

## Scrutiny into Business Continuity Scope and Terms of Reference

Scrutiny work comprises detailed evidence based assessment of particular services or issues of local concern that can be developed or improved.

### 1. Title

#### Scrutiny into Business Continuity

##### Definitions

The British Standard on Business Continuity Management (BCM), BS25999, defines BCM as “a holistic management process that identifies potential threats to an organisation and the impacts to operations that those threats, if realised, might cause, and which provides a framework for building organisational resilience with the capability for an effective response that safeguards the interests of its key stakeholders, reputation, brand and value creating activities.”

A Business Continuity Plan (BCP) identifies the impact of potential threats and formulates viable strategies which ensure continuity and/or recovery of an organisation’s operational activities.

Cabinet Office (UK Resilience) states that BCM “Must be regarded as an integral part of an organisation’s normal ongoing management process.”

The Civil Contingencies Act 2004 requires Category 1 responders, which include Police Forces, to maintain plans to ensure that they can continue to exercise their functions in the event of an emergency so far as is reasonably practicable.

The BCM duty in the Act relates to all the functions of a Category 1 responder, not just its civil protection functions. Hence the legislation requires Category 1 responders to maintain plans to deal with emergencies and put in place arrangements to warn and inform the public in the event of an emergency. But it also requires them to make provision for ensuring that their ordinary functions can be continued to the extent required. The Regulations also require Category 1 responders to put in place a training programme for those directly involved in the execution of the BCP should it be invoked.

### 2. Purpose

The purpose of this scrutiny is to contribute to the achievement and maintenance of high levels of performance, efficiency and effectiveness of the Force and Authority by conducting a scrutiny into the Force’s Business Continuity Management planning and processes.

The rationale for selecting the topic of Business Continuity is detailed below.

- **Performance:** A new Business Continuity Management policy is currently being developed (in consultation phase with DCC and Command Group). Force expectation is that adoption of the new Policy will be finalised within the next 3 months.
- **Risks:** Not having a plan or keeping it up to date and tested would mean non compliance with the Civil Contingencies Act 2004. Without appropriate BCM arrangements, the Force would not be prepared if operational activity was adversely impacted, resulting in longer recovery times, reputational damage and increased costs. The lack of preparedness could mean areas of poor resilience are not identified and the opportunity to mitigate risk lost. A particular area to consider and build on a previous scrutiny will be the Business Continuity arrangements for the Force Communications and Control Centre (FCCC). FCCC has previously suffered from power outage (Autumn

2008), adversely impacting on operations. Business continuity features in the Force risk register.

- **Resources:** It is difficult to estimate exact costs given the cross cutting nature of the topic. The Force's objective analysis data places business continuity planning under the heading of civil contingencies that also includes contingency planning, purpose built command suites used during major/large incidents, emergencies or exercises and incident information centres. Under this heading the Force has allocated two Constables (special events and licensing) and two support staff (emergency planning officer and assistant), with a cumulative total annual cost of £143,623. There are senior staffing costs and other costs that are not reflected in this figure.
- **Impact on local communities:** The impact of this scrutiny topic is particularly significant to the communities of Lincolnshire, as it is focused on the ability of the Force to maintain a police service throughout the County if operational activity were to be adversely impacted. In such an event it would therefore link to the general public's overall perception and feelings of trust, confidence and satisfaction of policing services.
- **National Policy:** As detailed above, the Force has a statutory obligation under the Civil Contingencies Act 2004 to maintain a business continuity plan. ACPO and NPIA also recognise the need for increased resilience in police forces to be able to continue to provide critical services during an incident that could impact on a Force's own business processes.
- **Inspections:** Business Continuity forms part of the Protective Service Inspection of Civil Contingencies and Emergency Planning. This took place last year. Lincolnshire was not inspected during this phase of inspection due to the County being classified as a low risk area. The ACPO Business Continuity working group has worked closely with the HMIC to ensure that forces' business continuity plans are part of a measurable audit process. The role of the HMIC is to promote efficiency and effectiveness of police forces and, as such, ACPO's view is that business continuity plans should be measured to meet the public expectation that police forces will continue to protect them, even in catastrophic circumstances.
- The topic of Business Continuity is considered to be **cross-cutting** as it has implications across all Divisions across the Force.
- **Priorities/adding value:** The Panel and Force agree that the scrutiny will **add value** and build on planned activities within the Force; particularly the following commitments in the Policing Plan:

“In 2010/11 we will:

Ensure procedures are in place regarding our essential support activities to mitigate risks from disaster (disaster recovery and business continuity)

In 2011/12 we will:

Implement new structures and processes, to ensure that we can continue to provide a comprehensive policing service to you, if there is a technical or business failure.”

- However, the scrutiny will not **duplicate** any other work and it is hoped it will inform the achievement of these two objectives.
- The scrutiny is considered to be **timely** and **ethical** and it can be effectively **resourced**.

### 3. Objectives

The Panel aims to achieve the following:

- Understand the Business Continuity Management and Planning processes the Force has in place and identify where improvements can be made to increase the ability of the Force to maintain critical operational activities when these face disruption.

## 4. Scope

In order to maximise the benefits from the scrutiny process, the Panel plan to explore the following specific areas relating to Business Continuity:

- The Force's current and in-development business continuity management processes including planning, governance, risk management, business/disaster recovery strategy and allocation of responsibilities.
- The Force's arrangements for staff awareness and training.
- The Force's arrangements for maintaining, reviewing and updating business continuity plans and their testing.
- Identify best practice (other Forces, NPIA, ACPO, British Standards Institute)
- Consider opportunities for collaboration, both regionally with other Police Forces and locally with LAA partners and the formalisation of these through agreed protocols.
- Consider the Business Continuity Planning requirements of the Authority given the Authority's dependency on the Force for key services (e.g. ICT, telephony) and accommodation.

In carrying out the above the panel will particularly wish to consider whether critical business areas have been appropriately identified, risks and threats adequately assessed, that disaster recovery/contingency planning is sufficient and what guidance can be offered to the Force to aid planning in these areas. Priority areas suggested by the Force include FCCC, the Force estate, ICT and workforce contingencies in the event of large scale absence including chief officers.

All of the above is to be done with reference to the statutory obligations under the Civil Contingencies Act 2004 and best practice as identified by the British Standard on Business Continuity Management BS25999 and the ACPO/NPIA Guidance on Emergency Procedures.

## 5. Approach

The Chair of the Audit, Risk and Governance Committee, the Scrutiny Panel, Chief Executive, Treasurer and Deputy Chief Constable will confirm the rationale, brief and scope of the scrutiny.

### Methodology

The scrutiny will be carried out using the following methodology:

- Undertake a literature review and conduct desk research
- Research any good practice and take advice from, Her Majesty's Inspectorate of Constabulary (HMIC), the Association of Police Authorities (APA), National Policing Improvement Agency (NPIA) and the British Standards Institute (BSI) where appropriate.
- Gather data and consider evidence-based research from Force staff/officers and carry out reality checking in order to produce a report that outlines suggestions for improvement.
- Produce a draft scrutiny report to the Audit, Risk and Governance Committee on 19 November 2009. Consider the findings and recommendations from the Panel at the meeting, which will include questions to relevant Force staff/officers (maximum one hour time slot within Committee agenda).
- Revisit progress made by the force in implementing and embedding the Business Continuity Policy and resultant Plan(s) in 12 – 15 months.

NOTE: there is an expectation that all relevant Force officers/staff and the lead Chief Officer will be present at the meeting to enable effective discussion and debate.

- If necessary, arrange a follow up meeting 6 – 8 weeks following the Audit, Risk and Governance Committee to assimilate and rationalise information following the Committee's consideration of the scrutiny report.

## **6. Derivation**

- Information and evidence will be sourced from Force staff and officers at both strategic and operational level. On a strategic level, the Deputy Chief Constable Neil Rhodes is the Chief Officer lead in this business area. However there are significant priority areas under the command of Assistant Chief Constable (Protective Services), Alec Wood, including Emergency Planning and the FCCC, with BCUs the responsibility of ACC Keith Smy.
- Source information through the National Policing Improvement Agency (NPIA), the Association of Chief Police Officers (ACPO), Her Majesty's Inspectorate of Constabulary (HMIC), the Home Office, the Association of Police Authorities (APA), and the British Standards Institute (BSI).

The key contact points in the Force have been suggested as:

- Planning Officer, Emergency Planning (Ian Watkins)
- Project Manager for disaster recovery (Ian Rushton)
- Head of Force Communications and Control Centre FCCC (C/Insp Keith Owen)
- Head of Information, Communication and Technology (Ian McCorriston)
- Director, Human Resources (Sue Scott)
- Director, Finance and Administration (Peter Steed)
- Head of Strategic Development (Nancie Shackleton)
- Head of Operations (Ops) Support (C/Supt Terry Hackett)/Deputy Head of Operations (Ops) Support (Supt David Lynch)
- Divisional Commanders (C/Supt Carl Langley, C/Supt Dave Hayward, C/Supt Russ Hardy)
- Deputy Chief Constable Neil Rhodes
- Assistant Chief Constable (Protective Services) Alec Wood
- Assistant Chief Constable (Safer Neighbourhoods) Keith Smy

## **7. Composition**

The scrutiny report will include the following chapter headings:

- *Introduction*
- *Background*
- *Management and planning arrangements*
- *Communication and training arrangements*
- *Testing and updating arrangements*
- *Resourcing*
- *Challenges*
- *Risks*
- *Recommendations*
- *Conclusion*
- *Appendices*

## 8. Format

The Scrutiny Panel will produce a report for submission to the Audit, Risk and Governance Committee.

## 9. Exclusions

To ensure that the scrutiny remains focussed and deliverable within time and resource constraints, the Panel will not be able to consider all aspects of Business Continuity and contingent/interrelated areas.

The following exclusions will apply:

- An active test of the Force's Business Continuity Plan
- Planning related to Force operational response to emergencies or major incidents regardless of their cause.

Significant work is being undertaken by Nancie Shackleton around contingency planning for the potential effects of swine flu. This work is well advanced. This should not be excluded from the scrutiny, but it maybe that there are other areas where the panel could add greater value and so will prioritise their work and its depth accordingly.

## 10. Timescales

Action	Deadline date
Topic agreed	21 May 2009
Expression of interest requested	24 July 2009
Panel formed	31 July 2009
Produce scope and background research (including initial meeting with DCC and ACC)	7 August 2009
Agree terms of reference with Force	August 2009
Conduct Fieldwork	August, September 2009
DCE start to write report by at least	28 September 2009
Final report emailed to Panel for comments	<b>9 October 2009</b>
Deadline for Panel to return comments	16 October 2009
DCE make amends/run passed CE	16 - 21 October 2009
Final report emailed to Force for comments	21 October 2009
Deadline for Force to return comments	<b>28 October 2009</b>
DCE to forward to CE/T final clearance	2 November 2009
CE/T clear papers deadline	4 November 2009
Meeting to finalise papers	4 November 2009
Despatch papers	12 November 2009
Audit, Risk and Governance Committee Meeting date	19 November 2009
Follow up meeting if necessary	6 – 8 weeks later

## 11. Membership

Mrs Angela Crowe JP	Audit, Risk and Governance Committee	Panel Lead
Mr Paul Przyszlak	Audit, Risk and Governance Committee	Panel Member

Mr John Atter	Community and Partnership Committee	Panel Member
Miss Ginny Mason	Research & Performance Officer	
Mr Howard Hunt	Deputy Chief Executive	
Ms Deborah McGovern	Chief Executive	
Ms Julie Flint	Treasurer	

## 12. Resource Implications

Member expenses (to the end of September 2009):

Attendance at 6 meetings (18 ½ hours in total) x 3 Members) =	£1110.00
Travel time expenses and mileage costs (based on 6 meetings) =	£1411.20
Total Approximately	<b>£2521.20</b>

- DCE/RPO time (approximately 2 - 3 days/week for the scrutiny period)/Secretariat time
- Force opportunity costs (staff/officers attendance at panel meetings)

## 13. Bibliography/Additional Information

The following is taken from the ACPO/NPIA Guidance on Emergency Procedures 2009:  
<http://www.acpo.police.uk/asp/policies/Data/Emergency%20Procedures%202009.pdf>

An emergency or major incident is likely, by its definition, to place a significant burden on the police. A continued policing provision is still required to be delivered, both in the area directly affected and across the rest of the force area. This requirement is one of the strategic objectives in maintaining the rule of law. The effectiveness of any response to an incident can be reduced where there is a partial or full breakdown in law and order in the area concerned.

Business Continuity Management is the strategic and tactical capability of the organisation to plan for and respond to incidents and business disruptions in order to continue business operations at an acceptable pre-defined level. BCM planning should be aimed at maintaining critical activities, and response to an incident must take into account the likelihood and impact of the loss of one or more critical activities or critical infrastructure of the force.

Police forces, as category 1 responders, have a legal duty under the Civil Contingencies Act 2004 to prepare business continuity plans to cover the loss of critical activities. Critical activities are those activities which have to be performed in order to deliver the key products and services which enable an organisation to meet its most important and time sensitive objectives. The plan should cater for circumstances where there is a sudden and significant loss of infrastructure or facilities, for example flooding, major fire or loss of information technology systems. It should also cater for a scenario where the activities of the police force have to be collapsed to concentrate on critical activities, for example during an emergency where staff absenteeism rises severely or during a major incident where a large number of police personnel are deployed.

The business continuity plan should detail the business continuity management structure and processes to be adopted at times of crisis. A senior police officer or police staff manager should be appointed as the business continuity manager, operating at a strategic level. The business continuity manager should have a clear line of communications with the Gold Commander, and may sit on the Strategic Co-ordinating Group, although this may not always be appropriate because of the differing focus of business continuity as opposed to the control and command of the emergency or major incident.

The business continuity manager should convene a team of key personnel to implement the business continuity process. The plan should identify the resources, services and actions required to maintain critical activities and, if they are lost, to restore them within a defined timescale. The key to business continuity management is resilience against disruption, and while it is internally focussed, it should take account of interdependencies with other organisations that may be affected by similar disruption at the same time.

## **Backing-up the policing basics**

**(Article from “Public Service Review: Home Affairs Issue 16” - Wednesday, October 03, 2007)**

Mike Bowron, Commissioner of the City of London Police, ACPO, explains why the implementation of business continuity is as important to routine management within the Police Service as it is to critical activity in the face of emergency.

The Civil Contingencies Act 2004 places a responsibility on police forces to have in place emergency plans and business continuity management arrangements.

The Police Service is classed as a Category 1 responder and, as such, the Service needs to maintain plans to ensure that it can continue to exercise its functions in the event of an emergency so far as is reasonably practicable.

An emergency, for the purpose of the Civil Contingencies Act, is defined as an event or situation that threatens serious damage to human welfare in a place in the UK; an event or situation that threatens serious damage to the environment of a place in the UK; or war or terrorism that threatens serious damage to the security of the UK.

For the Police Service, this means being able to deal with an emergency as well as manage day to day routine business. The police will normally co-ordinate the activities of those responding at and around the scene of a land-based sudden impact emergency. The key priority is the saving and protection of life; however, care will also be taken to safeguard evidence for subsequent enquiries and, possibly, criminal proceedings.

As well as managing all of these elements in the event of a major incident, the Police Service has to continue with attending other emergency calls and reports of crime, as well as neighbourhood policing.

The Association of Chief Police Officers (ACPO) business continuity working group has been set up to provide guidance and information to support forces with business continuity plans already in place, with the main aim of developing a culture and awareness at a senior level in forces for the need for such plans. This overarching aim also includes working closely with Her Majesty's Inspectorate of Constabulary (HMIC) to influence a future audit process, determining appropriate Police Service focused training for business continuity, the sharing of Best Practice and BC issues through regional forums, and providing BC guidance for forces.

Regardless of the requirements of the Civil Contingencies Act, every police force needs to ensure that it can continue to deliver key services to their communities during a period of disruption. Despite the publicity that major incidents attract, it is often the mundane incidents that can cause operational disruption.

Police forces throughout the UK have suffered from burst internal water pipes, fires, flooding from sewerage, shortage of skilled staff, failures in IT, telecommunications and power. Major crimes, such as the Soham murders, have resulted in the redirection of staff away from front line operations. All of these incidents have put pressure on the police's service to the public.

Business Continuity Management enables police forces to prepare for any disruption and ensure that key services are delivered to the community regardless of the disruption. The working group for BC has developed a lot in the past year; for one, there is now a comprehensive understanding of how we can assist forces in their plans – we work closely with the Civil Contingencies Secretariat to ensure we are developing our guidance in line with what is expected of Category 1 responders.

The working group is also keen to develop the understanding that business continuity does not just come into effect after a major incident but can also be required, for example, when road closures are necessitated, meaning that a large police presence is needed to manage diversions, etc.

It is essential that forces understand that providing a good response to all incidents that require an increased use of resources, and not only those defined as emergencies through the Act, can be a useful mechanism in tackling everyday issues. To this end, the working group has been ensuring that there is a clear idea at least of what the critical activities are for the Police Service to deliver during such an incident, and we are able to disseminate these thoughts through the regional forums to forces.

All forces now view their business continuity plans as essential to their critical activity; the Metropolitan Police Service (MPS) is a force spanning a vast area that has such plans in place.

An example of this in practice was the 7/7 bombings, which posed major challenges, significant staff abstraction and disruption to travel for many MPS staff. It proved that a major event can occur at any time and anywhere, and can vary in its size and nature. However, no matter what the incident, the MPS, like any force, must be prepared to not only deal with it, but also have business continuity plans in place to continue to deliver all the essential critical activities associated with daily policing business. Following 7/7, a review of the forces' approach to business continuity was carried out to ensure that the planning and management were appropriately focused, and that there was clarity over what the critical activities of the MPS were.

Norfolk Constabulary, although covering a smaller area than the Metropolitan Police, has also set in place business continuity plans to ensure that they can keep daily business going during a major incident.

They have used workshops, training and exercises to ensure that the plans are communicated effectively and that they are a leading partner in the Community & Economic Resilience Sub-Group of the Norfolk Resilience Forum, which aims to develop an integrated strategy for the effective promotion of business continuity.

The national BC forum working group has also formed nine regional BC groups, which are able to ensure an overview of activity throughout the 42 forces in England and Wales.

The regional groups exist to share good practice and exercise together locally, regionally and nationally, ensuring that the plans that forces have work in real-time situations. The forum has also sponsored two conferences on business continuity, which were held at the Emergency Planning College in Easingwold. Representatives from forces attended the conferences to find out about business continuity plans and to share ideas. In addition to this, regional forums have also been organised, the most recent of which was in Hampshire for South East forces.

The BC working group has also worked closely with the HMIC to ensure that forces' business continuity plans are part of a measurable audit process. The role of the HMIC is to promote efficiency and effectiveness of police forces and, as such, business continuity plans should be measured to meet the public expectation that police forces will continue to protect them, even in catastrophic circumstances.

The collaboration between ACPO and the HMIC to support forces in their work on contingency plans for the provision of services to the public is of high importance because it underpins the continuing provision of fundamental police services.