

**Agenda item:**

<b>Title of meeting:</b>	Cabinet Member for Environment & Community Safety's Decision meeting.
<b>Date of meeting:</b>	24 <sup>th</sup> January 2018
<b>Subject:</b>	Creation of a shared Emergency Preparedness, Resilience and Response Service for Portsmouth City Council and Southampton City Council
<b>Report by:</b>	Civil Contingencies Manager
<b>Wards affected:</b>	All wards
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

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**1. Purpose of report**

- 1.1 This report concerns the city council's partnership with Southampton City Council with regard to emergency planning functions.

**2. Recommendations**

- 2.1 To approve the creation of a shared Emergency Preparedness, Resilience and Response (EPRR) service for Portsmouth City Council and Southampton City Council and a joint EPRR Board to oversee its operation, as outlined at paragraph 9.

**3. Background**

- 3.1 Portsmouth City Council's Civil Contingencies Unit and Southampton City Council's Emergency Planning team are required to ensure the authorities' compliance with the Civil Contingencies Act 2004 and related legislation<sup>1</sup>. Their work can be summarised as developing and maintaining arrangements to ensure that the City Councils and their wider communities can prepare for, respond to and recover from emergencies effectively. For ease of reference within this report these activities are referred to as Emergency Preparedness, Resilience and Response (EPRR).

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<sup>1</sup> The [Civil Contingencies Act 2004 \(Contingency Planning\) Regulations 2005](#), [Control of Major Accident Hazards Regulations \(COMAH\) 2015](#), [Pipelines Safety Regulations 1996](#), [Radiation \(Emergency Preparedness and Public Information\) Regulations \(REPPiR\) 2001](#).

- 3.2 Portsmouth City Council (PCC) and Southampton City Council (SCC) agreed to adopt shared management arrangements for each authority's EPRR Service and the alignment of their relevant budgets under a Deed of Delegation executed on 9 December 2016.
- 3.3 SCC Service Lead Ian Collins has undertaken the shared management role following the retirement of PCC's previous Civil Contingencies Manager; PCC pays SCC an annual fee relating to 50% of this shared manager's employment costs.
- 3.4 In developing these arrangements both authorities expressed an aspiration to develop shared service arrangements and pooled budgets for EPRR, though this was judged not to be achievable by the December 2016 deadline required following the PCC manager's retirement.
- 3.5 PCC and SCC have since benefited from the creation of a more efficient joint programme of EPRR work, making better use of the skills and experience across both teams to support the objectives of both Councils.
- 3.6 In July 2017 this partnership work was further strengthened by the establishment of a Joint Emergency Planning Duty Officer system, where the first point of contact and coordination for both Councils' emergency responses has been undertaken by a pool of officers from both PCC and SCC EPRR teams. This has proven effective in the responses to the 21 incidents that have taken place since its establishment; this has involved PCC officers managing the initial response activities of SCC and vice-versa in some incidents.

#### **4. Proposal: Creating a Shared Service and Pooled Budget**

- 4.1 'Shared Services' refer to two or more authorities providing a given service to their electorates on a joint basis. They do not need to be geographical neighbours. The immediate rationale for local authorities which have decided to share their service provision with other local authorities is often financial. They may also seek service improvements and improved internal effectiveness. A further rationale may be to tap into greater levels of expertise.<sup>2</sup>
- 4.2 A pooled budget is an arrangement where two or more partners make financial contributions to a single fund to achieve specified and mutually agreed aims. It is a single budget, managed by a single host with a formal partnership or joint funding agreement that sets out aims, accountabilities and responsibilities.<sup>3</sup>
- 4.3 It is proposed that a shared EPRR service with pooled budget, hosted by SCC, is established to benefit both Councils, improving internal effectiveness, resilience and ability to pursue commercial opportunities. EPRR resources in both Councils would thus be managed as a coherent whole instead of as distinct entities.

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<sup>2</sup> House of Commons Library, '[Local government: alternative models of service delivery](#)', May 2016

<sup>3</sup> DCLG, '[Guidance to local areas in England on pooling and aligning budgets](#)', March 2010

- 4.4 Though SCC would be the host authority, the shared service would be a 50/50 partnership with PCC. Governance would be adapted by expanding the remit of the current SCC Emergency Planning and Business Continuity Board to include appropriate PCC representation. This Board would oversee the direction of the partnership, its budget, and ensure that the interests of both partners are served.

## **5. Reasons for recommendations**

- 5.1 Closer working in EPRR between PCC and SCC since December 2016 has been successful and resulted in demonstrable service improvements as well as cost savings.
- 5.2 The workload of the PCC and SCC teams is steadily increasing as more income streams are sought, incidents occur and national and local expectations increase. Without consolidation and restructure there is a risk that the excellent work of the teams (which has been recognised at a national level) deteriorates and PCC and SCC's ability to effectively respond to emergencies is adversely affected.
- 5.3 Though generally positive, the current arrangement has some significant limitations. It necessitates the management of two distinct teams and budgets using two sets of completely distinct systems. This is inefficient, opaque and has inherent risks. A particular frustration involves the securing of new income streams. For example: we are approached to provide business continuity consultancy support to a local organisation based in one city. To accommodate this within a busy business-as-usual work programme, the work would be undertaken by a combination of PCC and SCC employees. However, only one Council will bill the customer for the work undertaken, and this income will then require splitting between the PCC and SCC budgets at the discretion of the (SCC-employed) Service Lead. This is not ideal: an open-book budget able to be scrutinised easily by both organisations will ensure probity in this area as well as simplify and reduce the time taken in administration.
- 5.4 Though the proposed structure has an increased cost, this should be viewed in the context of increased resilience, and the increased income generation opportunities a stronger shared team, with a scalable structure, affords.
- 5.5 Creation of the shared service is an opportunity for PCC and SCC to forge a new model for EPRR, building on our positive experiences to date with a focus on securing our preparedness for emergencies in our communities for the long term.

## 6. Structure Changes

- 6.1 The shared service will involve the deletion of existing posts (Figure 1, below) and the creation of new posts as shown in Figure 2 (below). This has been designed to include increased supervisory capacity (in the Senior EPRR Officers) to support the Service Lead, and an increase in the expectations and responsibilities on the EPRR Officers. This structure represents a small, flexible and resilient service able to undertake its increasing workload and adapt to changing circumstances.

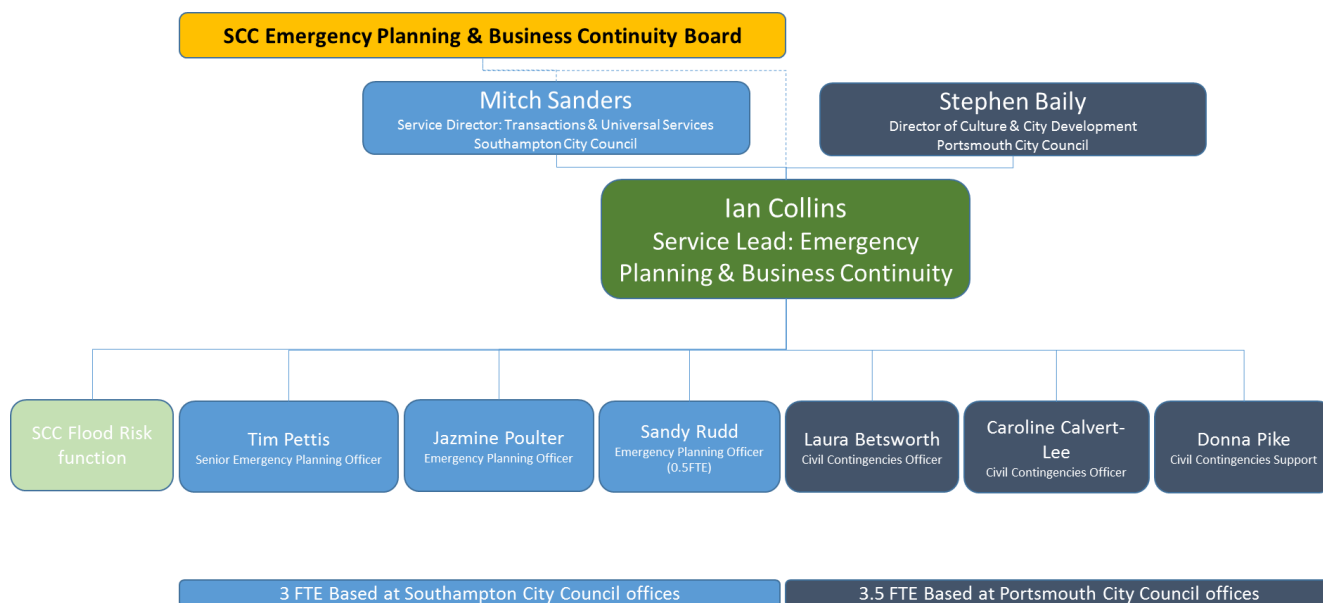


Figure 1. Current structure

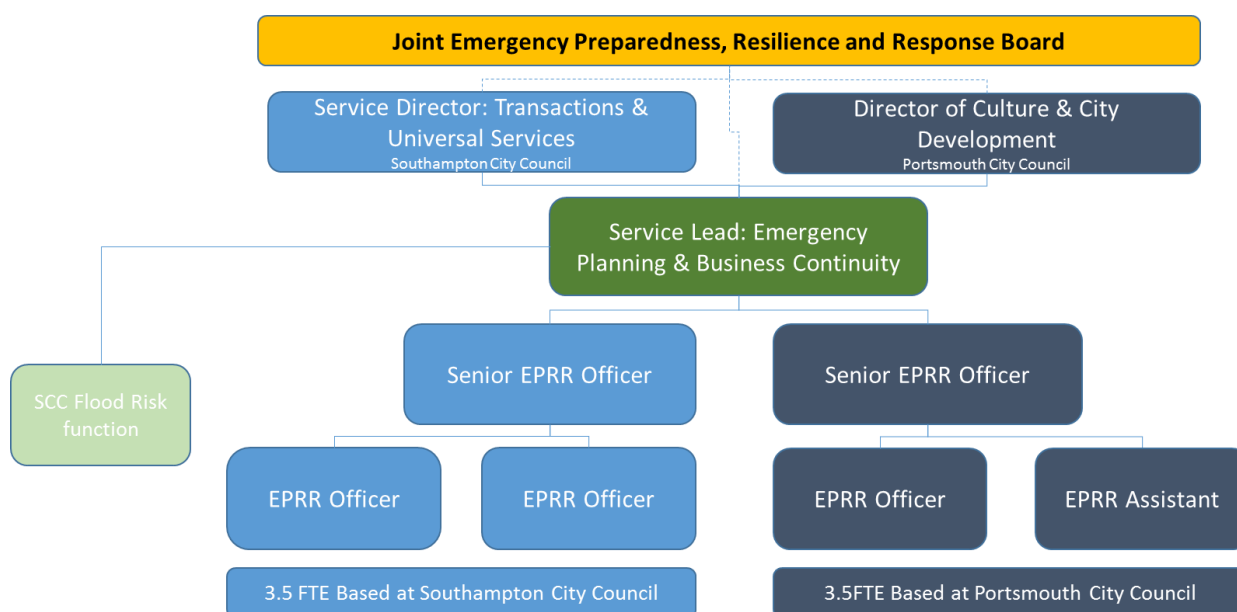


Figure 2. Proposed structure

## **7. Financial Implications**

- 7.1 The creation of the shared service will involve the pooling of existing PCC and SCC EPRR budgets. This pooled budget will be under the control of the Service Lead, overseen by the joint EPRR Board.
- 7.2 In the early stages of the shared service some flexibility will be required as both Councils work to understand the EPRR budgets to be pooled, with disaggregation of out-of-scope budgets (i.e. SCC Flood Risk Management budgets) taking place and the joint EPRR budget agreed. This work should be approached with the philosophy that PCC and SCC will be equal contributors to and beneficiaries of the work of the shared EPRR service.
- 7.3 Protocols will be established accordingly, accommodating the sharing of any surplus from income and emergency expenditure liabilities (which could be shared or attributable to one or other Council, dependent on incident).
- 7.4 The proposed staff structure will cost more than the current arrangements due to the 0.5 FTE increase in establishment and changes to grades. This difference is £48,400 when calculated using maximum SCP figures or £27,500 when using current/likely SCP figures before cost of employment. With cost of employment the respective figures are £62,100 & £35,300. It is anticipated that this pressure will be met by increased income generation.

## 8. Equality impact assessment (EIA)

- 8.1 A full equality impact assessment is not required as the recommendations will not have a negative impact on any of the protected characteristics as described in the Equality Act 2010. A preliminary Equality Impact Assessment is included at Appendix A.

## 9. Next steps

- 9.1 The implementation plan for taking forward this proposal is as follows:

Action	Lead	Support	Timescale
HR consultation and implementation <ul style="list-style-type: none"> <li>- Voluntary solutions</li> <li>- Recruitment</li> <li>- Compulsory redundancies</li> </ul>	Ian Collins	PCC and SCC HR	From January 2018
Pooled budget implementation	SCC finance	PCC finance, Ian Collins	1 April 2018
Legal agreement sign-off	Mitch Sanders / Stephen Baily	PCC and SCC legal / Ian Collins	1 April 2018
Target shared service go-live	Mitch Sanders / Stephen Baily	Ian Collins	1 April 2018

## 10. Legal comments

- 10.1 A partnering agreement will be required dealing with, among other things:
- 10.1.1 A s101 delegation to a shared officer
  - 10.1.2 The s113 sharing of staff/resources
  - 10.1.3 Decision making in relation to the strategic direction and performance oversight of the arrangements
  - 10.1.4 Exit and termination provisions (including breakage costs sharing, and transfer of staff/resources to ensure that each party may meet their statutory obligations during an exit period)
  - 10.1.5 Surplus and risk sharing arrangements.

- 10.2 Specific guidance and advice will be required on the implications of the TUPE Regulations in this scenario, and any proposal for, and sequencing of, a redesign of the delivery structure.

**11. Director of Finance comments**

- 11.1 The recommendation in in this report proposes a shared EPPR service with a pooled budget hosted by SCC.
- 11.2 The current 2017/18 PCC revenue budget for this service is £156,300. Any additional non-inflationary net cost above the approved PCC revenue budget provision arising from this proposal will be subject to a further report to members.

Signed by:

Stephen Baily  
**Director of Culture and City Support**

**Appendices:**

Equality Impact Assessment

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....

Signed by:

**Cabinet Member for Environment and Community Safety**