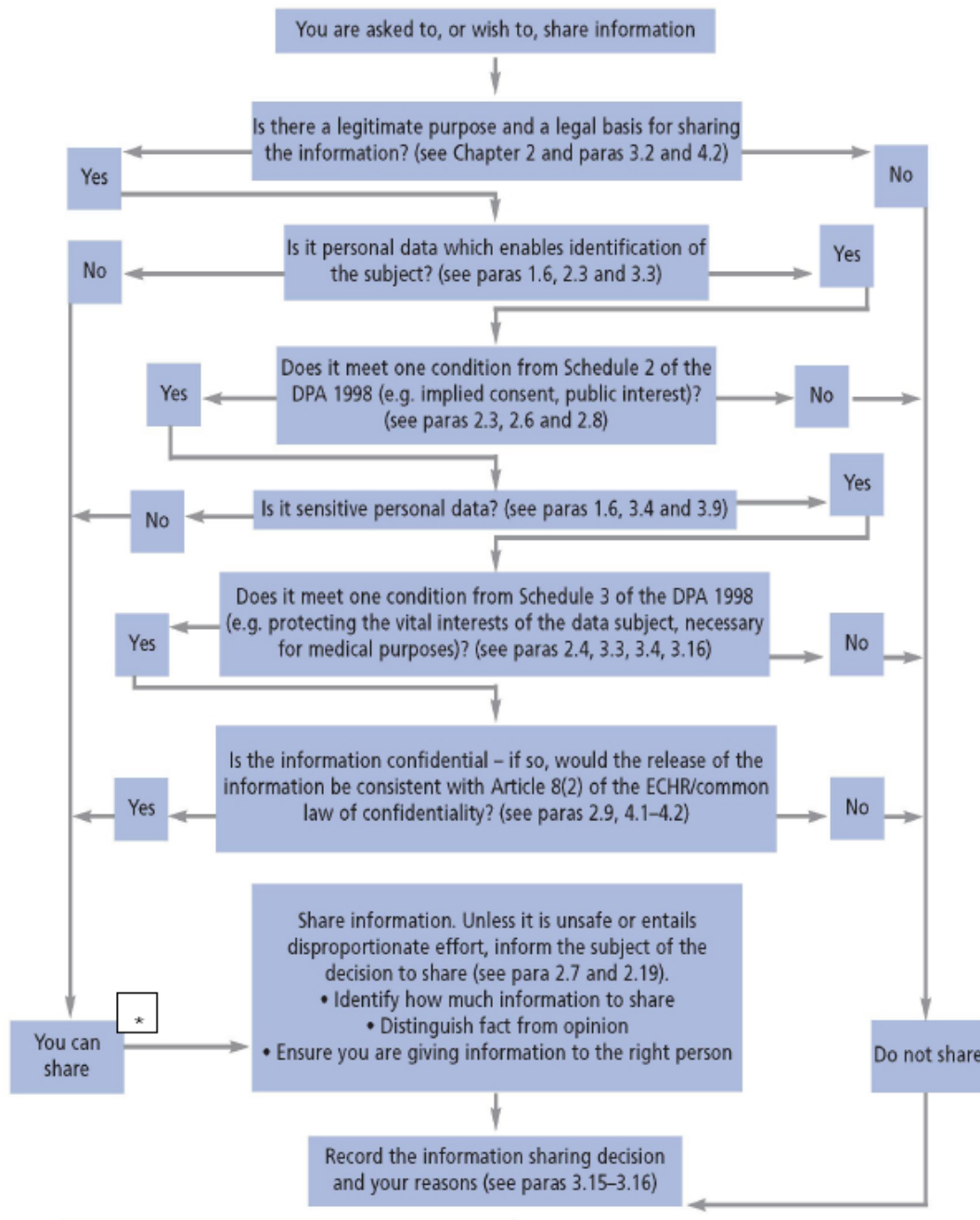
- 4.1 Members note the report.
- 4.2 Members note the response sent to CCS on behalf of the Local Authorities and LRF.

Report Author: Denis Hampson
Chief Emergency Planning Officer

Report dated: 14 March 2010

ANNEX A

New Flowchart of key principles for information sharing.



⁴⁷ Adapted from Information Sharing: A Practitioners Guide.

* If the information is sensitive because it is information prejudicial to national security; to public safety; or is commercially sensitive information you should also consider whether this information should not be disclosed on those grounds. See paragraphs 3.21 to 3.23.

ANNEX B

Details of the Consultation

Document being consulted on:	Information Sharing Under the Civil Contingencies Act 2004
Closing date:	26 February 2010
Responses to be sent to:	ccact@cabinet-office.x.gsi.gov.uk
Queries to:	Martin Klaassen: Martin.Klaassen@cabinet-office.x.gsi.gov.uk 0207 276 5017

Consultation Response

Name:	Denis Hampson	
Title:	Chief Emergency Planning Officer & LRF Manager	
Organisation:	Cleveland Emergency Planning Unit (unitary LA's of Hartlepool, Stockton-on-Tees, Middlesbrough and Redcar & Cleveland) / Local Resilience Forum	
Contact Details: (Will be used if we need to follow up any of your detailed comments. Please provide an e-mail address and telephone number if possible)	denis.hampson@hartlepool.gov.uk Tel: 01642 221121	
<u>Question 1:</u> Are you content that draft revision to Chapter 3 (Information Sharing) of <i>Emergency Preparedness</i> is fit for purpose?	YES	
<u>Comments on Question 1:</u> The revision provides added focus and greater clarity with regards to what responders can and should do under their obligations.		
<u>Question 2</u> The draft document highlights the need for protocols to be put in place at Regional Resilience Forum, Welsh Resilience Forum and Local Resilience Forum levels. Is it clear from the document what is required by having protocols in place?	YES	
<u>Comments on Question 2:</u> Cleveland has in place an Information Sharing Protocol produced for the Cleveland Local Resilience Forum (LRF) by Cleveland Police Data Protection Officer and the Chief Emergency Planning Office/LRF Manager.		

<p><u>Question 3</u> Are you content that the main changes to the existing Chapter 3 meet the need to improve:</p> <p>Awareness raising</p> <p>Information sharing requests and protocols</p> <p>Training and exercising</p> <p>Understanding of Category 2 responders' duty under the CCA to share information about vulnerable people</p> <p>Requirements for Storing information</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
<p><u>Comments on Question 3:</u></p> <p>The Cleveland multi-agency Exercise Planning Group (a sub group of the LRF) produces on an annual basis, a multi agency training and exercise calendar where encapsulates exercises and training days being provided under both CCA and COMAH/REPPPIR regimes. These exercises and training days create environments where information, knowledge, and experience are openly shared.</p> <p>The Cleveland EPU has produced a "List of Lists" whereby a contact list is available to the Local Authorities and Emergency Services as responding agencies of Category 1 and 2 responders who hold and update information on vulnerable persons, albeit the term 'vulnerable persons' is defined / applied differently within particular organisations.</p>	
<p><u>Question 4:</u></p> <p>Do you support the organisation of specific multi agency training workshops on the subject of information sharing and related topics (Data Protection/FOI), using scenarios from previous incidents or based on the Data Protection Information Sharing guidance?</p>	<p>YES</p>
<p><u>Comments on Question 4:</u></p> <p>Fully support the concept of having training days related to this subject as we have found that several agencies/organisations often hide behind a "shield" where Data Protection is involved. This is particularly so in relation to some Category 2 responders. Workshops would alleviate common misconceptions about the Data Protection Act and their obligations under the CCA. However a person from the office of the Data Commissioner would need to deliver at such workshops to convince the sceptics that personal data / information can be shared and when.</p>	

A recent example of 'hiding behind the DPA' was a request to an agency for details of property likely to flood in a particular area. The response was it was sensitive data and under DPA could not be released. It was not a request for details of occupants, just addresses.

Question 5:

Would you find it helpful if the Cabinet Office developed templates for information sharing protocols?

YES

Comments on Question 5:

The flow chart at Annex 3C is handy as a quick guide.

Other Comments on the consultation paper: Information Sharing Under the Civil Contingencies Act 2004

(Please use a separate line for each detailed issue that you think needs to be addressed, adding more rows as necessary)

Paragraph number	Comments

Thank you for your input into this consultation.

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee
From: Chief Emergency Planning Officer
Date: 26 March 2010
Subject: **National Resilience Planning Assumptions and Local Risk Assessment Guidance 2009/2010**

1. Purpose

- 1.1 To inform Members of the implications of the new National Resilience Planning Assumptions (NRPA) and Local Risk Assessment Guidance (LRAG) 2009 / 2010 issued by the Cabinet Office (Civil Contingencies Secretariat).
- 1.2 To inform Members of the implications of these new planning assumptions and national risk assessments for the Cleveland area.
- 1.3 To inform Members that the changes to the national and local risks identified in the NRPA will be taken forward by the Emergency Planning Units' Risk Assessment Working Group.

2. Background

- 2.1 The NRPA sets out the consequences if the most significant natural hazards and malicious threats over the next five years were to materialise. The LRAG reflects the changes made this year in the Government's National Risk Assessment and feedback from responders on last year's Guidance. Together they set the bar for contingency planning and capability building programmes to improve resilience across the UK at national, regional and local levels.

2.2 Changes to the National Resilience Planning Assumptions

There are only two changes to the planning assumptions.

2.2.1 Functional Planning Assumptions:

- Major Flooding affecting parts of more than two (2) UK regions:

The consequences have changed in terms of contamination of water supplies and loss of other essential services (water, gas,

electricity, telecoms) from; 250,000 homes for 10 days to 250,000 homes for 14 days.

- Displaced Persons (in a Coastal Flooding Scenario affecting more than 2 UK regions):

The consequences have changed from 40,000 people needing assistance with temporary accommodation for 18 months to 65,000 households needing assistance with temporary accommodation for 18 months.

2.2.2 Essential Services Planning Assumptions:

There are no changes to the NRPA in terms of essential services planning from the assumptions given in 2008/2009.

2.3 Changes to the Lrag (See Annex A)

2.3.1 Annex 'A' outlines the changes in assessments since the last guidance was issued and why they have been changed. These will be reflected in the local risk assessments within the Cleveland Community Risk Register.

2.3.2 Although there are 26 changes in the Lrag, the principle changes that will need to be taken into consideration by the Cleveland Risk Assessment Working Group are :-

- H2. The impact from a fire or explosion on an ethylene gas pipeline has increased from 2 to 3. As Cleveland has 3 major ethylene pipelines running through the area, this will affect our risk assessments and mitigation factors.
- HL12. The likelihood of a local accident involving the transportation of hazardous chemicals has increased from 1 to 4. This reflects the local nature of the risk. Having numerous transportations of hazardous chemicals of this kind in the area on a daily basis, the Cleveland Community Risk register already reflects the higher likelihood of such an event occurring.
- H23. Additional information collated for the H1N1 virus scenarios in 2009 have altered the description of the risk / hazard. This is already reflected in the Cleveland Pandemic Flu Plan.
- H43. The impact from telecommunication infrastructure failure due to human error has increased from 2 to 3. This is partially a product of increasing the social disruption score and a change in the methodology from 2008.

3. Recommendation

3.1 The report is noted.

3.2 That changes to the national and local risks identified in the National Resilience Planning Assumptions and Local Risk Assessment Guidance be taken forward by the EPU Risk Assessment Working Group and reflected in a revised Cleveland Community Risk Register.

Report Author: Denis Hampson
Chief Emergency Planning Officer

Report dated: 14 March 2010

Annex A

Code	Hazard Number	Change	Reason for Change
1.1	H1 - Fire or explosion at a gas LPG (Liquefied Petroleum Gas) or LNG (Liquefied Natural Gas) terminal (or associated onshore feedstock pipeline) or flammable gas storage site	Additional information within the Outcome Description	HSE work has led to a greater understanding of the consequences of the risk e.g. its impact on transport services.
1.2	H2 – Fire or explosion at an onshore ethylene gas pipeline.	An increase in the impact from 2 to 3	This is reflective in an increase of the Anxiety and Outrage scores.
1.9	H4 - Fire or explosion at a fuel distribution site or a site storing flammable and/or toxic liquids in atmospheric pressure storage tanks	Additional fatality and casualty information.	HSE have provided greater detail as to the scope of the expected casualty and fatality figures.
1.13	H7 – Explosion at a high pressure gas pipeline	decrease in impact from 3 to 2	As a result of the decrease in the Social Disruption score. This due to the relative low score given to "Fuel and Gas (Essential Service)" which received only a '2' and a change to the social disruption scoring methodology which emphasised the low scoring H7 received in the essential services.
1.14	HL30 - Localised explosion at a natural gas pipeline	Additional information within the Likelihood rationale	HSE felt it would help clarify the scenario by providing an example.
1.16	H9 – Large toxic chemical release	decrease in impact from 3 to 2	The change in H9 is actually down to a change in methodology from 2008. This is reflected especially in H9 as it was on the border line last year.
1.16	H9 – Large toxic chemical release	Additional information within the Outcome Description	HSE work has led to a greater understanding of the consequences of the risk e.g. its impact on food services.

1.19	H10 - Radioactive substance release from a nuclear reactor	Additional fatality and casualty information.	A change in the number of immediate deaths on site.
1.22	H12 – Biological release from facility where pathogens are handled deliberately.	decrease in impact from 3 to 2	The Social Disruption has dropped from a 2 in 2008 to 0 in 2009
1.26	HL4 - Major pollution of controlled waters	Change is likelihood lead	DEFRA have added the Environment Agency (EA) to better reflect the ownership of the risk.
2.5	H16 – Aviation accident over a semi urban area	Increase in impact from 2 to 3	This is reflective of an increase in the Social Disruption score and the Outrage score.
2.9	HL12 - Local accident involving transport of hazardous chemicals.	Increase in likelihood from 1 to 4	After consultation with DfT this is reflective of the local nature of the risk.
3.2	H18 – Low Temperatures and Heavy Snow	Increase in impact from 2 to 3	A result of an increase in the outrage and anxiety scoring.
3.5	H19 - Flooding: Major coastal and tidal flooding affecting parts of more than two UK regions	Major changes in the granularity and presentation of the flooding figures.	Work within DEFRA to make the flooding figures more consistent.
3.8	H21 - Flooding: Severe inland flooding affecting more than two UK regions	Major changes in the granularity and presentation of the flooding figures.	Work within DEFRA to make the flooding figures more consistent.
5.1	H23 - Influenza type disease (pandemic)	Additional information within the Outcome Description	Additional information in light of this years H1N1 swine flu outbreak.
6.1	H25 - Non – Zoonotic exotic notifiable animal diseases (e.g. foot and mouth)	Likelihood has increased from a 2 to a 3	Additional information provided by DEFRA
6.1	H25 - Non – Zoonotic exotic notifiable animal diseases (e.g. foot and mouth)	Additional information within the Outcome Description	DEFRA have ongoing work re: H25 and the revised wording is a reflection of this.

6.2	H26 – Exotic Zoonotic notifiable animal diseases (Avian Flu)	Likelihood increase from a 2 to a 3	Additional information provided by DEFRA
6.2	H26 – Exotic Zoonotic notifiable animal diseases (Avian Flu)	Additional information within the Outcome Description	DEFRA have ongoing work re: H25 and the revised wording is a reflection of this.
7.2	H30 – Emergency Services: Loss of emergency fire and rescue cover because of industrial action.	the impact score increased from 1 to 2 and the likelihood has decreased from 5 to a 3	The impact score has been brought up by an increase in the anxiety and outrage scoring.
7.3	H31 - Significant or perceived significant constraint on the supply of fuel e.g industrial action by contract drivers for fuel, or by effective fuel blockades at key refineries/terminals by protestors, due to the price of fuel	Revised wording of the Risk Description	Revised wording include more clearly the action of fuel price protestors
7.3	H31 - Significant or perceived significant constraint on the supply of fuel e.g industrial action by contract drivers for fuel, or by effective fuel blockades at key refineries/terminals by protestors, due to the price of fuel	Revised wording of the Outcome Description	Wording revised to include greater detail on variables (e.g. picket lines and protestors).
9.6	H43 – Telecommunication infrastructure – human error.	Impact increase from a 2 to a 3.	The move is partially a product of the Social Disruption scoring increasing from a 1 to a 2 and in addition the change in methodology from 2008.
3.3	H48 – Heat Wave	Impact increase score from 2 to 3	This change is partially a result of an increase in the Social Disruption scoring where it moved from a 1 to a 2.
3.4	H50 - Drought	The impact decrease from a 2 to a 1	This is a result of the Social Disruption dropping from a 2 in 2008 to a 1 in 2009 and the Anxiety and Outrage from a 4 to a 3.

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee

From: Chief Emergency Planning Officer

Date: 26 March 2010

Subject: **POTENTIAL TO INCREASE WARNING AND INFORMING CAPABILITY**

1. Purpose of the Report

- 1.1 To inform Members of the letter shown at appendix A from the Director of Capabilities at the Civil Contingencies Secretariat (CCS).
- 1.2 To inform Members of the local risks that might benefit from the potential expansion of the Floodline Warnings Direct Service and emerging technology such as cell broadcasting.

2. Details of Correspondence Received

- 2.1 Following a presentation from the Environment Agency (EA) in July 2009, the Civil Contingencies Secretariat agreed to consider further the potential to expand the Floodline Warnings Direct (FWD) system for other hazards and this was done at a workshop on 5th January 2010 with the Environment Agency and key officials from other Government Departments and agencies.
- 2.2 The EA has successfully worked with telecommunications companies to facilitate the roll-out of the opt-out telephone flood warning scheme to all homes and businesses liable to flooding with a landline, including those with ex-directory numbers. Up to the present date, due to potential data protection issues, the floodline system has been subject to an “opt-in” scheme. This expansion to an opt-out system is expected to go live in mid 2010. The system is multi-channel, i.e. does not only distribute recorded warning messages via telephone but can also send SMS-text messages and emails to pre-registered addresses in affected areas.
- 2.3 The main benefits of the system were that it was proven, robust, effective and resilient. It could offer the potential to bring consistency across the country and to set a standard for alerting the public. The existing constraint within the system is the need to identify message recipients in those areas at risk in *advance* of a situation occurring, rather than in real-time.
- 2.4 This work is being conducted in parallel to the Cell Broadcast feasibility study already underway within the CCS. Cell Broadcast is a technology

available within the mobile phone network that enables a text-type message to be sent to all handsets in a defined area ranging from a single cell (covering 0.5 to 10 km²) to the entire network. This is different from SMS-based systems which are predominantly 'opt-in' subscriber based services. The constraint with cell broadcast is that the size of the message is constrained to 93 characters to maximise likelihood of message delivery.

- 2.5 The feasibility project is working with industry to understand what changes would be needed to the mobile network to enable this capability to be used. Similar to FWD, CCS are collecting responders' views on when Cell Broadcast may be a suitable warning and informing tool and if it would complement existing arrangements.

3. Future Use of the Systems

- 3.1 The Chief Emergency Planning Officer as chair of the Cleveland Media Emergency Forum (Warn and Inform sub group) has considered the following questions and responded to the Civil Contingencies Secretariat as shown in the bullet points below the questions asked. The closing date for responses was 5th March.

- a) Which two or three scenarios from your local risk assessment would an expanded FWD system be a useful warning and informing tool?
- Town Centre Evacuation
 - Incident at a COMAH / REPPiR Site
 - Reservoir Inundation
 - Major Air Quality Incident
- b) Which two or three scenarios from your local risk assessment would Cell Broadcast be a useful warning and informing tool?
- Town Centre Evacuation
 - Incident at a COMAH / REPPiR Site
 - Reservoir Inundation
 - Major Air Quality Incident
- c) Any comments you may have on either of these tools.
- A consistent warning system is definitely of value and is supported
 - Current constraints of the FWD system should be enhanced by adopting an "opt out" system rather than the present "opt in" system.

- 3.2 An example of a cell broadcast message could be;
"Chemical Incident @ XXXX site, Billingham. Go in, stay in, tune in to local radio"

4. **Recommendations**

- 4.1 The report is to be noted.
- 4.2 The report is to be taken forward by the Cleveland Media Emergency Forum to monitor progress on this issue and adopt necessary procedures once the systems go live.

Report Author: Denis Hampson
Chief Emergency Planning Officer

Report dated: 14 March 2010

**John Tesh**

Director of Capabilities

Civil Contingencies Secretariat

2nd Floor 22 Whitehall
Kirkland House
London SW1A 2WH**Telephone** 020 7276 5054**Fax** 020 7276 5113**Email** john.tesh@cabinet-office.xg.si.gov.uk**Web** www.cabinetoffice.gov.uk

Regional Resilient Teams
Local Resilience Forums – Warning and Informing Sub Group Chairs
Devolved Administrations
ACPO Emergency Planning
15 February 2010

Dear Colleague:

Potential to increase warning and informing capability

The purpose of this letter is to seek your views on local risks that might benefit from the potential expansion of the Floodline Warnings Direct Service and emerging technology such as cell broadcasting. Representatives are invited to attend a workshop to discuss the proposals.

The Civil Contingencies Secretariat (CCS) held a workshop in July 2009 for representatives of LRFs/RRTs and the Devolved Administrations who lead on warning and informing. Following a presentation from the Environment Agency (EA), CCS agreed to consider further the potential to expand the Floodline Warnings Direct (FWD) system for other hazards, and this was done at a workshop on 5th January 2010 with the Environment Agency and key officials from other Government Departments and agencies.

The EA highlighted the work undertaken as a result of the recommendation made by Sir Michael Pitt in his review of the floods in 2007. The EA had successfully worked with telecommunications companies to facilitate the roll-out of the opt-out telephone flood warning scheme to all homes and businesses liable to flooding with a landline, including those with ex-directory numbers. This expansion is expected to go live this month. The system is in fact multi-channel, i.e. does not only distribute recorded warning messages via telephone; but can also send SMS-text messages and emails to pre-registered addresses in affected areas.

The main benefits of the system were that it was proven, robust, effective and resilient. It could offer the potential to bring consistency across the country to be utilised at local level and to set a standard for alerting the public. The existing constraint within the system is the need to identify message recipients in those areas at risk in *advance* of a situation occurring, rather than in real-time.

The discussion progressed to identify other hazards that might benefit from such a system. Both Buncefield-type incidents and reservoir inundation were identified as two potential risks that could be included within an expanded FWD service or “Warnings Direct” service. However, the importance of local perspective was recognised and that the work should be driven by the most common risks at local level. Thus it was decided that Local Resilience Forums would be approached to identify two or three risks, other than flooding, where a direct warning to landlines of homes and businesses may be of most benefit.

This work is being conducted in parallel to the Cell Broadcast feasibility study already underway within the CCS. Cell Broadcast is a technology available within the mobile phone network that enables a text-type message to be sent to all handsets in a defined area ranging from a single cell (covering 0.5 to 10 km²) to the entire network. This is different from SMS-based systems which are predominantly ‘opt-in’ subscriber based services. The constraint with cell broadcast is that the size of the message is constrained to 93 characters to maximise likelihood of message delivery.

The feasibility project is working with industry to understand what – if any – changes would be needed to the mobile network to enable this capability to be used. Similar to FWD, CCS are collecting responders’ views on when Cell Broadcast may be a suitable warning and informing tool and if it would complement existing arrangements.

We are therefore asking Local Resilience Forums and responders to consider the following and respond by **5th March** to cellbroadcast@cabinet-office.x.gsi.gov.uk:

- d) Which two or three scenarios from your local risk assessment would an expanded FWD system be a useful warning and informing tool?
- e) Which two or three scenarios from your local risk assessment would Cell Broadcast be a useful warning and informing tool?
- f) Any comments you may have on either of these tools.

CCS is planning to hold a workshop with responders who could conceivably initiate an alarm message as well as those who have an interest in Warning and Informing the week commencing 22nd March to explore views on both of these warning and informing tools. If you would like to attend the workshop and be involved in this work please include this in your response.

If you have any queries, comments or concerns please don’t hesitate to contact Mandy Mackenzie on 020 7276 6371 regarding extending ‘Warnings Direct’; or for Cell Broadcast speak to Dave Barnes on 07776 487180.

Yours sincerely,

John Tesh

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee

From: Chief Emergency Planning Officer

Date: 26 March 2010

Subject: **Revision of Chapter 2 “Co-operation” of the statutory guidance ‘Emergency Preparedness’ (Under the Civil Contingencies Act (CCA) enhancement programme)**

1. Purpose of the Report

- 1.1 To inform Members of the consultation document issued by the Civil Contingencies Secretariat (CCS) as part of the Civil Contingencies Act Enhancement Programme.
- 1.2 To inform members that the Chief Emergency Planning Officer prepared a response to the document on behalf of both the four Local Authorities and the Cleveland Local Resilience Forum. The response has been forwarded to the CCS as the closing date for responses was 19th February.

2. Background

- 2.1 Members will be aware that the Chief Emergency Planning Officer also manages the Cleveland Local Resilience Forum on behalf of multi agency partners / emergency responders, including the four Local Authorities. In both capacities, as Head of Emergency Planning and Manager of the Cleveland LRF, he has reviewed the consultation document, obtained views of other responding agencies from across Cleveland and responded to the consultation document. The Local Authorities are classed as Category 1 responders under the Act.
- 2.2 The Cabinet Office is conducting a review of Part 1 of the Civil Contingencies Act 2004 (CCA), the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 (the Regulations) and the statutory guidance “Emergency Preparedness”. The Cabinet Office is delivering this review through the CCA Enhancement Programme. Phase 1 of the programme includes a specific project: Better Responder Engagement in Collaborative Working. The project sought to identify ways to improve collaborative working between all emergency responders. As part of this project the Cabinet Office identified a need to review Chapter 2 of Emergency Preparedness (Co-operation).

- 2.3 The consultation document is split into two sections:
- (a) What the Act and the Regulations require, and
 - (b) How the Requirements of the Act and the Regulations may be carried out.

The first deals with:

- Managed co-operation between emergency responders (including the use of protocols for successful managed co-operation)
- The Lead Responder principle
- Joint Discharge and Delegation of Functions
- The role of Category 2 responders, e.g. utility companies, in “Co-operation”.

- 2.4 The second section deals with;
- The structure / leadership of the Local Resilience Forum (LRF)
 - Introduces a new principle for addressing difficulties between Category 2 responders, namely, “The Right Issue, at the Right Time, at the Right Level.”

Basically this means to ensure appropriate representation from the proper responders for matters where they need to be present.

- 2.5 Shown at Annex A is a table included in the consultation document entitled **Co-operation and Information Sharing: Expectations and Impact and the Role of the Local Resilience Forum**. This provides Category 1 and 2 representatives involved in emergency and resilience planning with an overview / brief summary of co-operation and information sharing that should occur between Category 1 and 2 responders and the LRF.

Summary of Proposed Key Changes to the Statutory Guidance:

- a) To rebalance the guidance to show how the duties fall primarily on the duty holders and that the role of the LRF is to help Category 1 and 2 responders deliver their duties.
- b) To strengthen the LRF by examining the use of protocols to govern its procedures and by improving arrangements for securing representation.
- c) A detailed presentation of the reasonable expectations that Category 1 responders may have of Category 2 responders at all stages of the emergency planning cycle as specified by the CCA.
- d) A new principle for addressing difficulties between Category 1 and Category 2 responders, namely, to define issues correctly and to deal with them at the right time and at the right level.
- e) To examine the use of protocols to ensure that the relationship between Category 1 and Category 2 responders is managed successfully.

3 How the Proposed Changes would Impact upon the Cleveland Emergency Planning Unit (Local Authorities)

- 3.1 This change should have little effect upon the workings of emergency responders within Cleveland due to the nature of present working practises e.g. close co-operation and liaison already exists among emergency responder agencies.
- 3.2 Cleveland already has an Information Sharing Protocol which was introduced 18 months ago.
- 3.3 There is good representation evident at the Local Resilience Forum and sub-groups.
- 3.4 The Emergency Planning Unit has produced a handbook which gives details of roles and responsibilities of all agencies responsible for particular duties under the Civil Contingencies Act.
- 3.5 Category 2 responders are provided with minutes of appropriate meetings of emergency responders and are requested to provide reports / attend these meeting, where appropriate. Example of this is the attendance of a representative of CE Electric in 2009 to provide details of the electricity transmission system and reasons for a significant outage that occurred.
- 3.6 It is considered that good liaison and interface already exists with Category 2 responders, particularly through the Cleveland Emergency Planning Unit.
- 3.7 Within Cleveland, a number of protocols already exist and are produced where they are considered appropriate. For example, the Adverse Weather Protocol.

4 Recommendation

- 4.1 Members note the report.
- 4.2 Members note the response sent to CCS on behalf of the Local Authorities and LRF.

Report Author: Denis Hampson
Chief Emergency Planning Officer

Report dated: 14 March 2010

Co-operation and Information Sharing: Expectations and Impact

Five Main Category 1 DUTIES	A. CO-OPERATION			B. INFORMATION SHARING		
	Co-operation required?	Impact on Category 2 responders and other Category 1 responders	IS LRF involved?	Information sharing required?	Impact on Category 2 responders and other Category 1 responders	Is LRF involved?
	Possible risk meeting with infrastructure operators about Business Continuity plans.	Intermittent – impact varies.	Probably not	Information from infrastructure operators and main suppliers re business continuity risks.	<u>Intermittent - major</u>	Probably not
Emergency planning	Possible direct discussion for Category 1 responders with partners to prepare <ul style="list-style-type: none"> • specific emergency plans; • multi-agency plans; and • LRF multi-agency plan. 	<u>Intermittent - major</u>	<ul style="list-style-type: none"> • Probably not • Might be • Yes 	Yes – details of partner contacts, procedures and capabilities.	Intermittent - minor	<ul style="list-style-type: none"> • Probably not • No • Yes
	Discussion with partners about: <ul style="list-style-type: none"> • plans required by central government; and • information required under national capabilities survey. 	<u>Intermittent - major</u>	Yes	Yes – details of partner contacts, procedures and capabilities.	Yes	Yes
	Discussion with partners about design of exercises for: <ul style="list-style-type: none"> • specific emergency plans; • multi-agency plans; and • LRF multi-agency plan. 	<u>Intermittent - major</u>	<ul style="list-style-type: none"> • Probably not • Might be • Yes 	Maybe – though scenario development is covered at row 4 above.	Intermittent – impact varies	<ul style="list-style-type: none"> • Probably not • Might be • Yes

Five Main Category 1 DUTIES	A. CO-OPERATION			B. INFORMATION SHARING		
	Co-operation required?	Impact on Category 2 responders and other Category 1 responders	IS LRF involved?	Information sharing required?	Impact on Category 2 responders and other Category 1 responders	Is LRF involved?
	Discussion with partners about design and delivery of exercises for plan required by central government.	<u>Intermittent – major</u>	Yes	Maybe – though scenario development is covered at row 4 above.	Intermittent – impact varies	Yes
	Updating plans.	Regular - minor	No	Yes – details of partner contacts, procedures and capabilities	Regular – minor	No
Business Continuity plans	Meetings with key infrastructure operators and main suppliers about procedures (see also 4 above, re risk).	Intermittent – impact varies	No	Information from key infrastructure operators and suppliers re procedures (see also 4 above, about risk).	Intermittent – impact varies	No
	-	-	No	Update of business continuity plans	Regular – minor	No
Warning and Informing	Meetings with partners re nature of hazard and risk and type of messages to make public.	<u>Intermittent – major</u>	Probably Yes	-	-	
	Meetings with partners about procedures to be followed and products to be delivered.	<u>Intermittent – major</u>	Probably Yes	-	-	
	-	-		Update of messages and procedures.	Intermittent - minor	Probably yes
Promotion of Business Continuity Manag'mt	LA clarifies with partners who is doing what.	Intermittent - minor	No	Information about promotion efforts undertaken.	Intermittent – minor	Maybe

<i>Five Main Category 1 DUTIES</i>	<i>A. CO-OPERATION</i>			<i>B. INFORMATION SHARING</i>		
	<i>Co-operation required?</i>	<i>Impact on Category 2 responders and other Category 1 responders</i>	<i>IS LRF involved?</i>	<i>Information sharing required?</i>	<i>Impact on Category 2 responders and other Category 1 responders</i>	<i>Is LRF involved?</i>
	-	-		Requests from business community for information about potential business continuity risks.	Intermittent - minor	No

Annex B
Co-operation under the CCA 2004: Draft Guidance: Consultation Response
Template

Programme:	Civil Contingencies Act Enhancement Programme (CCAEP)	
Title of document under consultation:	Co-operation under the Civil Contingencies Act 2004	
Closing date for consultation:	Friday 19 February 2010.	
Response to be sent to:	ccact@cabinet-office.x.gsi.gov.uk	
Queries to:	Martin Klaassen Martin.Klaassen@cabinet-office.x.gsi.gov.uk 0207 276 5017	
<u>Consultation Response</u>		
Name:	Denis Hampson	
Title:	Chief Emergency Planning Officer and Local Resilience Forum Manager	
Organisation:	Cleveland Local Resilience Forum/ Cleveland Emergency Planning Unit	
Contact details: (For possible follow-up to detailed comments)	telephone	01642 221121
	e-mail	denis.hampson@hartlepool.gov.uk
<u>Co-operation</u>		
1.	The guidance aims to define co-operation and to show how “managed co-operation” is supported by the Act. <ul style="list-style-type: none"> Do you find the discussion of co-operation helpful? 	YES
<u>Comments on Question 1:</u> Where appropriate, the use of protocols to assist co-operation between responders is supported.		
2.	Table 1 and Annex A attempt to specify how co-operation and information sharing work under the Act, and what the reasonable expectations are that the partners will have of each other. <ul style="list-style-type: none"> Do you find the two tables helpful? 	YES

	<p><u>Comments on Question 2:</u></p> <p>Is helpful as part of the “toolkit” to provide Category 1 and 2 representatives involved in emergency and resilience planning with an overview / brief summary of co-operation and information sharing that should occur between Category 1 and 2 responders and also the LRF.</p> <p><u>Statutory and Non-Statutory Guidance</u></p>	
3.	<p>The guidance document distinguishes between “What the Act and the Regulations Require” and “How the Requirements of the Act and the Regulations May Be Carried Out”. The aim is to help responders distinguish between what is necessary to fulfil your legal requirements and what we think may be useful but remains discretionary.</p> <ul style="list-style-type: none"> • Are you content with the separation between the two categories of guidance? 	YES
	<p><u>Comments on Question 3:</u></p> <p>Many organisations / agencies will place a reliance on this distinction when reviewing roles, responsibilities and service delivery options.</p>	
<u>Managed Co-operation: Provision in Regulations</u>		
4.	<p>Under “managed co-operation”, the document provides detail on some of the provisions in the Regulations regarding the use of protocols, the lead responder principle and the joint discharge and delegation of functions</p> <ul style="list-style-type: none"> • Do you find the discussion of these regulatory provisions helpful? 	YES
	<p><u>Comments on Question 4:</u></p> <p>There are already a number of protocols in place between emergency responders within Cleveland, e.g. information sharing protocol, adverse weather protocol etc. These have proved useful in assisting Category 1 responders to work effectively together.</p> <p>Cleveland also has a joint Emergency Planning Unit comprising of emergency planners for the four unitary Local Authorities and the emergency services (Police, Fire and Ambulance) and this arrangement has created an ethos of mutual co-operation and information sharing.</p>	

<u>The Local Resilience Forum</u>		
5.	The guidance document devotes paragraphs 33 – 52 (including Table 2), 64 – 87 and 103 – 152 to discussion of the Local Resilience Forum (LRF). <ul style="list-style-type: none"> Do you find this discussion of the LRF helpful? 	YES
	<u>Comments on Question 5:</u> The discussion would be particularly useful to senior managers of responding agencies, emergency planners and other responders who are not directly involved in the function of the LRF.	
6.	Drawing on the Regulations, the guidance discusses ways to make representation at the LRF more effective. <ul style="list-style-type: none"> Are you content with the proposals on representation? 	YES
	<u>Comments on Question 6:</u> Cleveland EPU on behalf of the LRF has produced a handbook which provides details of LRF members and the functions of the LRF. It also contains the membership and terms of reference for all the LRF sub-groups (working groups), together with contact details. This document has been distributed to all Category 1 and 2 organisations/agencies and has greatly assisted to ensure all Category 1 and 2 responders understand their roles and responsibilities and how they link into resilience and emergency planning duties.	
7.	Some local responders believe the LRF would be more effective if it had legal powers to direct its members. Accordingly, they suggest that the Civil Contingencies Act 2004 should be amended to place LRFs on a statutory footing. The draft guidance assumes that the LRF will not be given these powers: <ul style="list-style-type: none"> Are you content that the draft guidance does not give the LRF legal powers to direct its members? 	YES
	<u>Comments on Question 7:</u> This topic has been the subject of numerous debates since the introduction of the CCA and there are varying opinions for and against the LRF being a statutory body. However, due to the diverse nature of the constitution, structure and working of LRF organisations/agencies (powers, responsibilities, makeup, etc), it would be extremely difficult and complex for them to mesh together in a legal union.	

<u>Co-operation Between Category 1 and Category 2 Responders</u>		
8.	<p>The role of Category 2 responders in local civil protection work is considered at various points in the document in relation to the forms of co-operation required under the Act, including risk assessment, plan preparation, exercising, information-sharing, warning and informing, business continuity and attendance at meetings, including the LRF. The main areas of this discussion are at paragraphs 53 – 63, 88 – 93 and 126 – 147, but there are other relevant paragraphs, including for example the tables mentioned in Question 2 above.</p> <ul style="list-style-type: none"> Do you find the discussion of co-operation in regard to Category 2 responders helpful? 	YES
	<p><u>Comments on Question 8:</u></p> <p>Category 2 responders are provided with minutes of the LRF meetings and are requested to provide reports/attendance where appropriate. An example of representation is the attendance of a CE Electric representative recently to provide details of the electricity transmission system and reasons for a significant power outage that occurred. However it is not easily to get all Category 2 Responders to actively engage in the LRF and resilience work, as many are commercial organisations / entities who do not always place this towards the top of their priorities and agenda.</p> <p>Notwithstanding this, active liaison does take place with Category 2 responders, primarily through the activities of the Cleveland Emergency Planning Unit. An example of this is that the EPU ensures that Category 2 responders and also responders outside the CCA framework, e.g. COMAH groups, local search and rescue groups, are invited to participate in multi-agency training days, of which four are run annually. Within this practice, they have also been requested to be a main contributor to the training event, for example, the utility companies when dealing with recovery.</p>	
9.	<p>Paragraphs 88 - 93 propose a new principle for managing the relationship between Category 1 and 2 responders: namely, "The Right Issue, at the Right Time, at the Right Level".</p> <ul style="list-style-type: none"> Are you content with the introduction of this new principle for managing the relationship between Category 1 and 2 responders? 	YES, with caveat below.
	<p><u>Comments on Question 9:</u></p> <p>It is considered that there is no requirement for Category 2 responders to attend all LRF meetings, providing they receive requests for agenda items and are in receipt of the final agenda, so they can determine themselves if the meeting warrants their attendance. They must also have the knowledge that they have the right to attend where there are matters of relevance to them. Importantly, it is incumbent upon the Chief Emergency Planning Officer as LRF Manager to request their attendance when considered appropriate and relevant. However, if all Category 2 responders attended all meetings, it could become unwieldy.</p>	

<u>The Resilience Chain: Local, Regional, National</u>					
10.	<p>Paragraph 64 contains a diagram showing how co-operation under the Act at the local level fits within the resilience chain in England and Wales. There is further discussion of the roles of organisations at regional and national levels at paragraphs 96 – 100 and 148 – 149.</p> <ul style="list-style-type: none"> Do you consider the presentation of local co-operation within the context of regional and national resilience work helpful? 				
	YES				
<u>Comments on Question 10:</u>					
<u>Other Local Responders</u>					
11.	<p>Two important local responders – the armed forces and voluntary sector – are not Category 1 or 2 responders under the Act but their role is discussed at paragraphs 9, 17, 36, 86 and 150 – 152.</p> <ul style="list-style-type: none"> Are you content with the discussion of the role of the armed forces and the voluntary sector? 				
	YES				
<u>Comments on Question 11:</u>					
<p>The regional military liaison officer and a representative of the voluntary sector (British Red Cross) have been members of the Cleveland LRF since its inception and are active contributors to the work of the LRF.</p> <p>Further, due to importance of the River Tees and the port to the resilience of the Cleveland area, the Harbour Master is a standing member of the LRF, a feature which typifies the ethos of co-operation across the area.</p>					
<u>Your additional comments</u>					
12.	Other comments on the draft guidance. (Please use a separate cell for each comment and note the paragraph number to which you are referring.)				
	<table border="1"> <thead> <tr> <th>Para</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Para	Comment		
Para	Comment				

CLEVELAND EMERGENCY PLANNING UNIT

Report to: Emergency Planning Joint Committee
Report from: Chief Emergency Planning Officer
Date: 26 March 2010
Subject: **REPORTED INCIDENTS / CLEVELAND COMMUNICATIONS STRATEGY**

1. Purpose of the Report

- 1.1 To inform Members of the Emergency Planning Joint Committee of the incidents reported, severe weather and flood risk warnings received and communications strategy faxes received and dealt with by the Cleveland Emergency Planning Unit. The report covers the period between 1st December 2009 and 28th February 2010.

2. Flood and Weather Warnings

- 2.1 During this period the Emergency Planning Unit received a total of 57 warnings from the Met Office relating to adverse weather conditions, many of these out of hours:
- 3 flash warnings of extreme rainfall
 - 15 flash warnings of heavy snow
 - 20 flash warnings of icy road conditions
 - 5 flash warnings of heavy snowfall and widespread icy road conditions
- 2.2 The Regional Met office Advisor for Cleveland also provided a more detailed summary of the weather, often on a daily basis through the worst periods of bad weather, and these were distributed to the Elected Members on the Emergency Planning Joint Committee, the four Chief Executives and senior officers within each of the local authorities.
- 2.3 There were fourteen flood related warning messages received, although all apart from one Flood Warning for Lustrem Beck in mid February, related to Flood Watch messages.
- 2.4 The Cleveland Emergency Planning Unit are recipients of messages from the Met Office in relation to their new Severe Weather Emergency Response Service. This service is available to emergency planners through a secure web based browser, password protected, on the Met Office website. The scheme is designed to give early and/or immediate warnings of extreme rainfall which has the potential to cause surface water flooding. This is flooding caused by the amount of rain water that falls in one area in a short

space of time and to which the drainage systems cannot cope and thus flooding occurs. It may also occur due to rivers and streams already being full due to persistent rain. The Duty Emergency Planning Officer receives this information from the Met Office both by fax and text message.

- 2.5 This scheme is in addition to the traditional Flood Warnings issued by the Environment Agency. However these flood warnings only warn of flooding that is caused from rivers, streams and becks overflowing and the sea overtopping.

3. Communications Strategy

- 3.1 During the period the Emergency Planning Unit received and dealt with 31 'blue' faxes which had been issued by the Operators or Agencies involved with the strategy. They range from information about:

- Unexpected alarms sounding which can be heard off site
- Excessive flaring
- Small releases of chemicals.
- Unexpected fumes / smoke from chimneys / plants

- 3.2 Of these 31 faxes, many were received and dealt with by the Duty Emergency Planning Officer outside normal office hours.

- 3.3 All were blue faxes which are for information only but where appropriate, the local authorities were advised and therefore able to 'field' questions from either the media or the public.

- 3.4 There were no red faxes issued.

4. Incidents of Note (1ST December 2009 to 28th February 2010)

- 4.1 In the past three months there have been 8 incidents of note in which the Emergency Planning Unit became involved and on some occasions saw the deployment of staff to the scene or Incident Command Rooms to represent the Local Authorities.

- 4.2 The table at appendix 'A' gives brief details of these incidents.

- 4.3 The table of incidents takes no account of the involvement that the EPU had in respect of dealing with requests for information from central government via the Regional Resilience Team in respect of snow, road conditions and stock levels of salt. The need for information increased greatly once the Government opened the "Salt Cell".

- 4.4 A number of other incidents of a minor nature were also reported to Cleveland Emergency Planning Unit, some of which were dealt with by the Duty Officer 'out of hours'.

5. Recommendation

5.1 That Members note the report

Report Author: Denis Hampson
Chief Emergency Planning Officer

Report dated: 14 March 2010

Appendix 'A'

Incidents 1 December 2009 to 28 February 2010

Date	Location	Type of Incident (i)	Type of Incident (ii)	Brief Description
3 rd December 2009	Acklam Road, Middlesbrough	Burst Water Main	Health & Safety / Flooding Concerns	Burst water main causing issues for residents and motorists.
21 st January 2010	North Tees / River Tees	Chemical Spillage	Pollution	Half tonne of Benzene spilt during ship loading, resulting in chemical being deposited on jetty and in river. Marine Pollution plan invoked and release contained / recovered.
26 th January 2010	River Tees / Corus land	Chemical Spillage	Pollution	Leak of heavy duty oil from outflow pipe. Marine Pollution plan invoked and spillage cleaned up.
26 th January 2010	Nunthorpe	Burst Water Main	Road Closures / Flooding	Large water main burst near Nunthorpe School resulting in road closures and nearby homes flooded. Command Road opened at Police Headquarters.
27 th January 2010	Corus	Chemical Spillage	Pollution	Spillage of benzolene. Contained on site. No injuries
31 st January 2010	Coast Road, Redcar	Burst Sewage Pipe	Pollution	Burst sewage pipe in residential area. Northumbrian Water called out and dealt with incident. Advice given to residents.

5 th February 2010	Seal Sands	Chemical Release	Injury to Worker	Industrial accident on chemical site involving Ethylene Diamane. One worker received burns and treated in hospital (not life threatening)
5th February 2010	Graythorpe	Fire on 'Ghost Ship'	Fire / Media Attraction	Fire on ex-French aircraft carrier – Le Clemeneau. Minor risk but attractive media attention.

CLEVELAND EMERGENCY PLANNING JOINT COMMITTEE

Report to: Cleveland Emergency Planning Joint Committee

Report from: Chief Financial Officer

Date: 26 March 2010

Subject: **AUDITORS' REPORT FROM BDO STOY HAYWARD - 2008/09 ANNUAL RETURN**

1. PURPOSE

1.1 The purposes of the report are: -

- i) To enable Members to approve the Annual Return now that the audit opinion has been given; and
- ii) To present the Issues Arising Report from the appointed auditors and to enable Members to approve the proposed action plan.

2. BACKGROUND

2.1 The Audit Commission notified Hartlepool Borough Council that smaller relevant bodies in England must complete an annual return summarising their annual activities at the completion of each financial year. Smaller relevant bodies are those defined in the Accounts and Audit Regulations 2003. This committee, as a joint committee of more than 1 authority, falls within the definition of a smaller relevant body and therefore was required to complete a return. The Audit Commission named BDO Stoy Hayward as the appointed auditors' for this year.

2.2 The return covered: -

- A summary statement of accounts
- An annual governance statement
- An annual internal audit report

This was completed, signed and approved by Members on 17th July 2009 and sent to BDO Stoy Hayward for completion of the annual audit.

3. ANNUAL RETURN

3.1 BDO Stoy Hayward has now completed the Audit of the 2008/2009 Annual Return and their recommendations are detailed in their Issues Arising

Report. A copy of the Annual Return is contained at Appendix A and the Issues Arising Report is detailed at Appendix B.

4. **AUDIT REPORT**

4.1 A number of issues are raised in the audit report and an action plan has been produced to address these to ensure compliance. The issues are: -

i) Accounts not approved by 30 June 2009.

- Owing to the dates of the meetings during 2009/10 and the time required to prepare the accounts, it was not possible for Members to approve the completed Audit Return before 30 June 2009. The meeting dates for 2010/11 will be amended to ensure that a meeting is scheduled to comply with this date.

ii) Publication Scheme for Freedom of Information Act 2000.

- Currently the Publication Scheme for Freedom of Information Act 2000 has not been formally adopted by the committee as the scheme published by Hartlepool Borough Council is used. Section 20 of the Freedom of Information Act 2000 requires that every public authority adopts the model scheme issued by the Information Commissioner's Office. A report is to be presented to Members at a future meeting which details the model scheme for adoption.

iii) Review of effectiveness of internal audit.

- An Internal Audit report on the Emergency Planning unit was issued on 30th October 2008 which the Audit Commission have identified that some areas were not fully addressed. To address this, a separate report is included elsewhere on this agenda.

iv) Budget Monitoring.

- Although the spending and receipt of public money was monitored during the year, no evidence of this was presented to Members for consideration. A report will be presented to Members on a quarterly basis detailing the income and expenditure for information. The first report has been included on this agenda.

v) Minutes.

- Minutes of each meeting recording the decisions of the committee are produced but these are required to be consecutively numbered and initialled by the person signing the minutes in accordance with schedule 12, paragraph 41(2) of the Local Government Act 1972. This will be undertaken with immediate effect.

vi) External auditors' report not minuted.

- It is a requirement of the Audit Commission Act 1998, para 11, that all reports and/or recommendations made by the auditors are considered by the committee. The auditors' report for 2008/09 is detailed at Appendix B.

Full details of these issues are in the Issues Arising Report detailed at Appendix B and the action plan is detailed at Appendix C.

5. **RECOMMENDATION**

5.1 It is recommended that Members: -

- i) Note the report.
- ii) Approve the 2008/09 Annual Return detailed at Appendix A, which incorporates the audit opinion of the external auditor.
- iii) Note the Issues Arising Report detailed at Appendix B.
- iv) Instruct the Chief Financial Officer to implement the actions detailed in Appendix C of this report.

Small bodies in England

Annual return for the year ended

31 March 2009

Small relevant bodies in England with an annual turnover of £1 million or less must complete an annual return summarising their annual activities at the end of each financial year.

The annual return on the following pages is made up of four sections:

- **Sections 1 and 2** are to be completed by the person nominated by the body.
- **Section 3** will be completed by the external auditor.
- **Section 4** is to be completed by the body's internal audit provider.

The body must ensure this annual return is approved no later than 30 June 2009.

Please complete all sections highlighted in red. Do **not** leave any red box blank. Incomplete or incorrect returns may require additional external audit work and incur additional costs.

Please send the annual return, together with any additional information requested, to your appointed external auditor.

If required, your auditor will identify and ask for any documents needed for audit. Unless requested, please do **not** send any original financial records to the external auditor.

Audited and certified annual returns will be returned to the body for publication or public display of sections 1,2 and 3.

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

It should not be necessary for bodies to contact the external auditor or the Audit Commission directly for guidance.

More guidance on completing this annual return is available in the Practitioners' Guides for either local councils or internal drainage boards. These publications may be downloaded from the National Association of Local Councils (NALC) or Society of Local Council Clerks (SLCC) websites (www.nalc.gov.uk or www.slcc.co.uk) or from the members area of the Association of Drainage Authorities website (www.ada.org.uk).

Section 1 – Statement of accounts for:

CLEVELAND EMERGENCY JOINT PLANNING COMMITTEE

In completing the boxes below please explain any significant variances on a separate sheet and send this to the external auditor together with a copy of your bank reconciliation as at 31 March 2009.

	Year ending		Notes and guidance
	31 March 2008 £	31 March 2009 £	
1 Balances brought forward	91,990	176,244	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from taxation and/or levy	0	0	Total amount of tax and/or levy received in the year including funding from a sponsoring body.
3 (+) Total other receipts	605,274	522,593	Total receipts or income as recorded in the cashbook less income from taxation and/or levy (line 2). Include any grants received here. <i>Charge relates to one-off grant funding recorded in 2007/08</i>
4 (-) Staff costs	393,669	394,515	Total expenditure or payments made to and on behalf of all body employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) Total other payments	127,351	127,605	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	176,244	176,717	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	0	0	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation. <i>(No separate Bank a/c held)</i>
9 Total fixed assets and long term assets	0	0	The recorded book value at 31 March of all fixed assets owned by the body and any other long term assets e.g. loans to third parties and any long-term investments.
10 Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

I certify that the statement of accounts contained in this annual return presents fairly the financial position of the body and its income and expenditure, or properly presents receipts and payments, as the case may be, for the year ended 31 March 2009.

Signed by Responsible Financial Officer:

e Little

Date 17/07/2009

I confirm that these accounts were approved by the body and recorded as minute reference: 10

MINUTE REFERENCE

Date 17/07/2009

Signed by Chair of meeting approving this statement of accounts:

PJ Caplan

Date 17/07/2009

Section 2 – Annual governance statement

We acknowledge as the members of CLEVELAND EMERGENCY JOINT PLANNING COMMITTEE our responsibility for ensuring that there is a sound system of internal control, including the preparation of the statement of accounts. We confirm, to the best of our knowledge and belief, with respect to the body's statement of accounts for the year ended 31 March 2009, that:

	Agreed – Yes or No*	'Yes' means that the body:
1 we have approved the statement of accounts which has been prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	YES	prepared its statement of accounts in the way prescribed by law.
2 we have maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	YES	made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 we have taken all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice which could have a significant financial effect on the ability of the body to conduct its business or on its finances.	YES	has only done things that it has the legal power to do and has conformed to codes of practice and standards in the way it has done so.
4 we have provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	YES	during the year has given all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 we have carried out an assessment of the risks facing the body and taken appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	YES	considered the financial and other risks it faces and has dealt with them properly.
6 we have maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems and carried out a review of its effectiveness.	YES	arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether these meet the needs of the body and reviewed the impact of this work.
7 we have taken appropriate action on all matters raised in reports from internal and external audit.	YES	responded to matters brought to its attention by internal and external audit.
8 we have considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the body and where appropriate have included them in the statement of accounts.	YES	disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference **10**

MINUTE 10 REFERENCE dated 17/07/2009

Signed on behalf of CLEVELAND EMERGENCY JOINT PLANNING COMMITTEE

Signed by: Chair [Signature] Date 17/07/2009

Signed by: Clerk [Signature] Date 17/07/09

***Note:** Please provide explanations to the external auditor on a **separate sheet** for each 'No' response that has been given; and describe what action is being taken to address the weaknesses identified.

Section 3 – External auditor’s certificate and opinion

Certificate

We certify that we have completed the audit of the annual return for the year ended 31 March 2009 of

CLEVELAND EMERGENCY PLANNING JOINT COMMITTEE

Respective responsibilities of the body and the auditor

The body is responsible for the preparation of the accounts in accordance with the requirements of the Accounts and Audit Regulations and for the preparation of an annual return which:

- summarises the body’s accounting records for the year ended 31 March 2009; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

Our responsibility is to conduct an audit in accordance with guidance issued by the Audit Commission and, on the basis of our review of the annual return and supporting information, to report whether any matters that come to our attention give cause for concern that relevant legislation and regulatory requirements have not been met.

External auditor’s report

(Except for the matters reported below)* on the basis of our review, in our opinion the information contained in the annual return is in accordance with the Audit Commission’s requirements and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (~~delete as appropriate~~).

The Body failed to approve their accounts by the statutory deadline of the 30th June as quoted in the Accounts and Audit (Amended)(England) Regulations 2006.

The body did not adopt the latest model publication scheme as issued by the Information Commissioner’s Office in accordance with the Freedom of Information Act 2000 Section 20.

The body failed to undertake an adequate review of the effectiveness of internal audit. This is contrary to Regulation 6(3) of the Accounts and Audit (Amendment) (England) Regulations 2006.

(continue

BDO LLP Southampton
United Kingdom

Other matters not affecting our opinion which we draw to the attention of the body:

Please see enclosed report

(continue on a separate sheet if required)

BDO LLP Southampton
United Kingdom

External auditor’s signature BDO LLP

External auditor’s name **BDO LLP Southampton
United Kingdom**

Date 22/12/09

Note: The auditor signing this page has been appointed by the Audit Commission and is reporting to you that they have carried out and completed all the work that is required of them by law. For further information please refer to the Audit Commission’s publication entitled *Statement of Responsibilities of Auditors and of Audited Small Bodies*.

Section 4 – Annual internal audit report to

CLEVELAND EMERGENCY JOINT PLANNING COMMITTEE

The body's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2009.

Internal audit has been carried out in accordance with the body's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and, opposite, are the internal audit conclusions on whether, in all significant respects, the following control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the body.

Internal control objective	Agreed? Please choose from one of the following Yes/No*/Not covered**
A Appropriate books of account have been properly kept throughout the year.	YES
B The body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT was appropriately accounted for.	YES
C The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	YES
D The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	YES
E Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	YES
F Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.	YES
G Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.	YES
H Asset and investments registers were complete and accurate and properly maintained.	YES
I Periodic and year-end bank account reconciliations were properly carried out.	YES
J Year-end accounts were prepared on the correct accounting basis (receipts and payments/income and expenditure), agreed with cash book, were supported by an adequate audit trail from underlying records, and, where appropriate debtors and creditors were properly recorded.	YES

For any other risk areas identified by the body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

Name of person who carried out the internal audit: NOEL ADAMSON

Signature of person who carried out the internal audit: [Signature] Date: 20/07/2009

***Note:** If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

****Note:** If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

Guidance notes on completing the 2009 annual return

- 1 Please make sure that your annual return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are approved by the body, properly initialled and an explanation for them is provided to the auditor. Annual returns containing unapproved and/or unexplained amendments will be returned unaudited and may incur additional costs.
- 2 Use the checklist provided below. Use a second pair of eyes, perhaps a member or the Chair, to review your annual return for completeness before sending it off to the auditor.
- 3 Please do not send the auditor any information that you are not specifically asked for. Doing so is not helpful.
- 4 Make sure that the copy of the bank reconciliation which you send to your auditor with the annual return covers **all** your bank accounts. If your body holds any short-term investments, please note their value on the bank reconciliation. The auditor should be able to agree your bank reconciliation to Box 8 on the Statement of Accounts. **You must provide an explanation for any difference between Box 7 and Box 8.** More help on bank reconciliations is available in the *Practitioners' Guide**.
- 5 Please **explain fully** significant variances in the statement of accounts. Do not just send in a copy of your detailed financial statements instead of this explanation. The auditor wants to know that **you** understand the reasons for the change. Please include a complete analysis to support your explanation. There are a number of examples provided in the *Practitioners' Guide** to assist you.
- 6 If the auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which the auditor will make a charge.
- 7 Please make sure that your statement of accounts adds up! Also please ensure that the balance carried forward from the previous year (Box 7 of 2008) equals the balance brought forward in the current year (Box 1 of 2009).
- 8 **Do not complete section 3.** This section is reserved for the external auditor who will complete it at the conclusion of their audit.
- 9 Use the *Practitioners' Guide** for guidance. This publication is regularly updated and contains everything you should need to prepare successfully for your financial year-end and the subsequent audit. Both NALC and SLCC have helplines open should you wish to talk through any problem you may encounter.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxes have been completed?	✓
	All information requested by the external auditor has been sent with this annual return? Please refer to your notice of audit.	✓
Section 1	Approval by the body confirmed by signature of Chair of meeting approving accounts?	✓
	An explanation of significant variations from last year to this year is provided?	✓
	Bank reconciliation as at 31 March 2009 agreed to Box 8?	N/A
	An explanation of any difference between Box 7 and Box 8 is provided?	No separate Bank a/c
Section 2	For any statement to which the response is 'no', an explanation is provided?	N/A
Section 4	All red boxes completed by internal audit and explanations provided?	✓

***Note:** *Governance and Accountability for Local Councils in England – A Practitioners' Guide 2008 edition*, is available from NALC and SLCC representatives or *Governance and Accountability for Internal Drainage Boards in England – A Practitioners' Guide*, is available from the ADA at The Association of Drainage Authorities, 12 Cranes Drive, Surbiton, Surrey, KT5 8AL.

**Issues Arising Report
for Cleveland Emergency Planning Joint
Committee
Audit for the year ended
31 March 2009**



Introduction

The following matters have been raised to draw items to the attention of Cleveland Emergency Planning Joint Committee. These matters came to the attention of BDO LLP during the audit of the annual return for the year ended 31 March 2009.

The audit of the annual return may not disclose all shortcomings of the systems as some matters may not have come to the attention of the auditor. For this reason, the matters raised may not be the only ones that exist.

The matters listed below are explained in further detail on the page(s) that follow;

- Accounts not approved by 30 June 2009
- Publication Scheme for Freedom of Information Act 2000
- Review of effectiveness of internal audit
- Budget Monitoring
- Minutes
- External auditors' report not minuted

The following issues have resulted in the annual return being qualified. They indicate a weakness in the body's procedures and they require the body to take immediate action.

Accounts not approved by 30 June 2009

What is the issue?

The body failed to approve Section 1 of the Annual Return ("the accounts") by the statutory deadline of the 30 June 2009.

A meeting was held within 20 working days after the statutory deadline to consider the approval of the accounts and the accounts were approved at that meeting.

Why has this issue been raised?

This is a breach of regulation 10, paragraph 4a of the Accounts and Audit (Amendment) (England) Regulations 2006 which states that the accounts shall be approved "as soon as reasonably practicable and in any event before 30 June immediately following the end of a year."

What do we recommend you do?

The body must ensure in future years that the accounts are approved, and signed as approved, by the 30 June immediately following the end of the year.

Further guidance on this matter can be obtained from the following source(s):

Accounts and Audit (Amendment) (England) Regulations 2006 - Office of Public Sector Information website, (www.opsi.gov.uk/si/si2006/uksi_20060564_en.pdf)
Local Council Briefing, Spring 2009 - BDOSH

Publication Scheme for Freedom of Information Act 2000

What is the issue?

The body have not adopted the model publication scheme in accordance with the Freedom of Information Act 2000. Instead they have relied on the scheme published by their host authority.

Why has this issue been raised?

It is a requirement of Section 20 of the Freedom of Information Act 2000 for every public authority to adopt the model scheme issued by the Information Commissioner's Office or where amendments are made by the body to the model scheme, approval must be sought from the Information Commissioner.

The new model publication scheme came into effect on 1 January 2009

What do we recommend you do?

The body must adopt the Model Publication Scheme as soon as possible and in any event before the end of the current financial year. The body should contact the Information

Commissioner's Office who will be able to provide them with the Model Publication Scheme.

Further guidance on this matter can be obtained from the following source(s):

www.ico.gov.uk/Home/what_we_cover/freedom_of_information/publication_schemes/publication_schemes_eng.aspx

Review of effectiveness of internal audit

What is the issue?

When performing their review of the effectiveness of the internal audit, the body have not addressed some/or all of the following areas:

- Scope of the internal audit
- Independence
- Competence
- Relationships
- Audit planning and reporting

Why has this issue been raised?

The body have not followed the proper practices when undertaking the review of the effectiveness of the internal audit and the body is at risk of not complying fully with the Accounts and Audit (Amendment) (England) Regulations 2006, regulation 6(3).

What do we recommend you do?

The body should ensure a more robust review of the effectiveness of the internal audit is undertaken annually before the end of the financial year. This review is recommended to be undertaken when reviewing the risk assessment.

Examples of how to undertake the review can be found on our Local Council extranet. If you do not have access to the internet please contact us and a copy can be issued by post.

Further guidance on this matter can be obtained from the following source(s):

Accounts and Audit (Amendment) (England) Regulations 2006
Office of Public Sector Information website,
(www.opsi.gov.uk/si/si2006/uksi_20060564_en.pdf)
Local Council Briefing spring 2009 - BDOSH
BDO Extranet - www.bdo.co.uk/BDOSH/councils

The following issues have been raised to assist the body. The body is recommended to take action on the following issues to ensure that the body acts within its statutory and regulatory framework.

Budget Monitoring

What is the issue?

The body did not minute, as evidence, a review of the budget against actual income or expenditure at a meeting during the financial year.

Why has this issue been raised?

Although the spending and receipt of public money was monitored, the body were exposed to criticism due to the lack of evidence of budget monitoring.

What do we recommend you do?

The body must regularly review, and ensure this review, of the actual income and expenditure against the budgeted income and expenditure is minuted. The body should monitor the budget at least quarterly or more frequently if required.

This is an essential internal control and a key aspect of the financial management of the body. Minutes must clearly record the decisions of the body as they are the lawful record of the events of the body's meetings. The amount of budget monitoring undertaken during the year will depend upon the size of the body and the complexity of its finances.

Further guidance on this matter can be obtained from the following source(s):

Governance and Accountability in Local Councils in England and Wales - A Practitioners Guide, NALC/OVW/SLCC

Minutes

What is the issue?

The body produced printed minutes, which were submitted for audit purposes. The pages were not consecutively numbered or initialled by the person signing the minutes.

Why has this issue been raised?

This body submitted minutes for audit purposes which were not maintained in accordance with schedule 12, paragraph 41(2) of the Local Government Act 1972.

What do we recommend you do?

The body should ensure with immediate effect that if a loose leaf minute books is maintained the loose leaf pages are consecutively numbered and initialled by the person signing the minutes.

Minutes must be maintained in accordance with the Local Government Act 1972. Loose leaf

minute books are lawful but the loose leaf pages must be consecutively numbered and each page must be initialled by the person signing the minutes.

Further guidance on this matter can be obtained from the following source(s):

Local Council Administration, 7th Edition, Charles Arnold-Baker, Chapter 7

External auditors' report not minuted

What is the issue?

The external auditors' report for the year to 31 March 2008 has not been minuted as considered by the body.

Why has this issue been raised?

The body are not acting in accordance with the Audit Commission Act 1998. It is a requirement of the Audit Commission Act 1998, para 11, that all reports and/or recommendations made by the auditors are considered by the body.

What do we recommend you do?

The body must ensure that all subsequent audit reports are reported to the body and minuted as received. If recommendations are made, an action plan should be drawn up to ensure that the recommendations are carried out. If no recommendations are made this fact should be reflected in the minutes.

Further guidance on this matter can be obtained from the following source(s):

Audit Commission Act 1998 - Office of Public Sector Information website,
(www.opsi.gov.uk/acts/acts1998/ukpga_19980018_en_1)

Local Council Administration, 7th Edition, Charles Arnold-Baker, Chapter 18.15 to 18.18

No other matters came to our attention.

For and on behalf of
BDO LLP

Date: 22 December 2009

Action Plan**Appendix C**

Recommendation	Responsibility	Agreed	Comments
The body must ensure in future years that the accounts are approved, and signed as approved, by the 30th June immediately following the end of the year.	Chief Financial Officer	Yes	A meeting will be scheduled to comply with this date.
The body must adopt the Model Publication Scheme for FOI as soon as possible and in any event before the end of the current financial year. Section 20 of the Freedom of Information Act 2000 requires that every public authority adopts the model scheme issued by the Information Commissioner's Office.	Chief Emergency Planning Officer	Yes	A report is to be presented to Members at a future meeting which details the model scheme for adoption.
The body should ensure a more robust review of the effectiveness of the internal audit is undertaken annually before the end of the financial year.	Chief Financial Officer	Yes	A separate report is included elsewhere on this agenda that addresses this issue.
The body must regularly review actual income and expenditure against the budgeted income and expenditure. This should be done at least quarterly.	Chief Financial Officer	Yes	The first report detailing the income and expenditure has been included on this agenda.
The body should ensure with immediate effect that if a loose leaf minute book is maintained the loose leaf pages are consecutively numbered and initialled by the person signing the minutes in accordance with schedule 12, paragraph 41(2) of the Local Government Act 1972.	Democratic Services	Yes	Minutes of each meeting will be consecutively numbered and initialled by the person signing the minutes with immediate effect.
The body must ensure that all subsequent audit reports are reported to the body and minuted as received. If recommendations are made, an action plan should be drawn up to ensure that the recommendations are carried out.	Chief Financial Officer	Yes	The auditors' report for 2008/09 is detailed at Appendix B.

Appendix C

CLEVELAND EMERGENCY PLANNING JOINT COMMITTEE

Report to: Cleveland Emergency Planning Joint Committee

Report from: Chief Financial Officer

Date: 26 March 2010

Subject: **REVIEW OF THE EFFECTIVENESS OF THE SYSTEM OF INTERNAL AUDIT**

1. PURPOSE

1.1 To inform Members of the outcome of the review of the effectiveness of the system of Internal Audit including a review of risk, in compliance with the Accounts and Audit Regulations (England) 2003 as amended 2006.

2. BACKGROUND

2.1 Regulation 6 of the 2003 Regulations was amended in 2006 to require relevant bodies to conduct an annual review of the effectiveness of its system of internal audit and for a committee of the body to consider the findings.

3. RESULT OF REVIEW

3.1 In order to carry out the review I undertook the following tasks:

- Held regular monitoring and review meetings with senior officers, including monitoring and reviewing risk,
- Monitored the provision of the Internal Audit service provided by HBC.

3.2 From the tasks undertaken as described above I am satisfied that the system of internal audit including assessed risks, as defined by the CIPFA Audit Panel in respect of the requirements of the Accounts and Audit Regulations 2003 (amended 2006), is operating effectively.

4. RECOMMENDATIONS

4.1 That Members note the contents of the report.

CLEVELAND EMERGENCY PLANNING JOINT COMMITTEE

Report to: Cleveland Emergency Planning Joint Committee

Report from: Chief Financial Officer

Date: 26 March 2010

Subject: **REVENUE FINANCIAL MONITORING REPORT TO END DECEMBER 2009**

1. PURPOSE

- 1.1 To provide details of progress against the Joint Committee's overall revenue budget for 2009/2010

2. BACKGROUND

- 2.1 The report provides an overall picture of performance and progress of the Emergency Planning Unit (EPU) against the approved 2009/2010 revenue budget.
- 2.2 The Committee provides political accountability for the Joint EPU and oversees the EPU from a political viewpoint. The Committee itself does not have a budget but oversees that the Chief Emergency Planning Officer receives the funding from the 4 local authorities within the Tees Valley to enable the EPU to provide a joint service to them and that on behalf of the EPU he spends the money wisely and within budget.

3. FINANCIAL POSITION

- 3.1 The latest position is summarised below:

Actual Position 31/12/09					
Approved Budget £	Description of Expenditure	Expected Budget £	Actual Expenditure/ (Income) £	Variance to Date Adverse/ (Favourable) £	Projected Outturn Variance Adverse/ (Favourable) £
0	Emergency Planning	(140,079)	(178,637)	38,558	(14,127)
0	Local Resilience Forum (LRF)	0	8,800	(8,800)	0
8,646	Emergency Planning - Civic Centre	9,576	1,691	7,885	(5,297)
0	Emergency Planning - Beacon Status	0	31,237	(31,237)	0
8,646	Total	(130,503)	(136,909)	6,406	(19,424)

3.2 If the variance at year end is favourable, this amount will be transferred to the Reserve Account.

3.3 There are no major items to draw to Member's attention.

4. RECOMMENDATIONS

4.1 That Members note the contents of the report.