

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018

# **SERVICE LEVEL AGREEMENT**

*Local Government Resilience*

**ARMAGH CITY BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL**

**&**

Antrim and Newtownabbey Borough Council

Ards and North Down Borough Council

Belfast City Council

Causeway Coast and Glens Borough Council

Derry City and Strabane District Council

Fermanagh and Omagh District Council

Mid and East Antrim Borough Council

Mid Ulster District Council

Lisburn and Castlereagh City Council

Newry, Mourne and Down District Council

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## **SERVICE LEVEL AGREEMENT**

### **1. Background**

- 1.1 Article 29 of the Local Government (Northern Ireland) Order 2005 provides Local Authorities with discretionary powers to engage in emergency planning, and assist other Organisations in disaster recovery.
- 1.2 The Northern Ireland Civil Contingencies Framework was introduced in 2005, and refreshed in 2011, to ensure an adequate framework was in place to allow public service organisations to properly respond to emergencies. The DoE issued Guidance to Councils in Relation to Emergencies. This Guidance provided Councils with a policy and legislative framework in which to undertake emergency planning, set out their powers in relation to emergencies, and identified Chief Executives as responsible for their Council's emergency planning. Belfast City Council, and the four legacy Environmental Health Groups each employed Emergency Planning Co-ordinators to resource this function.
- 1.3 Due to an increased frequency of emergencies, the Northern Ireland Executive agreed, in 2014, to put in place enhanced civil contingency arrangements at a sub-regional and regional level. A new structure of five Emergency Preparedness Groups (EPG) was put in place, with Councils playing an important role in supporting the administrative function of the EPGs.
- 1.4 In 2016, on advice from the PSNI, it was agreed that a reduction in the number of EPGs to three would allow for greater efficiency. This model came into effect in January 2018, and requires a new Local Government resourcing model to provide adequate programme management of these new areas, and to enable an effective response to emergencies.
- 1.5 The new Local Government Resourcing Model must achieve a number of outcomes, and it has been agreed that these would be best achieved through a regional service, hosted by a single Council that would employ all Officers and draw down funding. The Lead Council has agreed to undertake this function on the basis of an agreed Service Level Agreement with the other 10 Councils.

- 1.6 The new function shall be termed 'Local Government Resilience' ('the Function')
- 1.7 The Parties have agreed to enter into this Service Level Agreement to outline their responsibilities to each other in respect of the Function. Each party hereto agrees that they have full legal power and authority to enter into this Agreement.
- 1.8 Armagh City Banbridge and Craigavon Borough Council has agreed to act as the Lead Council to carry out various tasks as outlined herein and on behalf of the signatories to this agreement.
- 1.9 The Department for Communities has agreed to fund the Function, initially until 2021.

## **2. Period of this Agreement**

This Agreement shall commence on 1<sup>st</sup> x 2019 and shall continue until the 31<sup>st</sup> March 2021 at which time it may be reviewed or extended.

## **3. Lead and host Councils**

- 3.1 Armagh City Banbridge and Craigavon Borough Council agrees to act as lead Council, to draw down funding from the Department of Communities to facilitate the administration and project management required to ensure that the Function is properly exercised under the direction of the Executive Steering Group (as defined in 4.1 below).
- 3.2 Causeway Coast and Glens Borough Council agrees to act as the host for the Northern EPG; Fermanagh & Omagh District Council agrees to act as the host for the Southern EPG and Belfast City Council agrees to act as host for the Belfast EPG.
- 3.3 Host council will provide all employees under this SLA with such reasonable office accommodation as shall be necessary to allow them to carry out their duties.

## **4. Governance**

- 4.1 The Lead Council shall liaise with the other parties to establish an Executive Steering Group for the Function ('the ESG'). The ESG shall consist of the Chief Executives and Directors jointly chairing the EPGs, the SOLACE lead for the Function and the Regional

Officer's line manager. Whilst the Lead Council shall be responsible for the day to day management of the Function, the ESG shall be responsible for monitoring the performance of the Function, and reviewing this SLA. The Councils shall agree Terms of Reference for the ESG.

## **5. Employment Issues**

- 5.1 The structure shall be as per the diagram attached hereto at Appendix 1. This is a regional team, employed through the Lead Council, that will work across the three EPG areas. Overall management of the Function shall be undertaken by a Regional Officer. Each EPG shall have a Resilience Manager, who will be responsible for the programme management of the EPG, and shall co-ordinate planning, response and recovery activities across their area. Each EPG area shall also have at least one Resilience Officer who will be responsible for specific work streams. The Regional Officer will be based at Armagh City, Banbridge and Craigavon Borough Council with other staff hosted across the three EPG areas. Indicative draft job descriptions for the Regional Officer, Resilience Manager and Resilience Officer are attached hereto at Appendix 2.
- 5.2 The Councils agree that the transfer of staff assigned to the current civil contingencies function arises out of the Local Government Reform Process and that the Review of Public Administration (RPA) Local Government Staff Transfer Scheme and Circulars will apply to the transfer where relevant.
- 5.3 The legacy employer councils of the civil contingency staff shall indemnify the Lead Council in relation to any redundancy payments that may be payable as a result of or arising from the transfer whether voluntarily or compulsory.
- 5.4 In addition to 5.3, the Parties agree that the legacy employer councils shall indemnify and keep indemnified the Lead Council against any losses, except indirect losses, incurred by it in connection with any claim or demand by any transferring employee in respect of their employment prior to transfer, or the transfer itself. This indemnity shall apply provided that it arises from any act, fault or omission of the employer councils prior to the effective date of the transfer. The Parties shall execute whatever further Agreements that shall be necessary to give effect to the intention outlined in this Clause.

- 5.5. The legacy employer councils agree that any employee who is currently seconded to the civil contingency emergency planning function will have the right to return to their substantive post at the end of their secondment period.
- 5.6 The Parties agree that if there is a shortfall of funding of any future redundancy costs of civil contingency staff, not arising from 5.3 and 5.4 above, that this will be paid by each party to this agreement in equal shares.
- 5.7 The Parties will co-operate to ensure that requirements to inform and consult with employees and/or employee representatives are fulfilled.
- 5.8 Employees based in other Councils will be required to follow any Health and Safety procedures and policies laid down by the host Council, and generally, to act in a manner that is not disruptive to the host Council's operations. Should any host EPG Council be dissatisfied by the performance of any member of staff, they shall raise the issue with the Lead Council, who shall be responsible for undertaking any necessary disciplinary proceedings. Should the councils not be able to agree on the approach, the issue shall be escalated to the Councils' respective Chief Executives. Where an employee raises a grievance the Host Council will provide all necessary assistance to the grievance investigation, and where reasonably practicable in any recommended outcome.
- 5.9 A Data Sharing Agreement will be reached in relation to sharing of personal data.

## **6. Review**

The effectiveness of this SLA shall be reviewed on an annual basis by the ESG.

## **7. Training Programmes**

Various Training Programmes may have to be organised to ensure that all Officers are in a position to implement the Function. The Lead Council shall be responsible for organising such training as is necessary, and shall be the budget holder for same.

**8. Drafting of Service Level Agreements/Funding Contracts**

The Lead Council shall be responsible for preparing whatever Service Level Agreements and Funding Contracts that are required to be in place between the Councils, the Department for Communities, and any other parties.

**9. Expert Advice**

The Lead Council shall be at liberty to procure whatever expert advice it requires, including legal, to undertake its responsibilities under this Agreement.

**10. Budget**

10.1 The budget for this function shall be circa £680,000 per annum for the first two years. The Lead Council shall be the budget holder, and shall be funded through the Department for Communities. Should the Department withdraw support, or should there be a shortfall in funding, the shortfall shall be made up by the Councils in equal amounts. The Lead Council shall report to the ESG on a quarterly basis on spend. The Lead Council shall prepare a draft budget each year on the anniversary of this SLA for agreement by the ESG.

10.2 There will be a charge by the Lead Council for central services equalling 3% of the budget. There will be a charge by each host council to cover reasonable expenses associated with hosting staff.

**11. Dispute Resolution**

In the event of any disagreement between the Parties the matter may be referred by any of the Parties to a suitable independent person to be agreed by the Parties for determination, failing which to a person nominated by the President for the time being of the Law Society of Northern Ireland.

**12. Relationship of the Parties**

For the avoidance of doubt this Agreement shall not be construed as a Partnership Agreement within the meaning of Section 1 of the Partnership Act 1980 nor is there any intention on the part of the Parties for form a Partnership.

**13. Variation**

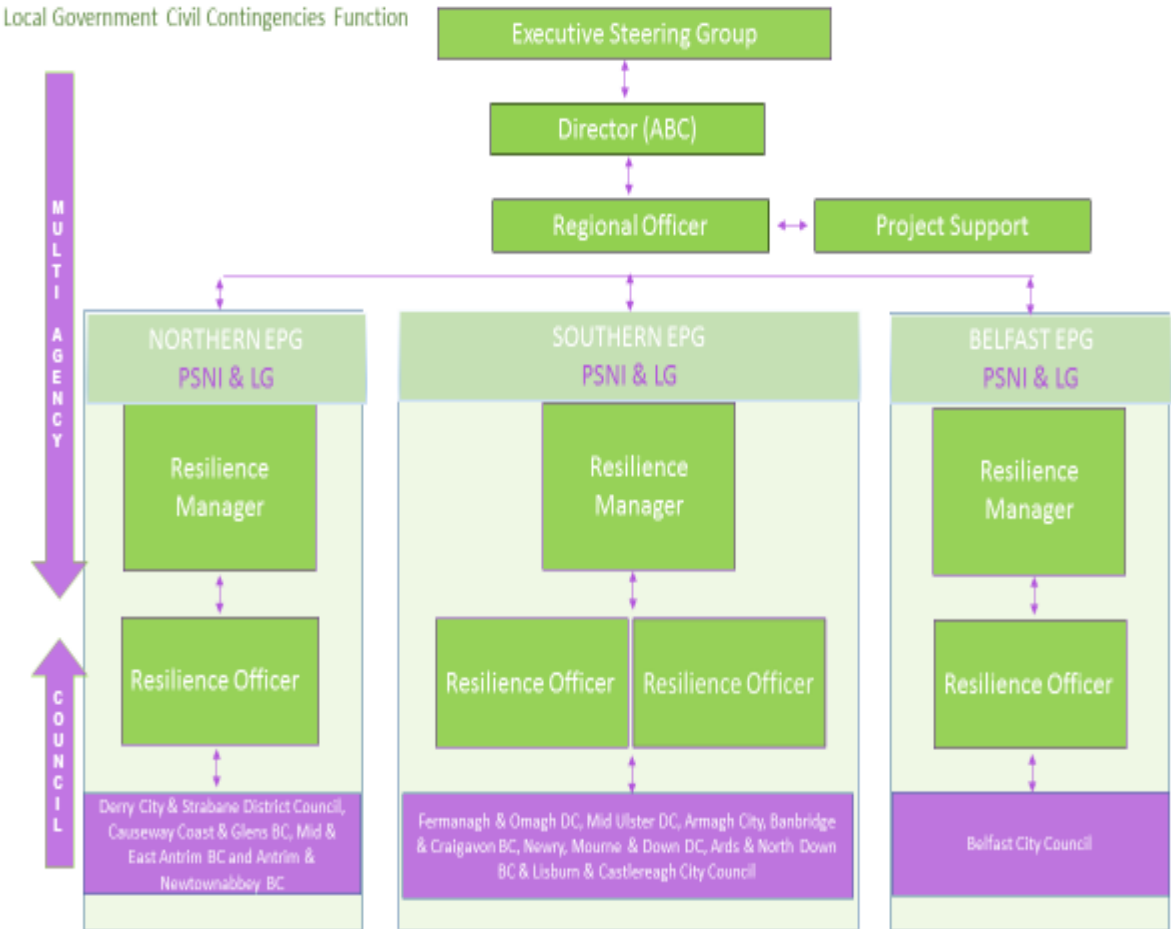
Any variation to this agreement shall be in writing and signed by all Parties.

**14. Law**

The Agreement shall be construed and applied in accordance with the Laws of Northern Ireland and the Courts of Northern Ireland shall have exclusive jurisdiction thereto.

**IN WITNESS** whereof this Agreement has been executed by:

# Appendix 1: Local Government Resilience Structure





## **Appendix 2: Indicative/Draft Job Description of Local Government Resilience Staff**

### **Draft Job Description for Regional Officer - Local Government Resilience**

Post: Regional Officer - Local Government Resilience

Directorate: People

Department: To be agreed

Location: Armagh, Banbridge & Craigavon Borough Council

Reports to: Director

Salary: PO 12 (plus on-call allowance)

Hours: 37hrs per week

Duration: 3-year contract, subject to funding, with possible extension, also subject to funding

#### **JOB PURPOSE**

The post holder will be responsible to the Society of Local Authority Chief Executives (SOLACE), on behalf of the 11 District Council Chief Executives, for establishing and overseeing a robust cross council emergency planning mechanism for working with multiagency partners in optimising the role of district councils in NI Civil Contingencies.

The post holder will report to SOLACE and day-to-day line management will be provided by a Director of Armagh, Banbridge & Craigavon Borough Council

#### **MAIN DUTIES AND RESPONSIBILITIES**

1. Work with District Councils and SOLACE to direct, manage and co-ordinate the sub-regional local government emergency planning staff, and others to develop and manage a local government civil contingencies work programme.
2. Direct, co-ordinate and oversee the implementation of the work programme.
3. Be responsible for directing and managing staff associated with this post.
4. Be responsible for reviewing existing arrangements and use the available resources (including staff, systems, funding etc.) to develop, in conjunction with the chief executives, the Department for Communities and the Executive Office a robust and inclusive, cross council emergency planning mechanism enabling councils to engage in civil contingencies at a regional and sub-regional level.
5. Promote the strategic and policy interface between central and local government to ensure district councils are fully represented in the development of effective civil contingencies arrangements for Northern Ireland and also including cross border arrangements with the Republic of Ireland.
6. Provide support to the SOLACE representative at the Civil Contingencies Group (CCG) (NI)) and other partnership groups and forums.

7. Represent the local government sector generally at other regional and sub-regional emergency planning groups
8. Be responsible for building and maintaining collaborative working relationships with appropriate partners and stakeholders in order to create and enhance the profile and reputation of district councils and meet priority objectives as set out in the local government civil contingencies work programme.
9. Be responsible for building and maintaining cohesion between district councils through the local Emergency Planning Officers and the sub regional emergency planning officers and secure the commitment of SOLACE and multi-agency partners to the civil contingencies priorities identified in the local government work programme
10. Broker agreements and mutual support arrangements between councils and multi-agency partners, including cross border partners, to ensure local government contributes effectively to civil contingencies in NI at both a local and a regional level
11. Act as the focal point for district council chief executives and multi-agency partners for ensuring the production of operational plans that detail multi agency planning arrangements to enable district councils to manage the consequences of a major emergency in a coordinated and effective manner.
12. Act on behalf of the district councils at sub-regional and regional levels in response to and recovery from a major emergency, engaging with and taking direction from the Chief Executives (or their representatives) in each of the affected Council areas and also with the multi-agency coordinating groups.
13. Be responsible on behalf of the district council chief executives for the funding allocated by the Department for Communities, ensuring accountable and effective control and work with SOLACE and the Department for Communities Local Government Policy Division to continuously review systems, controls and procedures for all financial activities in accordance with the policies and procedures agreed with the district council chief executives and in line with the agreed business case.
14. Be responsible for seeking out additional funding opportunities and strategic partnership collaboration that support and enhance the role of the local government sector in delivering effective civil contingencies in NI.
15. Be responsible for the financial management of the local government civil contingencies structure and for overseeing the co-ordination of district councils in multi-agency procurement processes in order to implement common tools, systems and platforms for enhanced emergency planning and response.
16. Oversee the development and efficient delivery of a rolling programme of training, familiarisation and exercising for councils and multi-agency partners.
17. Provide the key point of contact and information on local government civil contingencies arrangements and ensure that effective internal and external communication mechanisms are in place and appropriate local government representation at all relevant civil contingencies forums, including cross border and national forums.
18. Establish and Chair a Local Government Emergency Planning Officer's Forum or similar and to promote through this group cohesive planning, mutual support

arrangements, and co-ordination and management of policy development across the district councils.

19. Develop and implement a performance management system to monitor, evaluate and support the work of district councils in relation to delivering the local government civil contingencies priorities.
20. Produce timely briefings, publications, performance management and financial reports and papers for SOLACE and attend meetings when required.
21. Develop and maintain information management systems which support the work of district councils and the provision of high quality advice and decision making in relation to their role in NI civil contingencies.
22. Keep under review local government objectives, proposals, plans, procedures, staffing requirements and available resources to determine time frames, funding limitations and allocation of resources for various phases of work in order to complete work programmes efficiently.
23. Research, lead and coordinate policy development in line with this work; and specifically undertake research on behalf of the SOLACE as required.
24. Undertake such other relevant duties as may from time to time be required.

## **Draft Job Description for Resilience Manager**

Post:	Resilience Manager
Directorate:	People
Department:	To be agreed
Location:	To be agreed
Reports to:	Regional Officer
Salary:	PO5 (plus on-call allowance)
Hours:	37hrs
Duration:	Permanent

### **JOB PURPOSE**

To provide expertise in integrated emergency management to ensure robust cross council emergency planning arrangements are developed and maintained within the sub regional emergency preparedness area to allow for effective multi-agency preparedness, response and recovery from emergency situations. This post operates within a regional team and the post holder will be expected to work alongside and provide mutual support to the other Resilience Managers and Officers and the Regional Officer. The officer will deputise for the Regional Officer for on-call responsibilities and when on-call will be the first point of contact in an emergency situation.

### **MAIN DUTIES AND RESPONSIBILITIES**

1. Work with the Regional Officer, sub regional Resilience Managers and Resilience Officers to ensure robust cross- council emergency planning arrangements are in place to respond to emergency situations and dovetail into the arrangements developed with multi-agency partners.
2. Provide project management to the Emergency Preparedness Group and its constituent working groups within the sub region.
3. Provide assurance to the Joint Chairs of the relevant Emergency Preparedness Group that effective multi-agency planning arrangements are in place. Take responsibility for the production of timely briefings, publications, performance management reports and papers for the Joint Chairs and members as required.
4. Develop and maintain collaborative working relationships with relevant organisations through information sharing and proactive engagement, to ensure effective multi-

agency emergency planning arrangements are in place to plan for, respond to and recover from emergency situations.

5. Together with the other sub regional managers and officers, meet priority objectives within agreed timeframes and to agreed standards, identified in the SCEP (Sub Regional Civil Emergency Preparedness Group) work programme, the local government resilience work programme and other applicable work programmes.
6. Work with relevant Councils' staff to manage the implementation of their emergency planning arrangements, project manage and deliver test exercises and undertake audits and reviews of these planning arrangements on a regular basis.
7. Prepare and present reports with formulated recommendations and detailed action plans for delivery to Council committees, senior management teams and emergency planning implementation groups regarding complex and sensitive civil contingencies issues that may impact the Council.
8. Activate and follow the principles of the Civil Contingencies Group (NI) Protocols to co-ordinate the multi-agency response and recovery to a range of emergency situations.
9. Maintain a robust and up-to-date contact directory for all relevant organisations.
10. Participate in and progress the work of the Cross Border Emergency Management Group's Strategic Plan.
11. Participate and progress the work of the Regional Community Resilience Group, by liaising with relevant organisations to identify priority areas for the establishment of community emergency plans and community resilience areas.
12. Ensure that the resilient communications platform; "Resilience Direct" is kept up to date and contains all relevant documentation that will be required to activate a multi-agency response to emergency situations.
13. Responsible for the financial management of the Department for Communities Civil Contingencies funding for the sub region, and provide timely reports to the Regional Officer on expenditure and variances.
14. Participate in the Regional Local Government Resilience Group and promote, through this group, cohesive planning, mutual support arrangements and development of a consistent approach to emergency planning arrangements across local government.
15. Participate in regional on-call arrangements with other Resilience Managers and the Regional Officer to ensure out-of-hours multi-agency notification of actual or potential emergency situations is in place across Northern Ireland.
16. Project manage and organise multi-agency testing on a regular basis within the EPG area and on a regional and cross-border basis.
17. Represent the Chief Executives on external training/test exercises.
18. Organise debriefs after exercises and real events, examine and assess improvement opportunities, incorporate agreed changes into the relevant sub-regional work plans and ensure these changes are assigned to the most appropriate organisation.
19. Develop IT, GIS systems and other suitable resources to ensure a collaborative approach to preparedness, response and recovery on a multi-agency basis.
20. Research and to keep up-to-date with all developments in the field of emergency management.

21. Provide an initial assessment of any reported emergency, inform the relevant Chief Executive as necessary, and advise the relevant organisations as stipulated within agreed protocols.
22. Provide support for Councils during the recovery period after an emergency situation.
23. Advise Councils on the appropriate resources required for the Emergency Management Rooms to ensure it which can be brought into operation rapidly in an emergency situation and the emergency management teams are aware of their roles and that of other organisations that may be involved in the response phase.
24. To undertake the duties in such a way as to enhance and protect the reputation and public profile of the local government resilience function.
25. Undertake any other relevant duties that may be required and are commensurate with the nature and grade of the post.

## **Draft Job Description for Resilience Officer**

Post:	Resilience Officer
Directorate:	To be agreed
Department:	To be agreed
Location:	To be agreed
Reports to:	Resilience Manager
Salary:	SO1/SO2
Hours:	37hrs per week
Duration:	Fixed Termed Contract to March 2021

### **JOB PURPOSE**

The post holder will report to the Regional Officer and day-to-day line management will be provided by a Resilience Manager.

The post holder will be responsible for providing administration and project support assistance to facilitate the development, implementation and operation of an effective regional local government emergency planning system.

Assist with the effective coordination, administration and efficient delivery of projects as part of the local government civil contingencies work programme.

Provide support to, and attend as required, internal and external meetings and forums.

### **MAIN DUTIES AND RESPONSIBILITIES**

1. Assist the Regional Officer and Resilience Managers with the effective coordination, administration and efficient delivery of projects as part of the local government civil contingencies work programme.
2. To support the Regional Officer and Resilience Managers in sourcing and providing training and exercising at all levels across the Emergency Preparedness Areas on an ongoing basis to ensure that all involved are fully trained.
3. To assist the Regional Officer and Resilience Managers to conduct debriefings after tests and real events and incorporate agreed changes into relevant multi-agency plans.
4. To assist in the development of consistent project standards and methodologies and to support appropriate project management processes and procedures.

5. To assist with multi-agency response efforts working in support of the Regional Officer and Resilience Managers.
6. To assist the Regional Officer and Resilience Managers to ensure designated multi-agency Emergency Co-ordination Centres are maintained and can be brought into operation rapidly in an emergency situation.
7. To assist the Regional Officer and Resilience Managers in advising on the use of resources in designated Emergency Co-ordination Centres.
8. To prepare and circulate minutes, agendas and papers for meetings, training events, exercises, etc. and service them as required.
9. To keep all relevant databases and contact directories up-to-date.
10. To undertake research in supporting the development of local government civil contingencies as required.
11. To assist in maintaining external communication systems as directed by the Regional Officer and Resilience Managers e.g. websites, social media and in developing promotional materials for projects as required.
12. To structure and maintain the relevant containers with the Resilience Direct platform, to ensure all information is up-to-date and stored in such a manner that is accessible by designated organisations.
13. To undertake the duties in such a way as to enhance and protect the reputation and public profile of the local government resilience function.
14. To provide secretarial support to local and regional resilience and internal working groups as required by the Regional Officer and Resilience Managers.
15. To undertake such other relevant duties as may from time to time be required.