

Report of the Director of Resources and Housing

Report to Corporate Governance and Audit Committee

Date: 14th December 2020

Subject: Annual Business Continuity Report

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| Are specific electoral wards affected? If yes, name(s) of ward(s): | <input type="checkbox"/> Yes X No |
| Has consultation been carried out? | <input type="checkbox"/> Yes X No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes X No |
| Will the decision be open for call-in? | <input type="checkbox"/> Yes X No |
| Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number: | <input type="checkbox"/> Yes X No |

Summary of main issues

Business continuity management (BCM) is a process that helps manage risks to the smooth running of an organisation or delivery of a service, ensuring continuity of critical functions in the event of a disruption, and effective recovery afterwards. It is a statutory duty under the Civil Contingencies Act 2004 that all Category 1 responders have Business Continuity Plans (BCP's) in place to be able to continue to deliver critical aspects of their day to day functions in the event of an emergency or disruptive incident.

Local authorities are included as a Category 1 responder as they have a wide range of capabilities/resources which can be called upon in support of the emergency services during an emergency, including key statutory responsibilities such as environmental health, housing, social services and highways.

The purpose of this annual report (published since 2013) is to provide the Corporate Governance & Audit Committee with assurances relating to the adequacy of internal business continuity management controls currently in place in the council; that they are up to date; fit for purpose; effectively communicated and routinely complied with.

Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

Business continuity management contributes to the delivery of the outcomes and best city priorities set out in the Best Council Plan 2020 – 2025. Should the council fail to recover

promptly from a major business continuity incident, the achievement of the Best Council Plan will be adversely affected.

Resource Implications

The Best Council Plan provides the strategic context for the council's budget and financial strategies with resources allocated in support of the Plan's ambitions, outcomes and priorities. Effective business continuity management arrangements helps ensure that resources are proportionately allocated to deal with a major incident in the council should one arise.

Recommendations

Corporate Governance and Audit Committee is requested to consider this report and the assurances provided within it and the attached appendix 1, accepting that the business continuity arrangements are fit for purpose, up to date, are routinely complied with, have been effectively communicated and are monitored.

1. Purpose of this report

- 1.1 To provide assurance to the Committee of the adequacy of the internal business continuity management controls currently in place across the council.
- 1.2 To provide an overview of the internal controls to ensure that the council's business continuity arrangements continue to maintain alignment with changes to risk and good practice guidance.
- 1.3 To note and seek comment from the Committee regarding any issues and barriers obstructing the implementation and embedding of the internal business continuity management controls.
- 1.4 To provide assurance to the Committee that Leeds City Council is meeting the regulations and duties of the Civil Contingencies Act 2004.

2. Background information

- 2.1 Business continuity management (BCM) is a process that helps manage risks to the smooth running of an organisation or delivery of a service, ensuring continuity of critical functions in the event of a disruption, and effective recovery afterwards. The council recognises the benefits of having efficient and effective business continuity management arrangements in place. Not only is BCM good practice, but it is also a requirement of the Civil Contingencies Act 2004, which made it a statutory duty of all Category 1 responders (which includes local authorities) to have in place business continuity plans (BCP's). These plans are documented procedures that guide organisations to respond, recover, resume and restore continuity of the critical aspects of services and functions in the event of an emergency or disruptive incident.
- 2.2 BCP's document the arrangements for loss of staff, loss of buildings and work environment, loss of information communications technology, loss of information and data, loss of suppliers and contractors and loss of plant, vehicles, equipment and consumables.
- 2.3 A Business Continuity Programme was initiated by LCC to coincide with the publication of BS ISO 22301:2012 'Business Continuity Management Systems –

Requirements'. The programme was successfully completed in September 2015 and has since been maintained by the council's Resilience & Emergencies Team (RET).

- 2.4 There are currently 82 Business Continuity Plans for the council's critical services, owned and maintained by services and functions across the five council directorates.

3. Main issues

- 3.1 This year the assurance report is structured using a 'cycle of internal control framework' which consists of five aspects:

- Define and document
- Clearly communicate
- Effectively embed
- Meaningfully monitor
- Review and refine

- 3.2 Full details of the business continuity management arrangements can be seen in Appendix 1, providing Members with assurance that they are up to date; fit for purpose; effectively communicated and routinely complied with. Key points are noted below.

- 3.3 In 2020, the COVID-19 pandemic resulted in the biggest test to date of the council's business continuity management arrangements. Some council services temporarily ceased operating, whilst many others required staff to safely work from home, placing an increased demand on the digital infrastructure and systems. The council's pandemic response and recovery actions are driven by 'Silver' command and control arrangements. Ongoing engagement with chief officers takes place to deliver an effective and consistent approach to the recovery and resumption of services. The council continues to follow national guidance and has developed a Lifting Lockdown in Leeds Plan to coordinate the resumption of services across the organisation.

- 3.4 On the 7th September 2020, the Strategy and Resources Scrutiny Board received a report on how the council's Business Continuity Plans performed and supported critical services during the initial period of the COVID-19 outbreak.

- 3.5 The business continuity management arrangements are being further impacted by changes in the council's staffing structure, in particular the programme of service reviews taking place across the organisation and the loss of over 120 staff (to date) as part of the Early Leavers Initiative (ELI).

- 3.6 The workforce response to the financial challenges has involved a managed four step approach to support service continuity cognisant of the council's [People Strategy \(2020-2025\)](#). The council is currently in the third step – adopting a range of voluntary measures, predominately the ELI. The ELI will result in between 5% to 8% reduction in the total headcount by the end of the current financial year. This represents a significant challenge. However, a range of mitigations have been implemented, including all exits being determined by a formal business case that addresses service continuity, enables service reconfigurations and workforce deployment. Cases that do not support essential business continuity will not be approved by the Corporate Panel. In addition, and in most cases, there is a notable lead time between approval to exit and departure from the council, allowing managers to carefully consider handover and continuity. The council has also

developed the 'Supporting Futures' toolkit that includes the Talent Pool process that directly supports staff upskilling and reskilling, particularly ensuring the redeployment of resource to cover essential service areas. The toolkit also provides additional and targeted support for staff and managers on change, wellbeing and personal development.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Internal: The services or functions assessed as being critical or having critical elements are identified by the Directorate Resilience Groups. The groups meet during the year to discuss business continuity management arrangements and to help ensure that the business continuity plans within their remit are being kept up to date.
- 4.1.2 External: The council is fully engaged with the West Yorkshire Resilience Forum and the collaborative working between partner organisations helps meet the requirements of the Civil Contingencies Act 2004.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 The development and maintenance of Business Continuity Plans takes account of any potential impacts for staff and customers who may have general or specific requirements – in particular those characteristics protected by the Equalities Act 2012 (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief, sex and sexual orientation).

4.3 Council policies and the Best Council Plan

- 4.3.1 Business continuity management (BCM) contributes to the delivery of the outcomes and best city priorities set out in the Best Council Plan 2020 – 2025. Should the council fail to recover promptly from a major business continuity incident, the achievement of the BCP will be adversely affected.

Climate Emergency

- 4.3.2 The UK Environment Agency recognises that climate change is one of the biggest threat to our future as extreme weather events will become more frequent and more dangerous. There is a significant general threat to the council and the city from climate change.
- 4.3.3 The impacts of climate change may result in incidents occurring that require the council's business continuity management arrangements to be deployed, for example, in response to a major flooding incident or power supply problems caused by extremely hot weather.
- 4.3.4 Business continuity is about the long term survival of the council and climate change is one of the biggest threats the organisation faces. The arrangements detailed in this report help provide assurance that the council is taking the threat of climate change seriously.

4.4 Resources, procurement and value for money

- 4.4.1 There are no financial or resource implications arising from this report.

4.5 Legal implications, access to information, and call-in

- 4.5.1 The Civil Contingencies Act 2004 requires Category 1 responders (including local authorities) to develop and maintain Business Continuity Plans to ensure that they

can continue to perform their key services and functions in the event of an emergency, so far as is reasonably practicable.

- 4.5.2 Many of the council services having implemented Business Continuity Plans have a duty of care or a regulatory requirement to provide their service. This extends to maintaining services during an emergency or disruptive incident.

4.6 Risk management

- 4.6.1 This report provides assurance on the arrangements within the council to manage business continuity risks. These arrangements are captured within the council's corporate risks on 'City Resilience' and 'Council Resilience' (also known as 'Major incident in the city' and 'Major incident in the council') with regular reporting to the Corporate Leadership Team and annually to the Executive Board.
- 4.6.2 Staff with risk and business continuity management responsibilities have a duty to assess the risks and determine the threats to the council and its operations.
- 4.6.3 In addition, the West Yorkshire Community Risk Register (derived from the National Security Risk Assessment) compiled and maintained by the West Yorkshire Resilience Forum, informs the development of emergency and business continuity plans and arrangements.

5. Conclusions

- 5.1 The information contained within this Annual Business Continuity Report aims to demonstrate to the Corporate Governance & Audit Committee that the council continues to meet the statutory duties as required by the Civil Contingencies Act 2004.

6. Recommendations

- 6.1 Corporate Governance and Audit Committee is requested to consider this report and the assurances provided within it and the attached appendix 1, accepting that the business continuity arrangements are fit for purpose, up to date, are routinely complied with, have been effectively communicated and are monitored.

7. Background documents¹ - none

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.