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| **For Decision** | |
| **Public/Non Public\*** | **Public** |
| **Report to:** | **Joint Audit and Scrutiny Panel** |
| **Date of Meeting:** | **29th April 2022** |
| **Report of:** | **DCC Rachel Barber** |
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| **Other Contacts:** | **Laura Spinks, Force Assurance Lead**  **Andrew Burton, Risk and Business Continuity Officer** |
| **Agenda Item:** | **15** |

\*If Non Public, please state under which category number from the guidance in the space provided.

**BUSINESS CONTINUITY MANAGEMENT**

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| 1. **Purpose of the Report** |

* 1. The purpose of this report is to present to the Joint Audit and Scrutiny Panel (JASP) an update on the Force Business Continuity Planning process.
  2. To inform the Panel of the Force Critical Functions identified by Heads of Department.
  3. To inform the Panel of the 2022/23 Business Continuity Testing timetable, which identifies key areas of the business to be tested each quarter. This was approved at the Force Executive Board on 4th April 2022.
  4. To provide an update on the Business Continuity testing programme completed throughout 2021 - 2022.

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| 1. **Recommendations** |

* 1. It is recommended JASP notes the updates and the progress made against the Force Business Continuity function and testing.
  2. That JASP notes the list of Force Critical Functions (Appendix 1).
  3. That JASP notes the testing timetable (Appendix 2).

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| 1. **Reasons for Recommendations** |

* 1. To enable the Panel to fulfil its obligations with regards to ensuring the Force can enact an appropriate response should a critical incident occur.

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| 1. **Summary of Key Points** |

**UPDATE**

4.1 All Force-wide Business Continuity Plans have been activated and reviewed to address the Covid-19 threat. Force and departmental critical functions were reported at regular weekly Gold BION meetings (concluded December 2021) together with any potential threats. Business Continuity was also a standing agenda item at that meeting.

4.2 The Force currently has twenty-seven business continuity plans and business impact assessments (BIAs) covering all aspects of its business. As of today (25th March 2022) twenty-six Plans/BIAs have been tested. Test reports have been written and agreed by Departmental Heads and Business Continuity leads for those areas that have been tested.

**TESTING**

4.3 The 2021/22 formal Force programme of testing Business Continuity Plans and Business Impact Assessments was agreed at the Force Executive Board on 6th April 2021. Due to the activation of all plans throughout the pandemic, each area of the force was subjected to a light touch table-top test conducted by the Force Business Continuity/Risk Manager together with the Head of the Department or appropriate deputy.

4.4 The methodology of the test included lessons learned identified through the Operation Talla and Reform Programme. This ensured that departments were fully prepared if faced with a similar event and that they had the awareness of issues that were encountered at a national level during the pandemic.

4.5 There is one Plan/BIA outstanding as part of the annual programme, which is Information Services. This is scheduled to be tested in the next few weeks.

4.6 In addition to the annual programme, during January 2022, all Force Plans were also tested against the threat posed by the ‘Covid Omicron’ virus. This was conducted by Heads of Department and Business Continuity leads against a scenario-based presentation focusing on the potential impact on critical functions of the loss of staff up to 50%.

4.7 A further ‘Omicron deeper dive’ test was then directed by ACC Cooper focusing on critical key areas of business, which were Contact Management, Custody, and Response. Findings were reported to the Organisational Risk, Standards, Learning and Integrity Board in March 2022.

4.8 Following testing, all Business Continuity Plans and Business Impact Assessments, when refreshed, are added to the Business Continuity shared drive for access by Heads of Department and appropriate named deputies.

**TEST RESULTS**

4.9 An overwhelming majority of Departments identified no issues to be escalated during testing. Those issues that were identified were to be departmentally managed. This was primarily due to Business Continuity and risk issues, throughout the pandemic period, being brought to, discussed, and resolved through the Operation Bion weekly Gold Group meetings chaired by ACC Cooper.

4.10 The only issue that did emerge from testing, was the request for clarity on home working going forward. Departments were aware of the agile pilots taking place but wanted clear direction on the Forces position post Covid. This was particularly relevant to the time when pandemic restrictions would be completely removed.

4.11 Positive outcomes from testing Programme that emerged included -

* Prioritisation did take place to ensure continuation of service to vulnerable people, areas of business.
* Where some partners reduced service provision, Force Departments identified critical areas and intervened appropriately.
* All areas praised the flexibility, focus, dedication and enthusiasm of officers and staff throughout the pandemic period.

4.12 The main finding from the ‘Omicron Deep Dive’ test was that all three areas found, and still find, the current threat a challenge and fully realise that circumstances can change but they are confident that contingency plans are in place to address potential loss of staff.

**CRITICAL FUNCTIONS**

4.13 An updated list of critical force functions has been circulated to ACC Cooper and ACC Griffin and these are outlined in Appendix 1.

**PROPSED 2022-2023 TESTING TIMETABLE**

4.14 The proposed timetable, attached at Appendix 2, prioritises the key critical force functions for specific testing and then the capacity for individual Departments to identify contingency plans and innovative ways to recover essential services. This testing will be conducted by the Assurance Team together with appropriate staff from each Department.

4.15 The format of the testing will predominantly be shallow dives. However, it is proposed that we conduct a number of deeper dives in some of the force critical areas. This will be a scenario-based approach and full reports will be presented to the Organisational Risk, Standards, Learning and Integrity Board so that good practice is shared force-wide, and any risks are elevated to the appropriate risk registers.

4.16 Any learning from the testing regime will be fed directly to the Head of the Department and the Force Business Continuity Manager will work with appropriate individuals to ensure plans are updated and appropriate action is taken.

4.17 The testing cycle will ensure that the plans are robust, fit for purpose and provide confidence that the Force can provide effective resources to tackle critical incidents and still address vulnerable individual and community needs.

4.18 This testing timetable will take place alongside the testing scenarios undertaken by the Force Emergency Planning and Local Resilience Forum. Any learning will be shared through the Organisational Risk, Standards, Learning and Integrity Board.

4.19 Any learning or lessons learned regarding Business Continuity continues to be collated and inform future approaches and testing programme for each Department. The broader Force themes are also being identified to inform the overarching strategic Business Continuity approach. The Force is fully engaged with the Strategic and Local Resilience Forum including working subgroups plus with the National and Regional Business Continuity Steering Groups who are fully active during the pandemic.

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| 1. **Financial Implications and Budget Provision** |

5.1 There are no direct financial implications associated with business continuity management within the Force.

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| 1. **Human Resources Implications** |

* 1. Professional support for Business Continuity Management is provided by one FTE who also has the Risk portfolio and is based within Corporate Development.
  2. General responsibility for business continuity management forms an integral part of the job descriptions of individuals managing critical functions within the Force.

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| 1. **Equality Implications** |

* 1. There are no known equality implications associated with the implementation of business continuity management within the Force.

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| 1. **Risk Management** |

* 1. Business continuity management is closely linked to the management of risk. Whilst the Force will maintain business continuity plans for its critical functions in order to meet its statutory obligations, an awareness and assessment of current risks will enable those plans to take account of changing circumstances and will therefore lead to better and more effective business continuity plans.

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| 1. **Policy Implications and links to the Police and Crime Plan Priorities** |

9.1 There is no specific reference to business continuity management in the Making Notts Safe Plan, although continuation of critical functions at a time of disruption is vital in achieving any priority.

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| 1. **Changes in Legislation or other Legal Considerations** |

10.1 The Civil Contingencies Act 2004 places a statutory duty on all Category 1 responders (which includes the police) to maintain plans to ensure they continue to perform their functions in the event of an emergency, so far as is reasonably practicable. An emergency is defined as an event that threatens serious damage to human welfare, the environment or the security of a place in the United Kingdom. The qualification “so far as is reasonably practicable” means that in practice the Force is required to maintain plans for the continuity of its most critical functions to an acceptable level.

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| 1. **Details of outcome of consultation** |

11.1 The updated list of critical functions has been circulated to ACC Cooper and ACC Griffin.

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| **12. Appendices** |

**Appendix 1:** **Business Continuity Force Critical Functions Priority Testing.**

**Appendix 2: Business Continuity Testing Timetable for 2022/23.**