

RISK News

Issue 46

March 2011

Business Continuity Management in schools

Bad weather, floods, burst pipes, power cuts, heating failures, WWII bombs, bats, oil thefts, staff shortages, illness, gas leaks, volcanic ash, transport problems, snakes, building damage....all of these things have happened in or caused problems to Norfolk schools in the last year. Are you prepared?

Following on from the 'Risk Management in Schools' project which ran last year and involved 43 High Schools, work is now in full swing for Phase II – completing a BC (business continuity) plan. Material for this was provided during Phase I.

Guidance



The original guidance has been updated based on feedback from schools. The plan is now a two part document, one side with practical steps and pre-agreed strategies to prepare in advance for an incident, the other with up to date call lists and easy to follow checklists for use in the event of a disruption.

Examples of information included in the practical steps side of the plan include:

- Your 'critical activities' - those to be restored first (decided in phase I)
- Details of who does what and when if something disrupts your usual activities
- Clear responsibilities during an incident
- Liaison points
- Communication between staff, students and the wider community
- Dealing with bomb threats, evacuations, etc

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Produced by the Risk and Insurance Section of Norfolk County Council



Norfolk County Council

Comment

Welcome to the latest issue of Risk News.

In these days of budget cuts and significant changes to business processes and services it is understandable if people sometimes feel overwhelmed. However, the risks within our business do not go away. Managing risks in these turbulent times is vital now when all spending and activities are under intense scrutiny. If risks are not managed then their likelihood, and maybe their impact, increases. With budgets so tight, any cost that does not need to be incurred is important.

In this issue we feature articles about business continuity in schools, protecting personal data and managing the issues around vacant premises. All of these are likely to become increasingly relevant.

The effect of all this on people must not be forgotten, however. We also feature an article on managing stress and the development of Stress Action Plans. By analysing the causes of stress, a way forward may become clearer for both staff and managers.

As ever, if you have any ideas for future articles, awareness raising activities or would like to contribute, please contact us.

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Production of Risk News

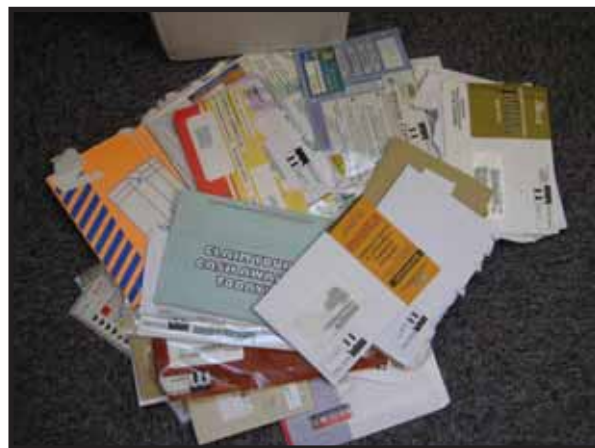
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Be Scam Aware

There are hundreds of types of scams – fake lotteries, bogus psychic predictions, get-rich-quick investment cons and ‘miracle’ health cures are just some of the tricks used by scammers.

Office of Fair Trading research shows 39% of people who lost money to a scam in the past 12 months were victim of a money transfer or advance fee scam.

These dupe people into handing over their bank details or paying an up-front fee by leading them to believe they are entitled to an inheritance, donating to charity or even helping release funds from a corrupt country. The research reveals one in every twenty people (5%) lost money to a scam last year alone and the top reason for falling for scams was their realistic nature.



Norfolk County Council Trading Standards has a free scam alert service for consumers and businesses. This will alert you by email when new scam warnings are placed on our website.

For more information about scams or to sign up for scam alerts visit www.norfolk.gov.uk/scams

Business Continuity Management in schools

. . . . continued from page 1

- ICT back up procedures
- Possible alternative locations for exams and other critical services
- Welfare considerations
- Dealing with the media
- Preparing for fuel or utility issues
- Plans for dealing with extreme weather

Curriculum links

Your BC plan should also enable you to make links to your curriculum. Sustainability, climate change, PSHE (personal, social, health education), emergency planning (your school might be a rest centre or uses emergency scenarios for learning activities) and your travel plan for example, can all feed in.

You could also get pupils involved through your school council. This not only helps make your school more resilient and aware of what to do in an incident, but can also help generate further ideas to improve your business continuity processes.

Future activities

Information is now available on the Norfolk Schools website under Critical Incidents with sections on news, knowledge sharing, resources, promotion ideas and support areas. The knowledge sharing section will be particularly useful, allowing you to seek advice from colleagues that already have first hand experience of dealing with various incidents, even some of the more unusual ones!



NCC Risk and Insurance have issued the first in a series of topic sheets that give advice, guidance and sources of further help to manage, limit or prevent incidents that can cause disruption to a school. The schools themselves identified these topics in last year's workshops.

Support

High schools that need support in updating or finalising their plans before the summer holidays should contact Elizabeth Walne, NCC Business Continuity Officer at businesscontinuity@norfolk.gov.uk for help. The service is free of charge. Other schools are welcome to contact Elizabeth too, but please be aware that requests for support may need to be prioritised by criticality.

Protecting data

Can we afford to be sloppy and waste £100,000, £80,000, £70,000? Hertfordshire, Ealing, Hounslow. What's the connection?

These are the sums that these councils were fined recently by the Information Commissioner exercising new powers to punish organisations for serious breaches of the Data Protection Act 1998. In addition, an employment services company called A4e was fined £60,000. If you want to know how these large fines could have been prevented, read on.

Hertfordshire County Council - guilty of two serious incidents where council employees faxed highly sensitive personal information to the wrong recipients.

A4e - lost a laptop containing personal information relating to 24,000 people who had used legal advice centres. The laptop was not encrypted.

Ealing and Hounslow Councils - fined as a result of the same incident. Ealing Council operates an out-of-hours service for its own service users and for Hounslow's. Two laptops were stolen from the home of an employee of Ealing's out-of-hours team. They contained details of hundreds of both councils' service users. Ealing's fine was for using laptops that were not encrypted, and Hounslow's was for not having a written contract with Ealing covering security measures.



These fines are a warning to every organisation to take care when handling people's personal data. Misusing personal information can be distressing for the people involved, can damage an organisation's reputation and affect business continuity.

Hertfordshire's incidents involved faxes, but the same care should be taken with emails. Normally we shouldn't send emails containing personal information to people outside Norfolk County Council, but even when we send emails internally we should double-check the recipient before sending.

When Hounslow arranged for Ealing to process the personal data of Hounslow's out-of-hours service users, Hounslow (the 'data controller') should by law have drawn up a written contract specifying how Ealing (the 'data processor') should handle the data. Anyone proposing to use another organisation to process personal data on the Council's behalf MUST draw up a contract. Details of what should appear in the contract can be found on the data protection intranet here:

<http://intranet.norfolk.gov.uk/im/dataprotection/ContractWording.htm>

If you handle personal data, make sure you know what procedures you should be following. Refresh your knowledge of data protection by visiting the Learning Hub and taking the *Data Protection Essentials* e-learning course or go to this intranet link: <http://intranet.norfolk.gov.uk/im/dataprotection/default.htm>

Things that go bump . . .

Barnes v The Scout Association - 2010

The claimant, Barnes, brought a claim against the Scouts after he injured his shoulder in a game at a Scout meeting in 2001 (nine years before it came to court!). The youngster has been described as a “strapping 13-year-old who played rugby for his County and the least likely boy to need wrapping in cotton wool”.

The game was like musical chairs, but rather than trying to get to a chair to sit on, wooden blocks were placed in the centre of the room, and had to be grabbed to stay in the game. The cue to go and grab them was the lights being turned off and so the game took place in a darkened room. The Scout troop had played this game for many years. The claimant, when chasing after a block, collided with a bench.



Barnes won his case initially and the Scouts appealed. The Court of Appeal therefore had to consider whether the desirability of children playing fun and exciting games outweighed the risk of injuries occurring.

The Court decided:

- The game being played with the lights turned off, added to the excitement but also unacceptably increased the foreseeable risk of injuries.
- Whether the said benefit of an activity is acceptable is a question of fact, degree and judgement in each case
- Was the social utility of this game sufficient to make the risk acceptable? One of the judges decided it was, the two others decided it wasn't and so the Scouts lost.

Lessons to learn

- This activity is typical of the rough and tumble that can arise at the Scouts.
- On the face of it, decisions like this will only increase risk averse behaviour, making those responsible for children more cautious. However, the judges did decide that the level of increased risk outweighed the increase in excitement and that there was not sufficient educational or social benefit in the more dangerous activity to justify it. As ever, organisers will need to use their judgement and their risk assessment to decide how far to go with activities.

If you need this newsletter in large print, audio, Braille, alternative format or in a different language please contact us on 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



Managing unoccupied premises

We have received a number of queries in recent months regarding unoccupied premises - such as what this means, what insurances apply, how to manage them, etc. With Norfolk Workstyle aiming to reduce significantly the number of buildings we occupy, and hence a number of premises are likely to become unoccupied, now seems a good time to remind people of current guidance.

What do we mean by 'unoccupied premises'?

Our property insurance policy defines it as "empty or not in use".

In practice, this means a building that has no current use to your operations. This could be a whole site, including all buildings, or it could just be one building on an otherwise in-use site. A school mobile classroom that is no longer needed, for instance, would be classed as unoccupied unless the school decided to use it for something else, such as storage. Any contents left in unoccupied premises are not insured.



Schools closed over summer holidays do not count as unoccupied and neither do buildings temporarily cleared and out of use for re-decoration or something similar.

Insurance conditions - Insurance cover is reduced on premises that have been unoccupied for over 30 days.

There is no longer any cover for:

- Bursting, overflowing, discharging or leaking of water tanks, apparatus or pipes**
- Malicious damage (other than by fire or explosion)**
- Theft or attempted theft**

Also, certain conditions need to be complied with to have any cover at all. These are:

- **Risk and Insurance must be notified within 30 days that the premises are unoccupied**
- **All mains services will be turned off except**
 - electricity supply to maintain any automatic sprinkler system, fire alarm, intruder alarm or services for security guards and
 - water supply for automatic sprinkler system
- **The water supply to be completely drained or, during the period 1 October to 31 March each year, any central heating systems to be kept working at a minimum temperature of 5 degrees C.**

- **The premises to be inspected internally and externally every 14 days unless otherwise notified in writing by Risk and Insurance, removing any waste**
- **All letter boxes will be sealed up**
- **The premises will be secured against unlawful entry by closing and locking doors and windows and setting any fire or intruder alarm systems**

Managing the risks of unoccupied premises

The risks relating to unoccupied premises, particularly where a whole site is out of use, are greater than those that normally apply to buildings, hence the reduced insurance cover.

They include a greater likelihood of:

- **Trespass**
- **Vandalism**
- **Unauthorised occupation or squatting,**
- **Break ins to remove fixtures and fittings (especially copper pipe work or anything that has a salvage value),**
- **Removal of lead, etc**

There are a number of measures that ought to be taken to manage the risks of unoccupied premises. Apart from those mentioned in the insurance conditions above, also put the following in place:

- All keys to be accounted for and if any are missing, change the locks
- Consider suitable security fencing to prevent access onto site
- All maintenance contracts for services relating to alarms, heating, etc should continue if these facilities are to be used
- All external refuse to be removed immediately following vacation of the premises
- As many combustibles as possible to be removed from inside the building
- Any access or intruder alarm codes to be changed once unoccupied
- The police and any other emergency services be notified of the change of keyholder contacts, if necessary
- There may be a need to board or secure windows and doors if problems with vandalism can be expected. Take specialist advice from Risk and Insurance or NPS on this if necessary



If you are using NPS to manage the close down and vacation of a building then they will normally operate to Loss Prevention Council standards, which will include all the points above. However, if you have any concerns about what to do, ask your Property Surveyor or contact Risk and Insurance.

Advice on the safety aspects of working in a part-unoccupied building will be included in the next issue of Risk News.

Managing climate change risks

Norfolk is particularly vulnerable to the impacts of climate change due to the low-lying nature of our landscape and our extensive soft coastline.

Tourism, biodiversity and agriculture together combine to form key components for the sustained economic well being of Norfolk and all will be

affected by the impacts of a changing climate, such as coastal erosion, flooding and water shortages.



As a business that seeks to be here for the long term, Norfolk County Council has been working to address long-term risks such as those presented by climate change.

How are we managing climate change risks at NCC?

Risk management approach

NCC has adopted a risk management approach to managing climate change risks. To improve understanding and better identify and prioritise climate change risk two key documents have been produced:

- the '*Norfolk Local Climate Impacts Profile*' – looking at our historic relationship with weather events
- a '*Risky Business: the climate change risk assessment for Norfolk's local authority service provisions*'

The latter document is broken into seven service provision categories and details associated climate change risks over three timescales.

Getting adaptation on the agenda

As well as increasing our understanding of climate change risk and consequently potential vulnerabilities and opportunities, the Climate Change Team presented 'A Risky Business' to all departmental management teams, COG and district LSPs. They also ran a market stall at the 2010 Service Planning conference. If you wish to see a copy of 'A Risky Business' or would like further information please contact esme.holtom@norfolk.gov.uk.

Climate Adaptation Tool

We have also been working strategically to embed adaptation into all NCC decision making and staff are encouraged to use the Climate Adaptation Tool, also known as CAT, to help manage climate change risks. CAT, created by the Norfolk Climate Change

Partnership, is a novel risk management and adaptive decision making tool and helps organisations through the entire adaptation process. It complements our corporate risk management approach and outlines a three stage process:

1. Climate change risk assessment, including a risk identification process over differing timescales
2. Adaptive decision, including multiple criteria analysis and the ability to build a business case
3. Implement and review

CAT uses an Excel platform, is accompanied by a PDF guidance document, and is free for anyone to use. It is the first of its kind in the UK, was endorsed by Douglas Brown – Climate Change Advisor to the White House - and is to be used as a case study by UK Climate Impacts Programme ([UKCIP](#)).

Perhaps, the most novel part of the tool is stage 2 which provides a framework for debating different adaptation options. This model for sustainable decision making uses multi criteria analysis to factor in non-market goods and other criteria vital to the long term adaptive decision making process.

Do you know how your department might need to adapt to future changes in climate?

If you would like to try CAT it can be downloaded from the Norfolk Climate Change Partnership [web pages](#) and the guidance document [here](#).

For further information about using CAT and climate change risks contact: Esme Holtom – Climate Change Officer. Email: esme.holtom@norfolk.gov.uk Tel: 01603 223078

Burst pipes

The recent cold spell over Christmas and New Year resulted in many of our schools suffering damage from burst pipes. In total we had 53 incidents that will cost the authority over £320,000.

On top of this cost, there was significant disruption to a number of these schools, with classrooms or other parts of the building out of action, remedial works not completed for a couple of months, etc. One school had to close for over two weeks.



While some of the incidents could undoubtedly have been avoided or the damage lessened, in general it seems that most schools and other premises that were closed over the holiday did manage their risks well enough to avoid problems.

Managing stress

Norfolk County Council (NCC) is responsible for the health, safety and welfare of its employees at work and recognises that their well-being is important to the Council's performance and service delivery, together with supporting people as valued employees.



Primarily, NCC is concerned with stress arising from the working environment, but it also recognises that events occurring in an employee's personal life may also lead to stress. Therefore sometimes an approach of giving appropriate assistance to an employee whatever the cause of their stress needs to be taken, particularly if this has an impact on the employee's ability to work effectively.

Over the next few weeks and months you may be affected by stress. This could be to you personally, to some of your colleagues, to some of your staff if you are a manager, or a combination of all these.

It is the responsibility of line managers to ensure that stress related issues are managed in line with the NCC corporate policies in any area under their control. The Policy and Guidance can be found on Peoplenet [Policy and Guidance](#). As part of this, an assessment of stress needs to be carried out at a team level.



Sometimes, however, individuals have difficulty in raising personal concerns in a group setting and so a personal stress risk assessment is required. This will lead to a Stress Action Plan being developed.

How the Stress Action Plan works and when to use it

The 'Stress Action Plan' (SAP) approach is designed to facilitate a way forward for staff and managers in helping to cope with an individual's work-related stress management. It is not a blaming opportunity but a chance to reflect upon the situation and the circumstances around it, which should enable a move forward to a satisfactory outcome.

There may be many occasions when an investigation of an individual's perceived causes of, or reasons for, work-related stress is necessary. For example:

- During section or departmental reorganisations
- During an incident investigation by a line manager
- When investigating the causes of sickness absence due to stress (particularly long-term sickness absence)
- When planning a phased return to work after sickness absence
- As a result of stress issues being identified in individuals' appraisals

- As a result of a stress risk assessment being carried out that highlighted issues concerning particular employees

When should a SAP be actioned?

In the first instance, the manager and individual employee should investigate the causes of stress together. If this is not possible (e.g. the individual refuses to talk to their manager or wishes for a mediator in the process) the manager should contact HR to identify an alternative party. This could be someone from HR, Occupational Health, a Well-Being Officer, another manager, a Trades Union Representative, etc.



This approach is not intended to address the medical aspects of stress (e.g. clinical depression); that should be addressed through Occupational Health. However, this approach can address the personal and organisational issues that have led to the individual's perceptions of stress. Managers must ensure that any employee suffering from stress is aware of the Norfolk Support Line service.

For further details on the Stress Action Plan visit [Peoplenet](#) or email the [Well-Being Team](#).

Commissioning and procurement activities

These are an increasing area of activity and NCC health and safety responsibilities must be taken into consideration. Risk based decisions will assist with identifying the requirements for all stages of the process including specification, supplier evaluation and monitoring arrangements. Some aspects to consider are:



- Reduction of risk through the design and purchase of goods
- Ensuring goods meet set relevant standards and are fit for the task and users
- Training required as a result of introducing new equipment and services
- Maintenance requirements and servicing of new goods
- The introduction of new control measures
- The impact on existing risks (reduced or increased)
- Specified legal requirements for health and safety such as Gas Safe Registration
- Policy requirements detailed in H & S policy and Equality Impact Assessment
- The disruption and impact of any contracted activities occurring on an operational site
- Monitoring and review arrangements that must be carried out by NCC for the life of a contract to ensure required standards are being met
- New ways of working and giving consideration to the future organisation
- End of contract, including disposal of property, goods and waste

If you are involved in procurement and commissioning activities and would like specialist advice please contact Ann Hacon, Health and Safety Adviser on 01603 223268

Risky business

Using your own car for work

We regularly receive questions about what insurance is needed when using your own vehicle for work - clearly this is an area of much confusion for drivers.

At Norfolk County Council, we provide **NO** motor insurance cover for employees using their own vehicles for business use. Any employee using their own vehicle **MUST** ensure that they have the vehicle insured for business purposes. In the event of an accident while at work that was their fault, the driver could find that their insurance company refuses to pay for the cost of the damage to their vehicle if they do not have business cover.



The three most common types of motor insurance are:

Social, Domestic and Pleasure - this is only applicable to those who will never use their vehicle for

any work purposes - even to get to and from work, e.g. unemployed and retired.

Social, Domestic and Pleasure, including Commuting - this will insure for personal use of the vehicle, and getting to and from work. It does not cover driving once at work, such as attending a training course or a meeting at a different location.

Business Use (Class 1) - This will cover all Social, Domestic and Pleasure including Commuting plus any other travel that you are asked to do by your employer.

The NCC Expenses Claim form does state that employees should be complying with the Travel, Subsistence and Disturbance Policy. This includes you confirming you have the appropriate business insurance for your car. Therefore, if you are claiming any mileage reimbursement, you should have business use. This is usually available at no or minimal extra cost from your insurance company.

If you need any further guidance or advice, please contact the insurance team on 01603 224375 or insurance@norfolk.gov.uk and we will be happy to help.



And finally . . .

In these cash strapped times, here's a trick that not even George Osborne or Eric Pickles has picked up on, yet.

As reported by the Scotsman newspaper, Romanian authorities have recently begun to tax witches, soothsayers and fortune tellers on their business income.



However, it gets even worse for these people in that there are now proposals to fine them or even send them to jail if their predictions fail to come true! I wonder if they've got insurance?

If these foretellers of the future were any good, though, shouldn't they have seen this coming??