

Agenda Item	14
Report No	AS/11/20

HIGHLAND COUNCIL

Committee: Audit and Scrutiny

Date: 24 September 2020

Report Title: **General Emergency Plan**

Report By: The Chief Executive

1. Purpose/Executive Summary

- 1.1 This report explains the statutory requirement for The Highland Council to have in place a General Emergency Plan (GEP). The Plan adopts a generic approach in accordance with emergency planning regulations, setting out the means of activating the Council's response to any emergency and the organisational framework necessary for responding to an unusual or major incident. It is an operational document, intended to "dovetail" with a range of other multi-agency, function-specific and site-specific emergency plans as required.
- 1.2 By necessity, the General Emergency Plan (GEP) is a "live" document. It was completely rewritten in 2019 and remains subject to ongoing review to ensure any lessons learnt from scheduled exercises and actual incidents are incorporated in future response arrangements.
- 1.3 An emergency is a situation that poses an immediate risk to health, life, property, or environment. Most emergencies require urgent intervention to prevent a worsening of the situation. Preparing Scotland's definition of an emergency is "An event or situation that threatens serious damage to human welfare in a place in the UK or to the environment of a place in the UK, or war or terrorism which threatens serious damage to the security of the UK. To constitute an emergency this event or situation must require the implementation of special arrangements by one or more Category 1 responders."
- 1.4 Emergencies often have the potential to affect an organisation's ability to provide a specific service, or services. Where normal operations are affected, and there is a requirement to implement Business Continuity measures, such events may manifest as a 'disruptive incident' or a 'crisis' for that organisation. The British Standards Institution publication PAS 200, 'Crisis Management: Guidance and Good Practice', defines a crisis as: "An inherently abnormal, unstable and complex situation that represents a threat to the strategic objectives, reputation or existence of an organisation".

2. Recommendations

2.1 Members are asked to:

- i. Note that the Council has in place a General Emergency Plan (GEP) which has been produced in compliance with the [Civil Contingencies Act 2004 \(CCA\)](#) and the [Civil Contingencies Act 2004 \(Contingency Planning\) \(Scotland\) Regulations 2005](#).
- ii. Note that the General Emergency Plan (GEP) was completely rewritten in 2019 and incorporates best practice, current guidance and learning from exercises and incidents.
- iii. Note that internal and multi-agency debriefs on the response to COVID-19, along with a tabletop exercise, have taken place and that the learning will be used to inform future response arrangements.
- iv. Note that the Council's emergency plans will be subject to scrutiny under Internal Audit and the Council's response to Covid-19 will be subject to scrutiny under external audit.
- v. Agree further member training and awareness sessions/seminars to be provided on Emergency Planning and Resilience structures and processes.

3. Implications

- 3.1 Resource: There are no direct financial implications. However, dealing with an emergency or Covid-19 Outbreaks has resource implications for the Council impacting on the capacity to deal with business as usual.
- 3.2 Legal: Management of the impacts of a pandemic or any other emergency is a statutory duty of the Council within the Civil Contingencies Act (CCA) and specific primary and secondary legislation as outlined in paragraph 4 below.
- 3.3 Community (Equality, Poverty and Rural): The impact of an emergency on the Highlands has wider consequences due to the vulnerability of communities through fragile employment, ageing demographic, low pay and difficult transport infrastructure – which has a greater impact on those needing to travel for testing, self-isolating or affected by economic impacts. Therefore, humanitarian and welfare considerations as part of the partnership Response are extremely important.
- 3.4 Climate Change / Carbon Clever: Climate change consequences may be considerable where the emergency involves a major environmental impact such as an oil spill or a nuclear incident. The GEP contains links to other plans for managing the consequences of such emergencies. There are negative climate change consequences of an increase in single use PPE ending up in the environment as a result of the Covid pandemic. There are positive consequences however of reduction in work related travel.
- 3.5 Risk: General Emergency Plan and The Outbreak management appendix serve to manage and mitigate the risk to the Council from emergencies.
- 3.6 Gaelic: There are no implications.

4. Statutory Requirements

- 4.1 The GEP has been produced in compliance with the [Civil Contingencies Act 2004 \(CCA\)](#). The CCA applies to the whole of the UK with the Scottish Parliament consenting to Part 1 of the Act being extended to Scotland through the [Sewel Convention](#) which enables the adoption of UK legislation for matters devolved to Scotland.

There are seven main duties under Part 1 of the CCA, aimed at ensuring effective arrangements are in place for planning for emergencies at any time, responding to emergencies and the continued delivery of services. As a Category 1 Responder the Act requires the Council to:

- Assess local risks and use this to inform emergency planning;
- Put in place emergency plans;
- Put in place Business Continuity Management arrangements;
- Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency;
- Share information with other local responders to enhance co-ordination;
- Co-operate with other local responders to enhance co-ordination and efficiency; and
- Provide advice and assistance to businesses and voluntary organisations about business continuity management.

- 4.2 The Civil Contingencies Act (CCA) is “enabling legislation” in that it gives Ministers (UK and Scotland) wide powers to make regulations that describe, in more detail, the provisions of the Act. In Scotland, this has resulted in secondary legislation in the form of the [Civil Contingencies Act 2004 \(Contingency Planning\) \(Scotland\) Regulations 2005 \(“the Regulations”\)](#). The Regulations made under the Act give effect to the seven duties describing, in more detail, how the Scottish Government expects them to be implemented. The Regulations are supported by [Preparing Scotland: Scottish Guidance on Resilience](#), a guidance document which provides advice and examples of good practice in fulfilling the duties.

The Regulations make it mandatory for the Council to:

- Maintain plans for the purpose of ensuring that, if an emergency occurs or is likely to occur, the Council is able to continue to perform its functions so far as is necessary or desirable for the purpose of:
 - preventing the emergency
 - reducing, controlling or mitigating its effects
 - taking other action to be taken in connection with it (*Section 2(1)(d)*).
- Maintain plans which relate to more than one emergency or particular kind of emergency and *may* maintain plans relating to a particular emergency or kind of emergency (*Regulation 15*). [*As such, Regulation 15 establishes that Category 1 Responders in Scotland must maintain generic plans*].
- Consider whether it would be appropriate to plan by way of a multi-agency plan (*Regulation 16*).
- In planning for emergencies, have regard to the activities of the relevant voluntary organisations (*Regulation 17(1)*).

- Include a procedure for determining whether emergency or business continuity plans require to be implemented, and must identify the person or persons responsible for taking that decision (*Regulation 18*).
- Include arrangements for the carrying out of exercises to ensure the plan is effective (*Regulation 19(a)*).
- Provide training to an appropriate number of staff considered necessary to carry out plans effectively (*Regulation 19(b)*).
- Consider whether plans should be modified in the light of guidance and/or assessment made by Scottish Ministers under Regulation 11 (*Regulation 20*).
- Have regard to the importance of not alarming the public unnecessarily when undertaking its duty to publish plans (*Regulation 21*).
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5. Purpose and Scope of the General Emergency Plan

- 5.1 When a major incident occurs, the rules governing normal decision-making change. Consequently, it is essential that Senior Officers have a planned response to such an incident. In a crisis situation, faster decision-making processes are required. Routine channels of information and communication may be inadequate or non-existent, necessitating the need for a predetermined and exercised response.
- 5.2 The General Emergency Plan (GEP) is a generic plan for responding to *any* unusual or major incident. It is supported by a number of other plans that detail how specific responses are carried out, such as for the establishment of [Emergency Support Centres](#), and Business Continuity Plans for maintaining essential service delivery in the event of specific and generic impacts such a loss of utilities or loss of key staff as a consequence of an emergency. The response arrangements which the GEP describe are also compatible with site-specific emergency plans, such as those relating to nuclear and major industrial sites, which are regulated by legislation separate to the CCA (the [Radiation \(Emergency Preparedness and Public Information\) Regulations 2019](#), and the [Control of Major Accident Hazards Regulations 2015](#), respectively). A full list of associated plans is included in Section 16 of the GEP. Due to the ownership and nature of these plans, some are marked OFFICIAL SENSITIVE in accordance with the [Government Security Classifications Policy](#), while others are only available through the Council's [Intranet](#) for internal use.
- 5.3 The Council's response to the impacts of COVID-19 has followed the generic arrangements described in the General Emergency Plan (GEP), and wider national planning for such pandemic scenarios, yet there are also opportunities to learn from the challenges presented by this new virus. Updated national guidance has been received and a new annex is being developed to outline the specific arrangements for dealing with the impacts on the Council from a local pandemic outbreak. Various debriefs and a tabletop exercise have since taken place and the learning will be captured and used to inform future response arrangements.
- 5.4 Other recent examples of various types of serious incidents include the Dingwall Flood 2019, Park Primary School fire February 2020, and MV Kaami (Skye) March 2020.

Every school is also required to have an Emergency Plan and the guidance for these sits within the General Emergency Plan.

6. Ensuring the General Emergency Plan is Up-to-date

- 6.1 Emergency Planning is not a static process. “What” the Council may have to deal with is informed by ongoing risk assessment, undertaken through the North of Scotland Regional Resilience Partnership (NoSRRP) and published as the [NoSRRP Community Risk Register](#). This ensures contingency arrangements remain relevant. Awareness of the potential impacts of evolving risks enables responders to prepare arrangements for business continuity and emergency plans to minimise disruption and protect vital services.
- 6.2 “How” we respond is informed and amended by guidance issued by the Scottish Government, Resilience Partnerships and other bodies; the sharing of best practice within and between Resilience Partnerships; and the learning derived from exercises and actual incidents. It is customary for each incident to be formally debriefed, usually on a multi-agency basis and sometimes internally, to ensure any lessons are captured and translated into more efficient and effective response arrangements (see Section 7.3 below).
- 6.3 The revised GEP took account of the current risk assessment, latest national resilience structures, and incorporated best practice and the most up-to-date guidance of the time. Further guidance has been developed to assist the Duty ECO arrangements and the response to outbreaks of Covid-19.
- 6.4 The updated GEP also incorporates and references all of the Council’s emergency plans and protocols in one place.

7. COVID-19

- 7.1 As noted above, the arrangements described in the General Emergency Plan (GEP) are intended to apply to any emergency. The GEP does not serve to provide a detailed or prescriptive protocol for responding to nuanced or complex emergencies such as COVID-19. Its function is to map out the initial alerting and activation procedures, and in broad terms, the organisation and management framework of the Council’s response.
- 7.2 In respect of the specific challenges presented by a COVID-19 outbreak, and taking account of new national guidance released in July and August 2020 ([Management of Public Health Incidents: Guidance on the Roles and Responsibilities of NHS Led Incident Management Teams](#), Public Health Scotland; and [Coronavirus 19 \(COVID-19\): Surveillance and Response](#) and [The Scottish COVID-19 Workbook 2020](#), both published by the Scottish Government) the GEP will include an annex on Local Pandemic Outbreak Response once agreed with key partners in Public Health.
- 7.3 Several structured debriefs on COVID-19 response were conducted in the Summer of 2020 by the North of Scotland Regional Resilience Partnership (NoSRRP) Learning & Development Coordinator to identify good practice and establish any matters for improvement. Each of Highland’s five Emergency Liaison Groups (ELGs) were debriefed, along with the Highlands and Islands Local Resilience Partnership (HILRP). A separate internal debrief was conducted for Council staff who had a role in the response.

8. Staff and Member Training and Awareness

- 8.1 Several awareness sessions have been held for senior staff in relation to the GEP. Specific training sessions and multi-agency exercises also take place on a regular basis.

For example, an oil spill exercise was held in the autumn of 2019. A [video](#) was made about this training.

- 8.2 On 31st August 2020 the Council held a strategic seminar and table top exercise, also involving NHS Highland, Police Scotland and High Life Highland, to consider its response to a range of scenarios related to a local outbreak of COVID-19. Once the learning from these events has been aggregated, it will be incorporated in future response arrangements and the General Emergency Plan and any relevant appendices will be updated accordingly.
- 8.3 Previous sessions have been held for Members to provide training and raise awareness of Emergency Planning and Resilience. It is a recommendation of this paper that further sessions/seminars be scheduled in the autumn and winter.

Designation: The Chief Executive

Date: 8 September 2020

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Background Papers:

[https://www.highland.gov.uk/downloads/file/22641/the_highland_council -
_general_emergency_plan](https://www.highland.gov.uk/downloads/file/22641/the_highland_council_-_general_emergency_plan)