

# NORTH YORKSHIRE COUNCIL

## AUDIT COMMITTEE

11 December 2023

### BUSINESS CONTINUITY – ANNUAL REPORT

<b>1 Purpose of Report</b>
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<b>1.1</b> To provide an overview of the current business continuity (BC) arrangements for North Yorkshire Council.
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## 2 Background

2.1 During an emergency or incident North Yorkshire 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 NYC Resilience & Emergencies Team (RET) is tasked with ensuring that all NYC 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 NYC Resilience and Emergencies Team continue to consider internal audit reviews and work with NYC BC Champions via the Corporate Risk Management and Resilience Group (CRMRG) to maintain a dialogue with each service area, improving engagement and transparency, deciding on resource implications and ensuring a consistent corporate process for business continuity across North Yorkshire Council while keeping bureaucracy to a minimum.
- 2.6 Local Government Reorganisation created a number of business continuity opportunities and risks but the new authority found itself in a strong position with its Business Continuity process. Service Level Agreements existed between the NYC Resilience and Emergencies Team and six of the District and Borough Councils since 2004 (Scarborough Borough Council 2009). Although Harrogate Borough Council maintained their own business continuity arrangements a fundamental consistency in approach between the majority of services allowed for manageable transition.

### **3. NYCC Business Continuity process**

- 3.1 Corporate Business Continuity and disruption to NYC services continue to be addressed through an embedded assessment considering loss of staff, equipment, technology, buildings and key suppliers. These impacts are risk assessed, and mitigation measures documented, in service area BC plans.
- 3.2 The NYC Service Area 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 resource provision of priority services during any incident.

- 3.3 The NYC corporate Business Continuity Management System will be held on a Microsoft Teams Site. It is the central portal for all relevant service-area and directorate documentation and will be monitored and overseen by an Emergency Planning Manager (Business Continuity) from the Resilience and Emergencies Team, ensuring compliance and currency.
- 3.4 The Team 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 and required decisions for the CRMRG and a mitigation pathway for loss of priority services.

- 3.5 The NYC Corporate Business Continuity Policy, which was signed off in January 2023, states that each directorate is required to work with their allocated RET officer to assess their BC planning and their most likely risks. RET will 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 CRMRG.
- 3.7 The Corporate Director (Resources) continues to have overall responsibility for Business Continuity within NYC, with the function co-ordinated and facilitated by the designated officers from the Resilience and Emergencies Team. The CRMRG 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 CRMRG 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 CRMRG every quarter.
- 3.9 An Emergency and Major Incident plan was agreed by NYC Management in January 2023. As well as allowing NYC to support other responding agencies and the wider community the Emergency and Major Incident plan assists with the co-ordination of operational and tactical business continuity incidents.
- 3.10 A Corporate NYC Business Continuity Plan is in place, ratified by NYC Management Board. This document supports the Council with strategic internal council incidents to ensure a consistent and co-ordinated response across the organisation during the most disruptive events.
- 3.10 The provision of a structured BC framework across NYC 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 critical services.
- 3.11 To ensure access to all NYC BCP documentation during the loss of access to corporate systems there are back ups kept on Resilience Direct, a Cabinet Office

system.

## **4 BCP 2023 Update report**

### **4.1 NYC - since the last Audit Report**

4.1.1 Since the last report in October 2022 NYC has signed off the following documents at NYC Management Board:

- North Yorkshire Council Business Continuity Policy and Programme
- North Yorkshire Council Emergency and Major Incident Plan
- North Yorkshire Council Business Continuity Plan
- North Yorkshire Council agreed critical services

4.1.2 The Resilience and Emergencies Team supported the command and control process of moving through the vesting days risks.

4.1.3 The ongoing restructure of Services and resources has meant that the annual BCP cycle was required to be paused to allow for officers to understand their new role within the organisation.

4.1.4 An agreement was made to continue as many of the operational business continuity plans in the same version as prior to vesting day.

4.1.5 This allowed the Resilience and Emergencies Team to support the most time critical business continuity issues as they transpired.

4.1.6 There has been a number of incidents faced by the Council which has required for the use of the fore mention plans. The co-ordinated approach allowed for a clear understanding of how issues are escalated within the new authority.

4.1.7 Outside of NYC, the Resilience and Emergencies Team is now contracted to support the City of York Council (CYC) in coordinating their Business Continuity Management System. This allows for a consistency in approach between the two councils and may provide resilience capabilities that were not previously available.

### **4.2 Priorities for the next 12 months.**

4.2.1 As we move through 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 as we continue to restructure the organisation.

4.2.2 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.

4.2.3 Whilst the restructures of the organisation are being under taken then the

current priority of the Resilience and Emergencies Team is to dynamically support critical services with current issues which may lead to a business continuity incident.

4.2.4 The restructure of the eight Councils has created an opportunity to strengthen the organisations approach to business continuity with the creation of an Emergency Planning Manager (Business Continuity) role. There is currently an on going recruitment process for this post but once they have been appointed and all the new Council Heads of Services are in position, there will be a focus on the resilience of new teams, services and directorate responsibilities. This will need to include the review, reorganisation, and updating of the existing Business Continuity data as we continue to move from eight Councils to the new NYC.

4.2.5 In order to achieve this the Resilience and Emergencies Team will continue to anticipate and co-ordinate the business continuity process for North Yorkshire Council.

This will include:

- Supporting Service Units in updating and uploading their BCP documents on the BCMS Team Site.
- Assurance processes.
- Peer review of documents.
- Escalation of interdependent resource risks.
- Engagement.
- Exercises.

4.2.6 NYC Resilience and Emergencies Team has started a piece of work with the future combined authority to support the organisation with their resilience.

## **5 Recommendations**

**5.1** Audit Committee to note the recent challenging incidents that have been managed by the NYC 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 Council to embed resilient practice.

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