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## HSE's Major Incident Preparedness and Response Arrangements

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Cleared by Jane Willis on 25 February 2013

### Issue

1. This paper sets out
  - The arrangements for ensuring that HSE responds effectively to major incidents and to requests from Government to support COBR in a national emergency; and
  - How HSE supports these arrangements now and going forward.

### Timing

2. Routine.

### Recommendation

3. That this paper be noted.

### Background

4. The provision of an effective response to relevant emergencies enables HSE to deliver its statutory duties<sup>1</sup> and to protect and enhance its reputation. The risks to HSE of not providing such a response are actively controlled through the FOD, HID, CCID and Communications Directorate Risk Registers.
5. HSE's role in response to a serious industrial or related incident or emergency is at Annex A. The procedures for delivering this response are set out in the Major Incident Response Plan (MIRP) and the Emergency Response Plan (ERP). The MIRP sets out procedures for the divisional or regional response; the ERP is activated for incidents in which a solely divisional or regional response is considered insufficient or when HSE is required to attend COBR.

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<sup>1</sup> As well as its duties under the Health and Safety at Work etc Act 1974, HSE has a duty as a Category 2 responder under civil contingencies legislation. This requires HSE to provide, if requested in an incident or emergency, relevant technical or specialist advice to Category 1 responders such as the police, fire and rescue and ambulance services.

6. These procedures and their associated arrangements are managed by CCID's Emergency Planning Unit (EPU). EPU's other functions include:
  - leading for HSE on UK Government civil contingency policy matters;
  - delivery of HSE's out of hours service (the Duty Officer system); and
  - co-ordination of HSE's response to relevant civil contingency events for which COBR is convened (e.g. pandemic flu 2009/10, fuel tankers dispute 2012)
7. An Internal Audit of HSE's emergency planning arrangements reported in January 2013. It offered a substantial assurance that the risks relating to emergency planning are being effectively managed.
8. This paper does not cover HSE's business continuity arrangements or the response to nuclear incidents. The former is managed by Business Services Division (BSD), the latter through the Office for Nuclear Regulation (ONR).

## Argument

9. HSE's response procedures are augmented by the provision of guidance, training and testing/exercising in major incident response, for example:
  - providing guidance to inspectors on incident response during the 2012 Games, such as the bespoke central command, coordination and communication (C3) arrangements; and revised guidance for attendees at the Scientific Advisory Group for Emergencies (SAGE), which advises COBR.
  - development and delivery of training courses for FOD and HID Incident Controllers (usually Heads of Operations) in managing major incidents; and training for relevant HSE and local authority inspectors in responding to a 2012 Games incident;
  - design, delivery and debrief of major incident exercises, including MIRP exercises across the then seven HSE regions and two ERP exercises addressing the central HSE response. HSE has also participated in two Tier 1 (i.e. involving Ministers) cross-Government exercises<sup>2</sup>. Exercise findings have led to improved HSE response procedures and arrangements.
10. Internal HSE exercises involve all likely HSE responders in their expected roles, including Press Office, HSL and CSEAD. Also, opportunities are taken to include others; for example, exercises prior to the 2012 Games involved local authority inspectors and Metropolitan Police officers.
11. HSE participates in Tier 1 exercises when it has a significant role to perform from which lessons may be learnt. For example, a recent Tier 1 exercise provided the opportunity for HSE specialists, including the Chief Scientist, to provide short notice input to SAGE.
12. Building on this work going forward, major incident training will be embedded within FOD and HID training plans and available to Principal Inspectors (who may need to act as Incident Controller during part of any response). Communications Directorate is investigating specialist training for its staff.

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<sup>2</sup> These were Exercise Avogadro (June 2010), the scenario of which was a major gas supply failure and Exercise Green Altius (April 2012), which tested the response to a major industrial accident.

Also, a greater range of testing and exercising activities will be offered to Divisions enabling each to undertake preparedness activities appropriate to their needs, priorities, resources and local circumstances. Further details are at Annex B. This will help maintain response preparedness in a proportionate, targeted manner. Support to divisions in the design, delivery and debrief of tests and exercises will be provided by EPU.

13. HSE seeks to support other departments and agencies in central civil contingency matters in a proportionate way. Much of this work is classified but currently includes the development of the National Risk Register and preparations for the 2014 Commonwealth Games in Glasgow. This work provides cross-Whitehall networking opportunities that have assisted HSE's response to those incidents requiring a joined up UK Government response.

### **Consultation**

14. FOD, HID, CCID, CSEAD, PFPD, HSL, Communications Directorate.

### **Presentation**

15. Not applicable

### **Costs and benefits**

16. Not applicable

### **Financial/Resource implications for HSE**

17. The cost of providing managing major incident training for relevant Band 1s and Band 2s in FOD and HID is projected at £10000 p/a for the first two years and £5000 p/a thereafter. This covers the fees for the external training provider who will deliver part of the course and does not include additional costs in staff resource – e.g. HSE speakers. There is no additional cost to divisions in undertaking any of the various testing and exercising activities available, except that of staff resource. This is included in the summary of activities at Annex B and ranges from one to 15.5 staff days. HSE's Emergency Planning Unit's current staffing is 1 x B2, 1 x B3, 2 x B4 and 1 x B5).

### **Environmental implications**

18. Not applicable

### **Action**

19. SMT is invited to note and endorse the proposed arrangements for ensuring HSE responds effectively to major incidents and national emergencies when appropriate.

## **ANNEX A**

### **HSE's concept of operations, describing HSE's role in a response to a serious incident or emergency**

#### **Introduction**

HSE's role is set out in the Health & Safety at Work Act 1974 (HSWA) that is to act as the regulator to require that the risks from work activities are correctly assessed and controlled. HSE has a duty to provide advice on how the Act may be complied with.

In addition to this HSE has a duty as a Category 2 responder under the Civil Contingencies Act 2004 and (Contingency Planning) Regulations 2005, with a duty to provide relevant technical or specialist advice. This includes information on the nature of any potential hazards of the site/organisation.

Any assessment of the level of risk must, in the first instance, be for the duty holder or industry specialist representative in conjunction with the Category 1 responder. However, HSE will become involved if the duty holder is unavailable or doesn't hold the confidence of the public or emergency services.

The principles of HSE's response apply to all areas of HSE work except nuclear incidents.

#### **HSE's response**

HSE has a 24/7 response to incidents that includes a decision maker who will assess the initial incident and determine HSE's approach and deployment of resource.

We will use our best endeavours to respond to any reasonable request for information or provide a site response to an ongoing live incident. We cannot guarantee attendance out of hours but as a minimum we will offer telephone advice.

We will have proportionate arrangements (i.e. a Duty Officer and an up-to-date list of telephone contacts) in place via divisional plans to allow HSE representatives to access telephone advice from "experts" within HSE/HSL and from third parties with identified expertise. Experts will not be on a call-out rota and physical attendance is not guaranteed but is on a best endeavours basis.

HSE will proactively contact those leading the response to an incident to make them aware of what support we can provide (even when not notified).

HSE may initially respond to an emergency with a local response as outlined in the divisional Major Incident Response Plan which recognises that a graduated response may be needed according to the incident; the information gained from the initial local response and the briefings provided to the Chief Executive/Deputy Chief Executive (CE/DCE) by the appropriate Divisional Director will inform whether HSE's Emergency Response Plan should be activated by the CE/DCE.

#### **Divisional major incident response plan**

The divisional plan will be applied when events occur that require HSE's attention and which meet the following criteria:

- a significant event, demanding a response beyond the routine, resulting from uncontrolled developments in the course of the operation of any establishment and transient work activity, which may cause (or have the potential to cause) multiple serious injuries, multiple cases of ill-health (either immediate or delayed), loss of life, serious disruption or extensive damage to property;
- a major civil contingency event, that:
  - exceeds the capabilities of local or regional responders to respond effectively; and where
  - emergency regulations, under the Civil Contingencies Act 2004, have been invoked, or COBR has been activated.

### **HSE emergency response plan**

The HSE emergency response plan will be applied when events occur that require HSE's attention and which meet the following criteria:

- where the regional major incident response plan has been activated and a potential major incident is identified or where the regional response to an incident is insufficient to cope with the situation

and/or

- where COBR is convened in response to a civil contingency event

## **ANNEX B**

### **Major Incident testing, exercising and awareness activities to be made available to divisions**

#### **'Toolbox talk' (or 'Orientation Seminar')**

B1 This familiarises participants with emergency roles, plans and procedures and can be used to resolve questions about such arrangements. EPU might deliver these to FOD/HID staff at HSE offices in 60-90 minute sessions at an approximate resource cost of three staff days (e.g. 15 staff attending a 90 minute seminar).

#### **Drill**

B2 This is a coordinated activity to practise one part of the response plan. A drill might focus on practical arrangements, such as implementing telephone handling and email arrangements or setting up an 'emergency control area'. This can be planned and delivered locally.

B3 A drill to set up, for example, an emergency control area in an open plan office might involve up to four administrators over three hours, taking into account planning, delivery and debriefing, at a resource cost of nearly two staff-days.

#### **Tabletop exercise (TTX)**

B4 This is a facilitated group analysis of an emergency situation. Participants examine and resolve responses to scenarios, identifying significant issues and applying solutions. There is no attempt at simulation.

B5 EPU can provide support in designing a selection of scenarios for offices/teams and in training in delivery. A TTX can be held in a local office and involve up to 15 participants for up to two hours, including wash-up, at a resource cost of four staff days.

#### **Peer review**

B6 These might be a review of local incidents (e.g. significant but not necessarily 'major') against the MIRP procedures to capture and share learning points.

B7 The resource cost of, for example, four staff reviewing a response against the MIRP for two hours total, including planning, is one staff-day.

#### **Functional (or 'real time') exercises**

B8 This is the exercise activity generally used by HSE. They focus on the interaction of policies, procedures and roles and require careful preparation. They are conducted to real time and have 'players' in roles external to HSE. A looming functional exercise in itself drives MI preparedness action – plans are revisited, emergency kits checked, etc. These exercises are usually difficult and demanding but are effective at identifying improvements to plans and at raising MI awareness.

B9 The resource cost of a 3-hour divisional functional exercise is 15 staff-days.