

**MEETING:** Tyne and Wear Fire and Rescue Authority

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**SUBJECT:** Review of Emergency Planning and Resilience Arrangements in Tyne and Wear

**REPORT OF THE** Chief Executive, Sunderland City Council

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## **1 INTRODUCTION**

- 1.1 As part of the programme of joint services reviews across Tyne and Wear, a review of emergency planning and resilience commenced in September 2009. The focus of the review has been the role of the Emergency Planning Unit (EPU) and the individual resilience functions within each of the five local authorities.
- 1.2 A team of officers was set up to carry out the review, comprising Paul Dowling and Linda Scott as lead officers; local resilience leads from each Council (Andrew Wainwright from South Tyneside Council as SMB Chair; Barry Frost from Sunderland; Helen Hinds from Newcastle; Janet Kirton from Gateshead; Jonathon Hutchinson from North Tyneside); Val Bowman from the Tyne and Wear Emergency Planning Unit and Joy Brindle representing the Fire and Rescue Service.
- 1.3 The terms of reference for the review were agreed by the Tyne and Wear Chief Executives.
- 1.4 Following a process of evidence gathering and challenge, a number of models for delivery were identified as potential options.
- 1.5 On 16 July 2010, Tyne and Wear Chief Executives considered a range of options set out in paragraphs 4.2 and 4.3 and expressed a preference for a local authority based approach with some co-ordination at Northumbria Local Resilience Forum (LRF) level for the delivery of emergency planning and resilience within Tyne and Wear. This approach was subject to consultation with category 1 responders within the LRF.
- 1.6 Following this meeting, a final report will be taken via the Tyne and Wear Local Authority Chief Executives to the Tyne and Wear Leadership Group (the Elected Mayor and four Leaders in Tyne and Wear) for final decision in December 2010.

## 2 BACKGROUND

- 2.1 In 1986 Tyne and Wear set up the Emergency Planning Unit in response to the demise of the County Council. Tyne and Wear campaigned for the retention of the EPU following the introduction of the Civil Contingencies Act (CCA) in 2004 and the national introduction of the LRF approach to emergency planning and resilience.
- 2.2 In that time local events such as flooding have increased significantly and councils have developed resources to enable local communities to prepare for and recover from these events.
- 2.3 The context within which appropriate agencies ensure a proportionate level of preparedness for a civil emergency continues to change. The key considerations may be briefly summarised as:
  - Rising expectations and increasing public engagement that is supported by the provision of advice and information, the promotion of business continuity and work to develop community resilience
  - Greater visibility and increased scrutiny at national, regional and local levels
  - A requirement to demonstrate effective planning and preparation across an increasingly broad range of risks and technical and professional areas
  - The need to ensure an effective and rapid response that understands the complex and inter-dependant nature of modern society and therefore the complexity of impacts and incidents which may be generated
  - The increasing likelihood of large scale incidents that will cut across geographical boundaries and will require a seamless response with multi-partner organisations
  - A tight financial framework within which value for money and the effective use of resource is critical.
- 2.4 Further information about the CCA and the role of LRFs can be found in Appendix 3.

## 3 TERMS OF REFERENCE

- 3.1 The statutory guidance on 'Emergency Preparedness' states that the requirements of the Civil Contingencies Act need to be seen in the context of the concept of Integrated Emergency Management (IEM), which provides a generic framework for tackling emergencies whatever the scenario. The underlying aim of IEM is to develop flexible and adaptable arrangements that will enable an effective joint response to any emergency.

- 3.2 To develop the terms of reference the working group adopted the 6 key objectives detailed in the IEM holistic approach (plus one for Value for Money) which are:
- Anticipation
  - Assessment
  - Prevention
  - Preparation
  - Response
  - Recovery
  - Value for Money
- 3.2 The terms of reference and evaluation criteria necessarily examine the extent to which each model potentially accommodates the objectives of integrated emergency management together with robust comparison in terms of deliverability, value for money and sustainability going forward.

#### **4 REVIEW OF SCOPE**

- 4.1 The working group identified the key functions being undertaken in terms of IEM in Tyne and Wear to assist in the scoping of the review and identify priorities. As a result the level of resources attached to emergency planning and local resilience across Tyne and Wear was estimated from the agreed activities.
- 4.2 To assist the process and to focus the review the working group identified the seven most likely options for the review but recognised that others might emerge:
- Private sector/externalisation- deliver in partnership
  - Regional unit- for the North East
  - Enhanced status quo- improved working arrangements
  - 1 Local Authority/host partner lead- on behalf of the Tyne and Wear Council
  - LRF approach and variations- to reflect the Civil Contingencies Act
  - Centralised unit at Tyne and Wear level- to include Local resilience activity in Tyne and Wear
  - Transfer of functions to local authorities with some co-ordination- to build upon multi-agency working.
- 4.3 Further detailed and substantial work was then undertaken focussing on the following 3 options:
- Option 1 - a fully centralised Tyne and Wear joint resilience service
  - Option 2 - Local Authority delivery model (defined as: a consolidation of resilience activities and resources with appropriate coordination of effort facilitated through the Northumbria LRF and its associated framework) and

- Option 3 - a hybrid Tyne and Wear joint resilience service (defined as: a refinement of existing arrangements, with some resource at Council and some joint unit/service underpinned by a new Service Level Agreement with revised governance, management and reporting arrangements).

4.4 In addition to the business cases behind these 3 options outlined above, the working group also considered the following factors during the review:

- The National Resilience Framework
- Tyne and Wear spending on posts, both in the EPU and in each local authority
- Discussions with Northumberland County Council about the Northumbria LRF and further joint working opportunities
- Benchmarking with Greater Manchester.

4.5 A comparison of the three options can be found in Appendix 2.

## **5 BENCHMARKING WITH GREATER MANCHESTER**

5.1 The Tyne and Wear Chief Executives also took into account some high level independent benchmarking with a senior emergency planning and resilience officer in Greater Manchester that identified the following points to take into account:

- That most regions review their structures and functions and that agreement is often challenging
- That because structures have developed since the introduction of the CCA there is no one approach which is recommended
- That the tensions and demands on Local Authorities and co-ordination through the LRFs is common across the Country
- That having an EPU sitting alongside or outside the Local Authorities as well as the statutory LRF is unusual.

## **6 CATEGORY 1 CONSULTATIONS**

6.1 Category 1 responders across Tyne and Wear have been consulted about the three options that the working group took forward and a summary of there responses can be found in Appendix 1. There was a particular focus on option 2 and responders were asked for there views of the impact of this option on their daily business and planning arrangements. Whilst some consultation responses are awaited there is broad consensus around some issues:

- There is room for improvement in the delivery of Emergency planning and resilience in Tyne and Wear
- Specifically identified are duplication, communication and conflict

- All see the potential benefits of option 2, even where there may be a preference for option 1 or 3
- Some responders seek assurances about the impact of the proposal on operational service delivery.

## **7 NORTHUMBERLAND COUNTY COUNCIL**

- 7.1 The current position from Northumberland County Council is that they wish to work with us on improving the performance of the Northumbria LRF with a focus on effectiveness and efficiency. Indications are that a consolidated Local Authority model approach within Tyne and Wear would be supported by Northumberland with co-ordination through the Northumbria LRF structures.

## **8 LIMITATIONS OF CURRENT ARRANGEMENTS**

- 8.1 The current arrangements have provided a reasonable level of compliance with the statutory obligations placed on the sub region by the Civil Contingencies Act, including some aspects recognised as good practice. The limitations of these arrangements are:
- A lack of integration of Local Authority level planning and LRF planning with wider sub regional activity. Tensions in current approaches are clear across all activities including pandemic flu, flooding and winter gritting for example. The Service level agreement is out of date and ineffective at promoting joint working between the EPU and Local Authorities
  - The demands placed upon the Local Authorities and the LRF by the expanding national agenda, require efficient working and the elimination of duplication
  - Key areas of work can fall between Local Authorities, the LRF and the EPU i.e. warning and informing.
- 8.2 It is therefore recommended that the current arrangements should not be continued.

## **9 PROPOSALS**

- 9.1 The performance of Tyne and Wear contributes significantly to the performance of the Northumbria LRF which is currently chaired by the Temporary Chief Constable Sue Sim. Through option 2, the closure of the EPU would enable the LRF to be strengthened through improvements to the Tyne and Wear arrangements. Also the new approach would enable the strengths of the existing arrangements sitting within the EPU, Civil Contingencies Committee and FRA to consolidate whilst tying these activities more closely to local communities and democracy. This can be demonstrated by explaining some of the proposals for improvement that result from progressing option 2.

- 9.2 Broadly speaking, closing the EPU and transferring the EPU functions and staff to the five local authorities will enable the following:
- a) Additional resource, experience and knowledge based in each local authority, enabling them to increase their capacity to meet their statutory Category 1 responsibilities
  - b) A new post within the LRF sitting outside the Local Authorities to manage the existing Secretariat and crucially to provide co-ordination of Local Authority emergency planning and local resilience activities. This post could also provide a single point of contact for the LRF which is valued highly by partners in the existing arrangements
  - c) Each Local Authority would be expected to take a lead role in specialist areas that relate to their geographical area, allowing greater expertise to be developed within each local authority and aligned to local as well as LRF priorities. This would also ensure that current expertise is not lost.
  - d) In order to help drive service improvement the Chair of the LRF would report annually to the Tyne and Wear and Northumberland Chief Executives, and also to the Council Leaders/Elected Mayor where appropriate, on the performance of the Local Authorities.
- 9.3 The exact amount of financial savings will be determined after a final decision is made and will depend on the level of support for the LRF central function. The annual cost of emergency planning and resilience activity across Tyne and Wear has been estimated at approximately £1.2m. However, the direct costs have been estimated at approximately £890,489 (including an annual contribution of £513,877 for 2010/11 from the five local authorities towards the EPU and £376,612 within the local authorities). Depending on the level of resources for the LRF (9.2b above), option 1 gives an estimated annual saving of £201,262; option 2 an estimated saving of £224,007 with no savings for option 3 (status quo). As stated previously, these figures are illustrations only and further analysis will be undertaken once a decision has been made. The central LRF function costs will need to be deducted from any savings.
- 9.4 Any costs incurred in implementing any of the options, but particularly option 2, will need to be covered by the five local authorities collectively; however EPU balances currently stand at around £112k which could be factored in. Savings for 2011/12 will also depend on the timescales for implementation of any new arrangements, if agreed. If a decision is taken to proceed with option 2, then timescales will need to reflect the need to ensure transitional arrangements are smooth and timely. It is understood that the lease on EPU premises is due for renewal in summer 2011.
- 9.5 The Authority is asked to consider its role e.g. monitoring and scrutiny, should the proposed approach be adopted.

- 9.6 It is considered that the proposed improvements and strengthening of Tyne and Wear arrangements within the Northumbria LRF provides the opportunity to achieve greater efficiency and effectiveness. It also allows the sub region to retain the valued experience and knowledge of Members and officers that exist in the current arrangements.

## **10 RECOMMENDATION**

- 10.1 The Authority is recommended to discuss the proposal to deliver emergency planning and civil contingencies across Tyne & Wear using a Local Authority based approach with some co-ordination at Northumbria LRF level, as detailed within this report.
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## BACKGROUND PAPERS

### Appendix 1

#### Category 1 Consultations: Summary of Responses

1. **Gateshead NHS Foundation Trust-** it is likely that the strategic emergency planning functions of the Strategic Health Authority will be incorporated within the “new” NHS. Presently the Trust’s engagement with Northumbria LRF is via the South of Tyne PCT, NHS restructuring may require a review of this arrangement.
  - The preferred option of a consolidated local authority delivery model for emergency planning and resilience (Option 2) will afford greater commitment to the business of the LRF by all local partners which we believe to be the key to the success of the forum.
  - We are also of the view that this model would facilitate improved communication of local resilience issues.
  
2. **Government office for the North East-** A member of the review team met with Lynda Keith from GONE on 24 September. A summary of the discussion is as follows - GONE, via the Regional Resilience Forum, feels well served by the EPU, who have always responded positively to requests for support and information and have provided a single point of contact. GO-NE has considered the three options and is supportive of option 2 for the following reasons: (1) it meets the Government’s objectives of localism and (2) it is moving in the direction of national thinking on increasing the status of LRFs. GONE feels that a single point of contact via the LRF will be welcomed and is supportive of retaining specialisms in local authorities. They also feel that option 2 will enhance capacity within local authorities, which has sometimes been underresourced.
  
3. **NHS North of Tyne and Wear-** clearly, the need to achieve efficiencies is important given the current financial climate and inevitably, the joining up or sharing of services will be necessary. The benefits of Option 2 are;
  - It builds on the clear strengths and strong networks inherent in Northumbria Local Resilience Forum.
  - By retaining Local Authority delivery it has the advantage of maintaining links to other local functions such as community safety, communications and public protection.
  - Given the importance of ‘localism’, it fits with the general direction of policy development.
  - It recognises the potential for Northumbria LRF to co-ordinate the six local authority teams within its area – as long as there is sufficient capacity within the LRF to undertake this function.
  - It would not significantly disrupt existing working arrangements.



4. **NHS South of Tyne and Wear**- in the context of changing health structures and significant improvements made in recent years to enable strong multi agency working on risk based scenarios the potential benefits of option 2 are cited as;

- “From a strategic point of view, this option appears to offer strong local cohesion between partner agencies
- Potential strengthening of joint planning arrangements outlined above
- Continued joint working between emergency planning officers
- Streamlined communication channels between partner agencies
- Certain functions (e.g. training and exercise programme) would need central coordination at LRF, supported by organisational emergency planners.
- Transfer of expertise from Tyne and Wear Emergency Planning Unit into separate local authorities would require an understanding around sharing specific knowledge and experience – e.g. CBRN
- Option 2 should have no effect on our ability to discharge duties under the Civil Contingencies Act 2004.

5. **Northumberland County Council**

- “...I do feel however that there appears to be some duplication in the existing Tyne and Wear arrangements for Emergency Planning, which hamper the engagement of the LRF and can be the cause of confusion and some conflict.
- ....the strategic knowledge and sector competence in that group (EPU) should not be lost.
- ...any revised arrangements should be cost neutral or cheaper than the current arrangements, and should improve process and outcomes.....
- ....which I feel would improve and streamline the current arrangements and include Northumberland, whilst at the same time still offering the opportunity to each of the 6 Councils to reduce their internal spend on resilience”.

6. **Northumbria Healthcare**- the NHS Foundation Trust has benefited enormously from having a central point of contact on all issues pertaining to the provision of resilience advice and assistance across the Councils of Tyne and Wear;

- Each of the options have their merit for moving forward
- Options 1 and 3 are similar and have the benefit of a collection of specialist individuals to be located together enabling a larger pool of knowledge
- Rightly or wrongly multi agency bodies have become reliant on dedicated emergency planning teams to lead on work which without them might not be carried out.

- To gain the benefits in terms of cost and experience, option 2 would allow for individual strategic Councils to deliver their resilience agenda with the added benefit of maintaining some form of central coordination through the LR forum, enabling consistency to be maintained.
7. **Northumbria Police-** Members of the review team met with the Temporary Chief Constable of Northumbria Police on 1 October. A summary of the discussion is as follows: Northumbria Police are primarily concerned with the effectiveness of local authorities, and other category 1 responders, in discharging their statutory duties and would be happy with any option that enhanced this role further. They feel that the new LRF arrangements with more senior level representation mean that this is now more effective and strategic. Retaining the single point of contact through the LRF will be welcomed. Tying the LRF into the governance arrangements of the FRA, Tyne and Wear and Northumberland Chief Executives and Leaders/Elected Mayor, will also enhance this further.
8. **South Tyneside NHS Foundation Trust-** the Trust has always had a close working partnership with Tyne and Wear Emergency Planning Unit and have valued their expertise. This partnership has been strengthened by the local links we have with the Emergency Planning Team at South Tyneside Council.
- The consolidated local authority delivery model (Option 2) would only strengthen this partnership and the role of the South Tyneside Emergency Planning Group.
  - However, the Trust does not have any preferred option. All options are viable and none would impact on the Trust's ability to discharge its responsibilities as a Category 1 responder.
9. **Tyne Port Health Authority-** “in my view emergency planning operates within local authorities at different levels and can be fractured; There needs to be some resource at local authority level in addition to any joint unit.
- Any changes to arrangements needs to address current short falls such as duplication of effort, poor communication within and possibly between local authorities/responders, and lack of understanding of respective roles between responders.
  - I would suggest that emergency planning and resilience do not need to necessarily go hand in hand and there could be different models for each.
  - I would favour option 1 as emergency planning needs to be a regional approach and would be a better fit with emergency services structures. It is the best model for developing expertise and savings.
  - My concern on option 2 is that responders need direction rather than facilitated coordination. I see the key to success as being the role of the LR Forum and how well it's supported”.

10. **Tyne and Wear Rescue Service** states that as the consultation does not identify how the model will work in practice their response seeks specific assurances about the model proposed. Consequently the service seeks assurances that any proposed new model will actively facilitate and deliver collaborative opportunities to the same quality and level as the current arrangement, or better.

- **“Duplication...**we also seek assurance that the proposal does not undermine our efficiency and effectiveness by requiring additional and duplicated activity, i.e. doing the same things five times at the level of 5 Councils, or being required to do the same thing to different standards and processes in different areas.
- **Variation in Standards...** we seek assurance that a dispersed model of activity will not mean that there are differing standards of local authority resilience/capacity for identifying and dealing with risk across the Council areas. We believe that if such differences are significant the overall resilience of Tyne and Wear could be affected.
- **Role of the LRF....**we seek assurance either that the constituent Councils will provide sufficient staffing capacity to undertake collaborative actions (not just discussions) such as organising and delivering multi agency exercises to the current standard or better, or that there is sufficient staffing associated with the LRF itself to carry out these actions – in which case we suggest that the current operating mode of the LRF will need to be examined if this option is adopted.
- We also seek assurance that the wider focus of the LRF including Northumberland, whose community risks are of a different type and quantity, does not dilute a strong focus on the urban risks of Tyne and Wear.
- **Staff.....**we would therefore seek assurance that the implementation of this option will not result in the dissipation of the body of expertise which resides collectively and individually in the staff of the EPU”.

11. At the time of writing, responses from the following Category 1 Responders are still outstanding:

- British Transport Police
- Environment Agency
- Health Protection Agency
- Maritime and Coastguard Agency
- Newcastle-upon-Tyne NHS Foundation Trust
- North East Ambulance Service
- Northumberland, Tyne and Wear NHS Foundation Trust
- Sunderland NHS Foundation Trust.

## Appendix 2

### Summary of Options

#### Option 1 – Joint Resilience Team

1. This option would see all Council and T&W Emergency Planning Unit (EPU) officers reorganised into a single team where all resilience planning, co-ordination, multi agency liaison, training and exercising would be discharged on behalf of the five councils (and the Fire and Rescue Authority (FRA) in relation to COMAH and Major Hazard Pipelines legislation). The team would be located within existing EPU offices.

#### Appropriateness

2. The model fully supports the process of Integrated Emergency Management (IEM) which is the overarching approach to resilience in the UK.
3. It is also able to promote and display evidence of Beacon Council criteria for Emergency Planning which are: corporate commitment; a culture of partnership; a culture of resilience.

#### Value for Money

4. The JRT option uses the type of partnership model that is generally thought should be able to provide economies of scale, a more joined up approach and least cost; an example of this is the Total Place programme.
5. Savings will be realised by compressing layers of management (from six managers to one) and by streamlining pay grades for staff undertaking similar work across Tyne and Wear. This model would have 1.85 FTE redundancies.
6. Quality and effectiveness will be assured by building on the EPU's existing track record, for example its quality assured performance management framework as evidenced by its ISO 9001/2000 Quality Management System and Investors in People (IiP) awards.
7. This option would cost £692,227 per annum in the first year (including one-off set up costs) and £689,227 per annum in the second year, providing a saving of £198,262 and £201,262 respectively over existing arrangements.

#### Sustainable

8. The JRT model is able to meet all of the statutory and non statutory requirements placed upon Local Authorities in terms of their requirement to plan for emergency situations, **though Local Authorities will still be statutorily responsible for providing an effective response.**
9. It provides a critical mass to support councils through flexibility and utility of a pool of experienced staff - on consistent pay and grades, terms and conditions - which can be readily up-scaled or downscaled as future circumstances require.

## Deliverable

10. This option builds on an existing position and so it can be quickly implemented. The main issues to be addressed are the development of a new SLA, recruitment and the establishment of new governance arrangements (if required). 6-12 months is reasonable for this to be achieved.
11. There may be a need to address issues such as TUPE, pay protection, redundancy, union consultation etc - issues that may impact on implementation timescales and costs. Therefore the savings envisaged in this model may not be able to be fully realized in the short term as TUPE transfer means that terms & conditions of employment - including pay - are preserved.

## Proportionate

12. The JRT would achieve community needs by developing the capacity and capability of members with accountability for civil resilience to be effective, and by engaging with communities and other stakeholders through existing mechanisms (LSP's, community/local responder forums etc) to ensure robust local public engagement.

## Comments

13. In respect of option 1 it would be essential for the JRT to have an effective presence within each local authority area in order that the existing relationships that Local Authorities have with their communities can be maintained and strengthened. These relationships are considered vital to enable an effective response to local emergencies.
14. To do this the model proposes to have a part-time presence in each authority. However to draw all Emergency Planning and Resilience resources across the area into a single team only to then disperse these back out into the Local Authorities, seems at odds with the need to centralise the resource in the first place.
15. Furthermore the JRT also intends to respond to any emergencies that arise, though **responsibility for directing the response remains that of the Local Authorities**. Management of the Local Authority/JRT relationship will be crucial (given that it is proposed that the authorities would lose their resilience managers) so that Chief Executives can have confidence that they are able to dispense their duties effectively. The governance arrangements required to manage the JRT would need to be extremely robust in order for Local Authorities to have confidence that the JRT could provide the necessary services effectively.
16. Two proposals are made in respect of governance arrangements that could be put in place:
  - To continue to report through the established Fire and Rescue Authority structure
  - Establish new governance arrangements through a Host Local

## Authority

17. Under either proposal a Tyne and Wear Resilience Management Group would exist and be “composed of strategic managers from each council who would be able to commit resources on behalf of the organisation”. The group would set and agree priorities, oversee performance management and lobby the Northumbria LRF on behalf of the Tyne and Wear authorities. This proposed way forward seems to contradict the models vfm reasoning for “streamlining existing resilience management structures across Tyne and Wear from six managers.....to a single post”.

## **Option 2 - Consolidated Local Authority Delivery Model**

18. This model requires the consolidation of resilience activities and resources within individual strategic local authorities with appropriate coordination of effort facilitated through the Northumbria Local Resilience Forum and its associated framework.

## **Appropriateness**

19. As with option 1 this model fully supports IEM as well as the Beacon Council criteria for Emergency Planning.
20. Local authorities are statutory members of the LRF and have a duty to share information and cooperate with other responders. This option uses the LRF as a tool to co-ordinate activity and share information, rather than developing a further co-ordinating body such as the JRT in option 1.

## **Value for Money**

21. Shared/centralised models are generally considered to offer the most efficient cost effective model for dealing with the current economic situation, so much depends upon the effectiveness of the LRF structure (outlined in the previous bullet) in order for this option to maximise effectiveness, efficiency and ensure quality outputs.
22. It is envisaged that the existing funding to the Tyne and Wear Emergency Planning Unit would cease and be realigned so as to better resource individual local authority resilience teams. This would have implications for the 10.5 permanent employees who currently work for the FRA at the Tyne and Wear Emergency Planning Unit. However, the Local Authority Model will require 8 additional FTE posts plus one possible additional post to support the LRF secretariat - this would leave a surplus of 1.5 FTE posts.
23. This option would cost £666,482 per annum and provide a saving of £224,007 over existing arrangements. If the option of supporting the post of the LRF Secretariat were to be agreed then the saving would reduce to £185,507 (however this model is viable without this additional resource).

## **Sustainable**

24. In common with the other options this delivery model is consistent with the national resilience framework, the Civil Contingencies Act, national capabilities objectives and allows for local identification and delivery of priorities.
25. The need for an effective LRF is important if this option were to prevail in order to make the model as adaptable and flexible as possible in order to meet future needs. Equally this option would need to be implemented in such a way as to prevent individual authorities depleting or enhancing their resilience teams independently of each other and consequently eroding the efficiency and effectiveness of this model.

## **Deliverable**

26. This delivery model could be implemented relatively easily and as such an implementation period of 6-12 months would be reasonable.
27. There may be a need to address issues such as TUPE, pay protection, redundancy, union consultation etc - issues that may impact on implementation timescales and costs. Therefore the savings envisaged in this model may not be able to be fully realized in the short term as TUPE transfer means that terms & conditions of employment - including pay - are preserved.
28. There is a further cost to be considered that would impact upon option 2. The closure of the EPU would require the termination of various contracts e.g. I.T., telecoms, cleaning etc. The building would need to be returned to its original condition e.g. removal of partitioning walls, kitchen etc, and the rent and service charge etc would need paying until the end of the contract in August 2011. These costs are estimated to be £70,000, though they can be covered by the EPU's current balances of £112,000.
29. The Tyne and Wear Emergency Planning Unit also discharges the duties of the FRA in relation to planning for high risk premises - COMAH sites. This work is self funding and therefore the part time employee who currently undertakes this work would remain an employee of the Tyne and Wear Fire and Rescue Authority. There would be no financial implications for the FRA.

## **Proportionate**

30. This model takes advantage of the close links that Local Authorities have with their communities; understanding their needs and being able to identify and deliver the priorities of the community. If the JRT and JRS models are to have a similar relationship with communities, then as mentioned earlier it is essential that both have a presence within each Local Authority area.

## Comments

31. In respect of option 2, the proposed structure would be based on all resilience staff being employed directly within individual local authorities with accountability for delivery of all the duties of the respective Local Authority.
32. This model would use the LRF (the principal mechanism for multiagency co-operation under the Civil Contingencies Act 2004) to coordinate activity across the Tyne and Wear area in place of the EPU. This negates the need for an EPU (option 3) and questions the need for the co-ordinating role that the JRT proposes i.e. given that the LRF exists statutorily is there a need for a second body?
33. The current position from Northumberland County Council is that they wish to work with us on improving the performance of Northumbria LRF with a focus on effectiveness and efficiency. Indications are that a consolidated Local Authority model approach within Tyne and Wear would be supported by Northumberland with co-ordination through the Northumbria LRF.
34. Generic Emergency Plans are becoming increasingly less acceptable and the Government is pushing for the development of specific plans. The new *Logistics* work stream requires that the details of the logistics operations required to respond to all emergencies are written down in detail in emergency plans. This can only be completed and developed by those with the expertise to do so. In relation to LA plans, it is those working within the Local Authority who can write these plans. Clearly this method of developing plans favours the Local Authority model and it is reasonable to query whether the JRT model can effectively maintain continuity of local relationships and arrangements on a part-time basis.
35. At a local authority level strategic direction, decision-making, accountability, and scrutiny will continue to take place through:
  - Existing local authority management structures including the Executive Group;
  - Existing or enhanced arrangements within the Local Strategic Partnership framework;
  - Existing governance framework comprising the Executive, the Cabinet, Overview and Scrutiny and the Local Strategic Partnership; and
  - The FRA as appropriate.

## Option 3 – Tyne and Wear Joint Resilience Service (JRS)

36. This model provides a refinement of existing arrangements between the five Tyne and Wear Local Authorities and the Emergency Planning Unit (EPU), with some resource at council level and some in a joint unit/service. This would be underpinned by a new SLA with revised governance, management and reporting arrangements.



## **Appropriate**

37. In common with the other two options this model fully supports IEM as well as the Beacon Council criteria for Emergency Planning.

## **Value for Money**

38. This option would cost £890,489 per annum and does not provide any savings since it is a continuation of the current arrangements.

39. This model avoids redundancies and any efficiencies achieved would be non-cashable.

## **Sustainable**

40. Both the Assistant Director, Corporate Resilience (Cabinet Office) and the Police National CBRN Centre Programme Manager, have praised the work and standard of service that the EPU provides.

## **Deliverable**

41. This model builds on the existing arrangements and should be the quickest and easiest option to deliver, essentially requiring only:

- A new SLA/Business Plan to be developed, and
- Council nominations to enable a Partnership Delivery Board (PDB) to be established. The PDB would provide an holistic overview of the effectiveness of arrangements and future resourcing levels that is not possible under the current model

42. A timescale of 6 months is anticipated to ensure that the SLA and business plan can be ratified before implementation.

## **Proportionate**

43. This model facilitates local area working with the community through the staff embedded within each of the councils. Further training and development of non-resilience staff within councils will help to deliver messages within communities.

## **Comments**

44. It is clear that the EPU is a very professionally organised service that has achieved national quality standards and has in the past has attracted many positive comments (quoted above). However it is reasonable to question in the current financial climate whether the EPU as described in option 3 is necessary given the alternative options available at far less cost.

45. If this model were to prevail then the review team unanimously agree that existing governance, management and reporting arrangements must be improved.

46. Since option 3 builds on the existing position an implementation period of 6 months is anticipated.

## Appendix 3

### Civil Contingencies Act and LRFs

1. The CCA 2004 aims to deliver a single framework for civil protection in the UK capable of meeting the challenges of the 21<sup>st</sup> Century. The Act repealed all previous civil defence legislation upon which civil protection was previously based, but it does not affect other existing legislation such as Control of Major Accident Hazards Regulations.
2. The principle mechanism for multi – agency cooperation between Category 1 responders is the Local Resilience Forum (LRF). The LRF is a process by which the organisations on which the duty falls to cooperate with each other. The LRF is not a statutory body but is a statutory process and partnership.
3. The purpose of the Northumbria LRF process is to ensure effective delivery of those duties under the CCA 2004 and to ensure effective delivery of those duties under the act that need to be developed in a multi – agency environment. In particular, the LRF process should deliver:
  - a) the compilation of agreed risk profiles for the area, through a community risk register
  - b) A systematic, planned and coordinated approach to encourage Category 1 responders, according to their functions, to address all aspects of policy in relation to:
    - Risk
    - Planning and emergencies
    - Planning for business continuity management
    - Publishing information about risk assessments and plans
    - Arrangements to warn and inform the public
    - Other aspects of the civil protection duty, including the promotion of business continuity management by local authorities.
  - c) Support for the preparation by all or some of its members of multi – agency plans and other documents, including protocols and agreements and the co – ordination of multi – agency exercises and other training events.
4. The Northumbria Local Resilience Forum sits at the apex of Northumbria's Civil Resilience arrangements. Its overall purpose is to ensure that there is an appropriate level of preparedness to enable an effective multi – agency response to emergencies which may have a significant impact upon the communities in the LRF area, and;
  - To agree on a joint strategic and policy approaches relating to Northumbria's preparedness and response
  - To approve the Community Risk Register and ensure to provide a robust process for planning

## ***PREVENTING PROTECTING RESPONDING***

- To ensure that appropriate multi – agency plans, procedures, training, and exercises necessary to address identified or foreseeable local and wider area hazards are in place and understanding gaps are identified
- To direct and oversee the activities of the working groups as they are established and allocate tasks to them as appropriate
- To receive reports from the working groups on current threat levels, gaps in planning and progress on actions tasked
- To ensure that appropriate resources are made available to working groups to fulfil statutory and task based responsibilities
- To co-ordinate the individual approaches and responsibilities of each organisation to ensure they complement each other and dovetail with partners arrangements
- To consider the implications of legislation, national initiatives and decisions of the Regional Resilience Forum area.

5. The Northumbria LRF is currently chaired by Temporary Chief Constable Sue Sim.

