

Wiltshire Council

Council

Date of meeting 13 November 2012

Subject: Civil Contingencies Act 2004 - Review of the Major Incident Plan and Recovery Plan

Executive Summary

The council's Major Incident Plan and Recovery Plan have been reviewed and extensively amended to reflect council structures. They have been approved by cabinet on 24 July and 23 October respectively.

Proposal(s)

That Council:

- a) notes this report, and
- b) adopts the Major Incident Plan and Recovery Plan

Reason for Proposal

Adoption of the Major Incident Plan and Recovery Plan will ensure compliance with the Civil Contingencies Act 2004. It will enable subsequent training and exercising on the plans to improve the council's state of readiness and resilience, and enhance its role in assisting communities to recover from major incidents and other significant events.

1 Purpose of Report

- 1.1 To inform members of the recent revision and approval by Cabinet of the council's Major Incident Plan, and Recovery Plan and to recommend their adoption.

2. Background

- 2.1 Under the Civil Contingencies Act 2004 Wiltshire Council is designated as a Category 1 responder. As such it is required to develop and maintain emergency plans that are appropriate, up to date and kept in readiness for emergencies. The council works in close cooperation with the other partner organisations of the Wiltshire and Swindon Local Resilience Forum (LRF). Multi-agency arrangements have been agreed by the LRF and internal plans and procedures are designed to work within these arrangements.
- 2.2 The previous plans were out of date and did not reflect the existing council structures. A review was required to make them fit for purpose.

3. Main Considerations for the Council

- 3.1 The Major Incident Plan sets out arrangements for the council's response to emergencies within or affecting Wiltshire, and potentially impacts on the entire range of council services. In this context an emergency is defined as a situation or series of events that threatens or causes serious damage to human welfare, the environment or UK security. This definition covers a wide range of scenarios including adverse weather, severe flooding, animal diseases or terrorist incidents and their impact on essential services and critical infrastructure.
- 3.2 The plan is generic, and provides a mechanism for mobilising staff and resources in response to an emergency and for performing council functions in relation to a wide range of possible scenarios. While it is an internal council plan, it has been designed to comply with the multi-agency arrangements of the Wiltshire and Swindon Local Resilience Forum (LRF).
- 3.3 It is comprehensive, but officers only need to be familiar with the sections that are relevant to their services or particular roles, and are not expected to be conversant with the entire plan.
- 3.4 Action cards are contained within the plan, which act as easy to use "aide memoir" for staff in the event of an incident.
- 3.5 The aim of the Recovery Plan is to establish the processes and procedures necessary for any Wiltshire community to overcome and/or adapt to the effects resulting from a significant disruptive challenge, whatever the cause.
- 3.6 The recovery effort will commence as soon as possible after the initial incident. This means that the council will be involved in both response and recovery at an early stage, which is likely to severely test our resilience and resources. Wiltshire Council will take the lead for the recovery phase following any incident, which may last for a significant period.
- 3.7 The Recovery Plan is designed around a set of principles which recognise that recovery is an enabling and supportive process which is best approached on a community development perspective. In order to assist any community in the recovery following an incident it is important for that community to fully engage with the process and where relevant manage its own recovery. To this end training is being arranged for parish and town councils through Area Boards to assist them in emergency planning and community resilience.

4. Environmental and climate change considerations

- 4.1 The plans provide the framework for the council's initial and ongoing response to incidents which may include environmental and climate change issues, such as flooding and severe weather. There will be impacts resulting from the council's response to such events, but these are difficult to quantify due to their unknown nature and frequency. They may however include increased vehicle usage, and setting up of temporary shelters or even temporary mortuaries with all the related requirements for heating and lighting.

5. Equalities Impact of the Proposal

- 5.1 The purpose of the Major Incident Plan and Recovery Plan is to provide support to individuals and communities, assisting their resilience when affected by in difficult scenarios. This support would be delivered to the areas of greatest need and would not discriminate in the way it was provided.

6. Risk Assessment

- 6.1 If the plans are not adopted then the council could be criticised for not having appropriate and up to date plans. This is likely to be seen to be a breach of the Civil Contingencies Act, and as such the council could be failing in its legal duty and open to serious reputational risk.

7. Financial Implications

- 7.1 The plans have been developed and will be delivered within the 2012-13 approved budget. If either plan was to be instigated there is the potential for considerable expenditure to be incurred. Whilst the council holds a general fund reserve to cover risk, contingency and unforeseen events, some of the incurred expenditure may be covered by the Government's Bellwin scheme of emergency financial assistance to local authorities. This scheme provides a level of grant funding for expenditure incurred.

8. Legal Implications

- 8.1 Section 2 of the Civil Contingencies Act 2004 requires the Council to assess the risk of, and make and maintain appropriate plans for, any emergency which would be likely to seriously obstruct it in the performance of its functions. It also has a duty to make and maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur, and it would be unable to take that action without changing the deployment of resources or acquiring additional resources, it is able to perform its functions so far as necessary or desirable for the purpose of:

- (i) preventing the emergency,
- (ii) reducing, controlling or mitigating its effects, or
- (iii) taking other action in connection with it.

Approval of the Major Incident and Recovery Plans will enable the council to comply with these requirements of the Civil Contingencies Act.2004 If the plan is not adopted there is a risk of legal challenge, as set out in paragraph 6.1 above.

9. Options Considered

- 9.1 The Major Incident Plan and Recovery Plan comply with legal requirements and with the Wiltshire and Swindon LRF procedures, and as such adoption of the revised plans is the best option.

Conclusions

14. Council is asked to note this report and adopt the Major Incident Plan and Recovery Plan.

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Background Papers

Cabinet Report on the Major Incident Plan - 24 July 2012

Cabinet Report on the Recovery Plan - 23 October 2012

The following unpublished documents have been relied on in the preparation of this report: None

Appendices

Wiltshire Council Major Incident Plan

Wiltshire Council Recovery Plan