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FROM: Chris Stewart

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DATE: 25 February 2020

TO: TEO Departmental Board

TITLE: A STRATEGIC REVIEW OF CIVIL CONTINGENCY ARRANGEMENTS
ACROSS NORTHERN IRELAND

Issue: Civil contingencies arrangements in Northern Ireland have not been reviewed for over 20 years. This paper seeks agreement to commission a strategic review of civil contingency arrangements across Northern Ireland to ensure effective arrangements are in place to enable the Executive to support citizens and wider society in the event of an unforeseen emergency event or situation.

Recommendation: The TEO Board is invited to:

- (i)** Note the current position and that civil contingency arrangements have lacked investment and not been reviewed for a number of years;
- (ii)** Note the significant changes in the strategic landscape that impose new risks and considerations for our civil contingency preparations;
- (iii)** Note the C3 Futures Report has 85 recommendations for improving Civil contingencies arrangements in Northern Ireland (Annex A);

- (iv) **Endorse the proposal to commission a strategic review of civil contingencies arrangements for Northern Ireland including the NICS, Local Government and wider public sector;**
- (v) **Consider and agree the draft Terms of Reference (Annex B);**
- (vi) **Agree that the costs of the review (estimated at £120k external consultancy) would be covered by the Department;**
- (vii) **Agree that the NICS Board should be advised of plans for the strategic review.**
- (viii) **Note that subject to the consideration and decisions on the points above, a submission would be put to TEO Ministers to seek their agreement to the strategic review Terms of Reference and use of external consultants.**

Background

1. A UK-wide project, known as the Co-ordination, Control and Command (C3) Project, was commenced in September 2018 by the UK Government and led by a Cabinet Committee. The Project was supported by the Civil Contingencies Secretariat in the Cabinet Office and undertook to review, redesign and test C3 structures required to manage potential impacts of a 'No Deal' EU Exit by the UK. The UK Government included Devolved Administrations in the national C3 Project, which incorporated Operations Yellowhammer 1 & 2. The lead responsibility for civil contingencies in the NI Civil Service sits with the TEO Civil Contingencies Policy Branch, and this branch coordinated the NI response to C3.
2. The aim of the C3 Project was to test, build upon and enhance civil contingency arrangements in England and the Devolved Administrations and ensure effective arrangements were in place to deal effectively with a Reasonable Worst Case Scenario (RWCS) in the event that the UK exited the EU without a deal.

Detail

3. At the time that the national C3 Project was being taken forward, the NI Devolved Administration was in suspension. Thus NICS and NIO worked in partnership, under the direction of the UK Government, to participate in the national C3 Project. NIO commissioned external consultants, PwC, to support the NIO/NICS as a joint Project.
4. The UK Government provided funding (£650k), to deliver the NI element of the C3 (co-ordinate, control and command) Project. NICS benefitted from this investment to enhance its infrastructure, systems and processes to support Civil Contingencies response, aligned to the requirements of the UK Government. One key benefit to Northern Ireland is a re-designed bespoke and modernised infrastructure, comprising of secure communications facilities and a fully equipped high spec operations room, which is known as the NI Hub. This operations room facility remains in place to support the Executive.
5. The C3 Project involved examining Northern Ireland's existing structures, processes, guidance and participation in various test exercises at national level. Throughout the C3 Project, and at key stages, Civil Contingencies Secretariat in Cabinet Office commissioned evaluations and UK-wide comprehensive Lessons Learnt Reports were compiled with inputs from all four nations relevant to each work stream and strand of the overall C3 Project. A final report on Northern Ireland preparedness called the C3 'Futures Report' (November 2019) includes 85 recommendations to be implemented to address areas for improvement to enhance civil contingency arrangements here.

Current position

6. The C3 experience did expose that due to several factors, such as loss of experienced staff and corporate memory; and reducing available resources; that both staffing and Programme funds have been severely impacted. This has restricted capacity and capability of the TEO Civil Contingencies Policy Branch (NI) to progress and develop civil contingency arrangements across Northern Ireland.

7. The current position is that the CCPB (NI) team is a structure of 5 staff as opposed to a previously recommended complement of 12 FTE staff. Over the past 3 years, an extensive work programme of work has been put on hold due to lack of resources, and a backlog has developed. More recently, the EU Exit preparedness work created an additional pressure as the C3 Project was a UK Ministerial priority, thus further diverting resources from the necessary business as usual work. In recent weeks the branch has been engaged closely on the contingency arrangements for dealing with Coronavirus, Covid-19.

Strategic need

8. Civil contingencies policies, equipment, facilities and operating procedures have had limited investment over recent years. This lack of investment became apparent and was highlighted across all of the key work streams: design, training, IT & technologies, doctrine, guidance and protocols, throughout the national C3 Project. Northern Ireland's civil contingency arrangements have not been reviewed for years despite significant external changes, eg. in the area of technology. There is a compelling rationale for commissioning a strategic review at this time
9. Looking to the future, emerging strategic issues that need to be taken into consideration include:
- Advances in technology and rapid growth in cyber risk;
 - Climate Change and its potential impacts;
 - Preparations for the end of the EU transition period at December 2020;
 - Lack of an NI critical infrastructure asset register and risk management process;
 - Need for a new risk management approach coupled with new skill set.

Key areas for examination

10. The specific areas that require further consideration include:

- Role and responsibilities of the Devolved Administration, and in particular the Executive;

- Mandate – NI Legislative position is lacking compared to other parts of the UK;
- Civil contingency policies and protocols out of date and in need of refresh;
- Northern Ireland's critical infrastructure – ownership and responsibility;
- Strategic risk management;
- Preparedness and resilience;
- Response arrangements and
- Linkages to supporting the Programme for Government (PfG).

11. Whilst this is not a comprehensive list of issues it is important to note that as part of the NI C3 Project, PwC compiled a 'Futures Report' (November 2019), which includes 85 recommendations for the NICS to consider and take forward to enhance civil contingencies arrangements for the future. The recommendations are summarised under 4 overarching themes as outlined below:

- Organisation and governance;
- People;
- Processes;
- Technology and infrastructure.

The recommendations are provided at **Annex A**.

Proposed way forward

12. The Executive returned to office in January 2020 and in light of the restoration of the Devolved Administration in Northern Ireland it is now timely, with the body of evidence summarised in the C3 'Futures Report', to recommend to Ministers the need to commission a strategic review to ensure that the Executive has appropriate and effective civil contingency arrangements in place. The strategic review would include examination and benchmarking with the positions in the other UK administrations and in the Republic of Ireland. The new relationship in relation with the Republic of Ireland in relation to civil contingency arrangements is an area of particular interest for this review.

13. A range of policies, procedures and processes have been devised and put in place over time. Many of these are out of date and are no longer fit for purpose. A strategic review would provide an opportunity to build partnerships and enhance collaborative working across NICS, local government and the wider public sector. It would also provide the opportunity to streamline, harmonise and simplify systems and processes, and develop a joined up approach to supporting the Executive and Devolved Administration to protect the needs of citizens and wider society in case of an unforeseen event or emergency situation.

Proposed Structure of Strategic Review

14. The aim of the strategic review would be to examine the civil contingencies arrangements for Northern Ireland Civil Service and wider public services and ensure that they are resilient and fit for purpose for the future.

15. The Review would:

- Examine and clarify the leadership strategic role and responsibilities of the Executive;
- Build on the lessons learnt from the local and national C3 Project (including the Yellow Hammer contingency Exercises 1 and 2);
- Examine best practices elsewhere to enhance risk management and resilience arrangements; and
- Ensure appropriate skills and career training pathways are in place across the NICS and wider public sector.

16. A draft Terms of Reference is attached at **Annex B** for consideration and approval.

External support

17. A key lesson for the NICS from the national C3 Project was that the area of civil contingencies preparations, emergency response and planning have evolved considerably over recent years. A review of this nature would require the support and challenge from external advice and expertise.
18. The experience of the C3 Project demonstrated the value of involving external consultants to expedite the process. They brought independence, external experience on a global level, including the ability to draw upon technological and infrastructure expertise. The use of external consultancy would of course be subject to advice from Central Procurement Directorate (CPD) and TEO Ministerial approvals.

Estimated Costs

19. Initial enquiries and advice from Cabinet Office and CPD has indicated that an estimate of three months/12 weeks work, (from date of appointment) that is approximately 60 consultancy days for a small team (3 -4 people), would cost in the region of up to £120k. If the Board is content with this proposal, CPD would be engaged to seek further advice. A business case has been drafted to support the review and the use of external consultants and which would be subject to the normal business case approval processes. Some further refinement of figures will be necessary.

(a) Summary of Estimates consultancy days by grade

Grade	No of Days per month (3 months)	Estimated cost Per day £	Total cost £ (for 3 months)
Senior Partners/Directors Oversight	1	1,300	3,900
Senior Associate consultant	18	1,000	54,000
Associate Management Consultant	15	800	36,000
Associate Consultant	15	500	22,500
Miscellaneous Venues, hospitality, stationary etc			3,500
Total			119,900

*Note: These figures do not include a cost tolerance and is exclusive of VAT

(b) Summary of Estimated 'in house' costs

Grade	No of Days Per month	Total No of Days	Total Estimated costs £
Based on TEO ready reckoner estimates (daily rate)			
G5 (£630)	20	60	37,000
G7 Project Team (£420)	20	60	25,200
DP Project Team (£330)	20	60	19,800
SO Project Team (£270)	20	60	16,200
G7 CCPB(NI) (£420)	15	45	18,900

DP (£330)	10	30	9,900
AO (£ 200)	5	15	3,000
Total	110	330	110,200

***Note that costs are based on TEO staff costs ready reckoner**

20. The total overall estimated total cost for undertaking this assignment is in the region of **£230,200**.

21. The Board will wish to note that the funding for the engagement of Central Procurement Directorate (CPD) and proposed strategic review, including cost of external support, would be required to be met by TEO. The Cabinet Office is not prepared to fund a strategic review.

Risk

22. Northern Ireland has benefitted from modern operations facility and infrastructure including enhanced technology such as a secure Video Conference Room facility; secure telephone lines, known as Rosa facility and enhanced operating procedures that have been tried and tested. There has also been considerable work involved across the public sector and new relationships and networks established both across the NICS departments, local government and wider public sector to improve situational awareness, risk management, planning, exercising and the NI overall response capability.

23. However, if no action is taken to address the lessons learnt and to implement recommendations from the C3 Project experience the risk arises that civil contingency arrangements in Northern Ireland will fall even further behind the rest of the UK, and the Executive and wider society may not be prepared for, or have the capacity and capability to deal effectively with, an emergency situation should a major contingency present.

Conclusions

24. The civil contingencies arrangements for Northern Ireland have lacked review and investment for many years. The recent C3 experiences with the recommendations from the evaluations, have demonstrated that the current arrangements, whilst having benefitted from some investment in physical infrastructure and enhancing networks and establishing contacts, remain in need of considerable further work to review, modernise, harmonise, streamline and simplify local arrangements to enhance and improve civil contingency arrangements for Northern Ireland. Given the cross-cutting nature of civil contingencies, it is proposed that the NICS Board should be informed of the review.

Recommendations

25. I therefore invite the TEO Board to:

- i. **Note the current position and that civil contingency arrangements have lacked investment and not been reviewed for a number of years;**
- ii. **Note the significant changes in the strategic landscape that impose new risks and considerations for our civil contingency preparations;**
- iii. **Note the C3 Futures Report has 85 recommendations for improving Civil contingencies arrangements in Northern Ireland (Annex A);**
- iv. **Endorse the proposal to commission a strategic review of civil contingencies arrangements for Northern Ireland including the NICS, Local Government and wider public sector;**
- v. **Consider and agree the draft Terms of Reference (Annex B);**
- vi. **Agree that the costs of the review (estimated at £120k external consultancy) would be covered by the Department;**

- vii. Agree that the NICS Board should be advised of plans for the strategic review.
- viii. Note that subject to the consideration and decisions on the points above, a submission would be put to TEO Ministers to seek their agreement to the strategic review Terms of Reference and use of external consultants.

Personal Data

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Name Redacted

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ANNEX A

2. Summary of Futures Report (Nov 2019) recommendations



RAG Rated
dashboard.pdf

ANNEX B

PROPOSED DRAFT TERMS OF REFERENCE FOR STRATEGIC REVIEW OF CIVIL CONTINGENCIES ARRANGEMENTS IN NORTHERN IRELAND

Introduction

1. A key lesson for the NICS from the national (Co-ordinate, control and command) C3 Project and the Yellow Hammer operations was that contingencies planning and emergency responses planning have evolved significantly over the past years. It is timely for Northern Ireland to examine and re-define its position in this critical area.

Aim

2. The aim of the Review is to take a strategic and forward-looking perspective and examine the civil contingencies arrangements for Northern Ireland, involving the NICS and wider public sector, to ensure that :
 - a. The arrangements are resilient and fit for the future in a rapidly changing world; and
 - b. the purpose and required role of the TEO Civil Contingencies Policy Branch going forward is well-defined.
3. The Review will:
 - Examine and clarify the strategic roles of the NI Executive, Ministers and Departments;
 - Build on lessons learnt and implement recommendations from the C3 Project 'Futures Report' (including Yellow Hammer operations exercises 1 & 2);
 - Examine best practices elsewhere to enhance the risk management and resilience arrangements; and
 - Ensure appropriate skills and career and training pathways are in place.

Key Objectives

4. The key objectives for the Strategic Review are to:

- i. Examine existing civil contingency and emergency planning arrangements in Northern Ireland with a view to enhancing partnerships and improving structures;
- ii. Address the recommendations of the Futures Report, and based on the Lessons Learnt from the C3 Project (including operational exercises, UK planning to leave the EU exercises);
- iii. Examine the potential for the NICS to move from focusing on planning for, and managing, traditional 'shocks' , such as flooding, infrastructure failure and cyber-attack, to cover horizon –scanning and early identification of potential cumulative risks;
- iv. Examine the potential support required for an Executive to have the capacity to plan for, and manage a range of contingencies aligned to Programme for Government.
 - Examine the potential future role and responsibilities of the TEO Civil Contingencies Policy Branch (NI), including promoting and improving risk management and business continuity across the NICS.

Approach

5. The Review will be conducted through a series of short phases, namely: establishing a clear baseline: developing and assessing options in a collaborative manner; setting recommendations and a roadmap for their implementation. This will entail building consensus and depth of definition through a series of meetings, workshops and senior stakeholder engagement. This will be key to defining and achieving a shared future vision for civil contingency arrangements.
6. In drawing up a roadmap for the way forward, the Review will identify the gaps between the baseline and the state envisaged in the preferred operating model. While not exhaustive, the Review will set out recommendations for addressing any gaps or requirements in the following areas:
 - Mandate – NI Legislative position;
 - Northern Ireland's critical assets and infrastructure – definition, ownership and responsibility;
 - Northern Ireland's strategic risk register;
 - The overall governance model, including the role and responsibilities of the Executive;
 - Future capabilities and professional pathways for the necessary skills and career development;
 - Process / value chain and key interactions within it;
 - Minimum supporting technology and infrastructure.

Expected Outputs

7. A report will be produced on how the aim, objectives and scope of this Terms of Reference have been addressed fully to ensure that NI has resilient fit for purpose civil contingencies in place to support the NI Government.

External support

8. A key lesson for the NICS from the C3 Project and the Yellow Hammer operations, was that the area of contingencies, emergency response and planning have evolved significantly over the past years. A strategic review of this nature would benefit from support and challenge from external global advice and expertise. There is an opportunity to build upon the current Cabinet Office EU exit planning Programme to engage external expertise to support TEO, to take forward the review.

Role of Strategic Review Project Team

9. The Review will be supported by a Project Team and led at Director level. The Project Team will include TEO staff and external consultants over the 3 months duration of the Project.

10. The Project Team will:

- Examine current arrangements;
- Undertake desk research;
- Examine best practice elsewhere;
- Develop proposals;
- Test proposals;
- Build consensus and partnerships;
- Develop plans for implementation;
- Follow good practice for project Governance and Risk Management.

Reporting and Timescale

11. The Review will commence on [XXXX 2020] and is expected to produce a report on the outcome with recommendations by [Xx July 2020]. **[DN: this is dependent upon the approvals and resource position].**

February 2020

