NORTH YORKSHIRE COUNTY COUNCIL

AUDIT COMMITTEE

24 October 2022

BUSINESS CONTINUITY – ANNUAL REPORT

1   Purpose of Report
1.1   To provide an overview of the current business continuity (BC) arrangements for North Yorkshire County Council.

2   Background

2.1   During an emergency or incident North Yorkshire County Council is still required to deliver its critical services.   Heavy snow, power outage or cyber attacks are a few examples on how services could be affected and Service Areas need to maintain plans to ensure they can continue to operate the most essential aspects, even if they lose essential resources.   This could be social care being able to reach isolated communities, highways winter maintenance operating with reduced fleet or the Customer Resolution Centre maintaining services with a loss of computer systems.

2.2   The Civil Contingencies Act 2004 places a statutory duty on Local Authorities as a Category 1 responder to maintain plans to ensure that they can continue to exercise their functions in the event of an emergency so far as is reasonably practicable. The duty relates to all functions, not just their emergency response functions:

- Emergency management/civil protection: Functions that underpin the Category 1 responder's capability to respond to the emergency itself, and take effective action to reduce, control or mitigate the effects of the emergency.
- Impact on human welfare, the environment and security: The significance of services to the effective functioning of the community in the event of an emergency, or an adverse effect on the environment.
- Legal implications: Statutory requirements on Category 1 responders and the threat of litigation if a service is not delivered, or is delivered inadequately.
- Financial implications: Loss of revenue and payment of compensation.
- Reputation: Functions that impact on the credibility and public perception of a Category 1 responder.

2.3   The NYCC Resilience & Emergencies Team (RET) is tasked with ensuring that all NYCC directorates and service areas have robust arrangements in place to ensure they are able to deal with a variety of impacts capable of disrupting their provision of service to the communities of North Yorkshire.

2.4   The business continuity arrangements have evolved to ensure that directorates have plans in place to mitigate and manage disruptive incidents such as a loss of staff, buildings, equipment or disruption to information technology or supply chains. Service Units create an operational plan to manage the loss of these resource procedures.

2.5   The NYCC Resilience and Emergencies Team continue to consider internal audit reviews and work with NYCC BC Champions via the Corporate Risk Management Group (CRMG) to maintain a dialogue with each service area, improving engagement and transparency and ensuring a consistent corporate process for business continuity across North Yorkshire County Council while keeping bureaucracy to a minimum.

2.6   Local Government Reorganisation creates a number of business continuity opportunities and risks but the new authority should find itself in a strong position with its Business Continuity process.   Service Level Agreements have existing between the NYCC Resilience and Emergencies Team and six of the District and Borough Councils since 2004 (Scarborough Borough Council 2009). Although Harrogate Borough Council maintain their own business continuity arrangements a fundamental consistency in approach between the majority of services should allow for manageable transition.

3.   NYCC Business Continuity process

3.1   Corporate Business Continuity and disruption to NYCC services continue to be addressed through an embedded assessment considering loss of staff, equipment, technology, buildings and key suppliers. These impacts are risk assessment and mitigation measures documented in service area BC plans.

3.2   The NYCC Business Continuity plans consist of two key documents for all service provision;

        Business Impact Analysis (BIA) - The Business Impact Analysis looks at priority business functions and quantifies the impact a loss of those functions may have.

        Incident Management Plan (IMP) - The Incident Management Plan helps a service area plan a process to respond to and work around a range of possible impacts on their provision of priority services during any incident.

3.3   The NYCC corporate Business Continuity share-point site is the central portal for all relevant service-area and directorate documentation and is monitored and overseen by a Senior Resilience & Emergencies Officer from the Resilience and Emergencies Team, ensuring compliance and currency.

3.4   The share-point site is easily accessible and regularly updated providing service area practitioners and management, with up to date information, allowing informed business continuity decisions to be made. This also provides a framework for assurance during any disruption of service, information for the Corporate Risk Management Group and a mitigation pathway for loss of priority services.

3.5   The NYCC Corporate Business Continuity Policy states that each directorate is required to work with their allocated RET officer to assess their BC planning and their most likely risks. RET continue to facilitate BC exercises with all directorates to raise awareness and train relevant staff. This ensures that staff are regularly provided with realistic and current scenarios and what to expect during any relevant incident.

3.6   Policy adherence is overseen by named RET officers, designated with the task of reviewing service area BC arrangements. A reporting regime is in place and every directorate now has a designated Assistant Director or Head of Service who fulfills the role of BC champion. This champion oversees their business continuity arrangements, to take ownership of the process and to represent their directorate at the Corporate Risk Management Group (CRMG).

3.7   The Corporate Director (Strategic Resources) continues to have overall responsibility for Business Continuity within NYCC, with the function co-ordinated and facilitated by the designated officers from the Resilience and Emergencies Team. The Corporate Risk Management Group oversee the BC process. The executive portfolio for resilience, emergency planning and business continuity continues to sit with Leader of the Council, Cllr. Carl Les.

3.8   The CRMG have strategic oversight for business continuity and BC Champions work closely with relevant directors to ensure satisfaction with information and process to provide annual statements of assurance. Directorates report a BC RAG (Red, Amber, Green) status update to the CRMG every quarter.

3.9   A Corporate NYCC Business Continuity Plan is in place, ratified by NYCC Management Board and continues to ensure a consistent and co-ordinated response across the organisation during any disruptive incidents.

3.10   The provision of a structured BC framework across NYCC directorates, including links with the multi-agency Response to Major and Critical Incidents (RMCI) plan has enhanced management of information and supported a communication strategy that informs senior management across the organisation enabling them to identify priorities in the restoration of priority services.

4   **BCP 2022 Update report**

4.1   **NYCC - since the last Audit Report**

4.1.1   Since the last report in October 2021 NYCC has been continuing to develop its learning from the global pandemic. The lack of access to buildings and equipment, the loss of staff due to isolation and the restrictions of moving around the County has all led to services area rethinking the resources required to deliver their most critical activities. The improvements of IT systems and applications, such as Office 365 and Teams, have created new ways of working to support business continuity arrangements. Recently the council has also had

to consider the impacts from the disruption to fuel supplies.

4.1.3 NYCC have worked collaboratively with a wide spectrum of multi-agency partners through the Local Resilience Forum (LRF) to ensure any interdependencies in service delivery or risks to critical services were co-ordinated and supported where required.

4.1.4 A number of single and multi-agency debriefs have occurred which assist in organisational learning from incidents. Lessons identified have been captured by a robust de-brief process and recommendations embedded for future practice.

4.2 Local Government Review (LGR) - since the last Audit Report

4.2.1 A workstream has been created to oversee LGR for Regulatory Services and Planning work. Matt Robinson (NYCC Head of Resilience and Emergencies) was appointed as subject matter lead for Emergency Planning and Business Continuity as part of this particular workstream.

4.2.2 A number of sub groups were established to co-ordinate the transition period these included:
- District / Borough
- County Council
- Local Resilience Forum

4.2.3 A five phase timeline has been created to assist in effectively delivering a safe and legal business continuity management system for the new Council:

Phase 1 Jan 2022 / April 2022 -	Understand and agree risks
Phase 2 May 2022 / August 2022 -	Plan
Phase 3 September 2022 / December 2022 -	Finalise
Phase 4 January 2023 / April 2023 -	Embed
Phase 5 April 2023 –	Review and identify lessons

4.2.4 Risks identified by the sub groups have, and continue to be, raised within the various LGR work steams.

4.2.5 A new North Yorkshire Council BCP Policy and Programme, as well as Strategic and Tactical Plans, are being created to ensure a consistent and coordinated approach can be achieved. These will be signed off by the newly appointed Chief Executive prior to December 2022.

4.2.6 The existing operational documents will be maintained and constantly reviewed to ensure resilience.

4.3 Priorities for the next 12 months.

4.3.1 As we move into the winter period the seasonal impacts may continue to stress test the councils business continuity processes. As a Council we need to be mindful of these pressures especially on the run up to vesting day, the creation of North Yorkshire Council and into the transformation period.

4.3.2 Work force challenges are likely to remain taxing on services, the disruption in the fuel supply also reminds us that many front line services still require to travel around the County. There continues to be heighten awareness of the enhanced risk of a cyber attack and the Councils approach to hybrid working means that access to contingency equipment can sometimes be limited. Corporate awareness of these risks and good continuity planning will ensure a strong process for prioritization of resources and delivery of critical services.

4.3.3 The Resilience and Emergencies Team will continue to anticipate and co-ordinate the business continuity process for North Yorkshire County Council.

This will include:
- Assurance processes
- Peer review of documents
- Engagement
- Exercises

4.3.2 LGR planning will continue to ensure that there is an operational, tactical and strategic understanding on how the Business Continuity Management System will operate under the new corporate structures. This will include a number of exercises and engagement sessions for newly appointed senior managers.

4.3.3 A command structure will be established and operated in and around the vesting day period to allow for issues to be escalated and co-ordinated.

4.3.4 Following 1st April 2023 the new Business Continuity Management System will continue to be embedded within North Yorkshire Council.

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5   Recommendations

5.1   Audit Committee to note the recent challenging incidents that have been managed by the NYCC Directorates, overseen by the Business Continuity Champions and fully supported by the Resilience & Emergencies Team and the continued efforts of all service areas at North Yorkshire County Council and the new North Yorkshire Council to embed resilient practice.

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