

EMERGENCY Management

Helping You To Help Yourself

Courts to recognise good intentions of volunteers and small businesses



As many of you will be aware, there has been some concerns over liability for volunteers. The following press release has recently been published in the Gov.UK website and looks like some movement has taken place to clarify the situation.

Volunteers, community groups and 'good deed doers' have been given legal reassurance that courts will take account of the fact they have been acting to help society if something goes wrong and they end up having to defend themselves against being sued.

New measures in the Social Action, Responsibility and Heroism (SARAH) Bill have received Royal Assent today and have become law.

The changes have been designed to help volunteers, community groups, businesses and people who step in heroically to help in dangerous circumstances – following years of concerns that people were being put off from doing simple good deeds for fear of legal action if something went wrong.

The act has been welcomed by groups, including St John Ambulance and the National Council for Voluntary Organisations, who have said they believe it will help to reduce the barriers which affect people's willingness to participate in worthwhile activities and step forward to help.

Justice Secretary Chris Grayling said:

"Not only have responsible small businesses been stifled by unnecessary insurance costs and the fear of being sued but volunteers have been deterred from taking part in socially beneficial activities and brave people have been put off from helping someone in trouble."

"This much needed change to the law will encourage responsible employers to stand up to speculative and opportunistic claims, and will help reassure good deed doers who come to the aid of those in difficulty."

"This act restores a balance to counter the health and safety culture, and provides valuable reassurance to people that courts will take full account of the context of their actions if someone is sued after acting in a socially beneficial way."

The act, which received Royal Assent today, also provides greater protection to small business owners and others who face speculative or spurious claims in negligence, even if they have taken a responsible approach to safety training and procedures.

The new law means that judges must consider three additional factors when assessing liability in a

negligence claim:

If the person being sued was doing something for 'the benefit of society' – to take account of the fact people were doing a good deed like volunteering, running an event or trip, or helping out by clearing snow.

If they had been acting in a 'predominantly responsible way' – to make sure the court will give consideration to the fact that people may have taken care when organising an activity but, in spite of their best efforts, an accident has happened.

If they were 'intervening in an emergency' – if they stepped in to help someone in danger but something went wrong.

The government is now putting in arrangements for commencing the act.

For more information visit:

<http://bit.ly/courts-recognise>



View from America



U.S. Chamber of Commerce Foundation

It's always informative to gain different perspectives.

The U.S. Chamber of Commerce Foundation sees the business community taking an active leadership role in Community Resilience and makes a case as to why they should. Many aspects ring true for the UK as well. (www.uschamberfoundation.org.)

The following is extracted from an article 'Leading the Way in Community Resilience' which you can find at: <http://bit.ly/leading-way>

The extreme weather and natural disasters of the past decade provide compelling indications of the range of catastrophes that American communities and their embedded businesses are facing with growing frequency and intensity. The UN Office for Disaster Risk Reduction estimated the costs of natural disasters worldwide to be \$366 billion in 2011. Add to the risk of natural disaster the real potential for human-caused disaster ranging from acts of terrorism to industrial and transportation accidents, economic downturn, and the threat of large scale health events and there is much that should keep business leaders and public officials awake at night. In short, it is time for our business sector to lead their communities to become resilient.

Every community has its own characteristics, needs, challenges, and solutions. The complexity of risks coupled with the inherent diversity of a community means that our traditional stove-piped way of dealing with disasters and other major disruptions must change. To succeed, building resilience must be a "whole community" process and American businesses need to help lead the way. We know that in order to become a more resilient nation the entire community must develop a practical

understanding of the interdependencies that can exacerbate its vulnerabilities as well as amplify its capabilities. By using that common understanding, the entire community can then develop a resilience roadmap where each institution and business can play its own role, but also work together to overcome challenges and seize the opportunities inherent in change. Resilience is and always will be a "whole community" process. No individual part - government, private business, or non-governmental organisations can create a resilient community on its own.

For business leaders, the business case for community resilience is simple, practical, and real. While it is essential that individuals prepare for disasters, coherent and coordinated community-wide preparation for disaster creates robustness and redundancy in all community services that produce tangible economic and social benefits. Creating this enhanced and better coordinated capability to continue the normal flow of goods and services during significant disruptions provides the community with a quality of life and competitive advantage whether or not a disaster occurs.

Further, when a disaster does happen, the additional capacity associated with building resilience will speed recovery and then reestablish normal life and economic activity more quickly. We are learning with each disaster that a resilient community is one that knows how to get its local economy back up and running as quickly and efficiently as possible. The successful ones think about the vulnerabilities that can affect the local economy, the positive preventative and response measures to address these most important vulnerabilities, and the interdependent weak links and positive actions where government, companies, schools, and voluntary

groups can coordinate for a net positive effect.

There are three things American businesses can do to help themselves and the communities in which they operate to be more resilient:

1. Business leaders can be a voice helping to articulate the need for their community's resilience.
2. Business owners, executives, and managers can take concrete action to make their own operations, facilities, and employees safer; better prepared to withstand a disruption; and have the plans and means to recover successfully.
3. Successful business continuity plans need to address more than operations and facilities to ensure their recovery.



The frequency and likelihood of natural and other disruptions is unlikely to diminish in the coming decades. Taking action to better prepare for these situations will surely benefit those companies that do so. If American business leaders can become a voice in their own communities and coordinate in building resilience, they can help diminish the impacts of a disaster as well as the "down time" for their economy quality of life, and vibrancy that makes each community special.

A resilient America depends upon having resilient communities. Neither can be called resilient if we do not find ways to bring back local economies as quickly and efficiently as possible.

Business continuity awareness week 2015



Business Continuity Awareness Week will be held between the 16th and 20th March 2015 and the theme for the week will be centred around testing and exercising your business continuity plans.

We all know that every organisation should have a business continuity plan – common sense dictates that in the event of a disruption you want your organisation to continue functioning as normal as possible. But how many organisations actually test their plans? According to a recent UK study by Databarracks, less than a third of respondents to a survey (29%) stated that they had tested their plan during the previous twelve months. If you don't test your plan, the only way you will know if it works is when you put it into action for real – is this really a good time to find out that it doesn't work?

Over the next few weeks as Business Continuity Institute (BCI) build up to BCAW, we will start to publish or

promote resources that can be used to help you raise awareness of business continuity and show how important it is for those within your organisation to get involved in the exercise process.

Resources such as blogs, case studies and white papers are available and you will be able to find them at <http://bit.ly/dcc-bcaw>.

During BCAW the BCI will be hosting a series of webinars, as they have done in previous years, which help support the theme for the week. The webinars will demonstrate just why testing and exercising of business continuity plan is so important and also how you can run an effective exercise programme. You can view the webinars here <http://bit.ly/bus-con-webinars>. All webinars will be live, offering you the opportunity to ask questions, and they will also be recorded so you have the opportunity watch them on demand later on.

In the meantime posters are available that can be used to help raise awareness of business continuity

and demonstrate the importance of exercising your business continuity plans. There are three posters and each one is based on a possible incident and asks the question: "when do you want to find out that your business continuity plan doesn't work? A - When things go wrong? B - During an exercise?" All three are freely available to download in various sizes here: <http://bit.ly/bus-con-posters>.



Please do support BCAW by placing them in a prominent location within your organisation.

Improving local resilience Workshops for Parish and Town Councils



Mid Devon District Council, in partnership with other agencies, have invited all parishes in their area to attend a workshop. This will be held on 25 March 2015 and will support local areas to create their own plans which can be put into place in the event of an emergency.

Representatives from Mid Devon District Council, the Environment Agency, Devon County Council and Devon & Somerset Fire and Rescue will be involved in these workshops.

Please book a place email - communitysafety@middevon.gov.uk or telephone Julia Ryder on 01884 234996/7. General enquiries are also welcome.

Volunteers receive emergency training

Seventeen staff in Mid Devon District Council have volunteered to manage, or help in the running of emergency rest centres. These staff have recently

received training, provided by the Devon County Emergency Planning Service, and are now prepared to open a centre in the event of an emergency situation.

Three venues have been identified across the district, where shelter, warmth and refreshments can be provided to those that may be forced to leave their homes unexpectedly.

Follow us @DevonAlert



Just before Christmas the @DevonRoads Twitter account was renamed @DevonAlert and the remit was extended to include information and guidance on emergencies and community resilience as well as updates on the highways. Since then we have added nearly 300 followers

why not join them and get regular updates?



First point of Contact

For assistance with community Emergency Planning your first point of contact is your City, District or Borough Emergency Planning Officer.

You will find them listed below for reference and remember they are all there to help you!

Don't forget, the Devon County Council website has lots of useful information for both individuals and communities:

-  www.devon.gov.uk
-  Safety and Emergencies
-  Emergencies
-  Emergency Planning - Community (Parish) Planning

Useful information:

CLEAR Plan	www.dcisprepared.org.uk/a-clear-plan
Floodline	0845 988 1188
Environment Agency	www.gov.uk/flood
Consumer Council for Water	www.ccwater.org.uk
National Flood Forum	www.floodforum.org.uk
Blue Pages Directory	www.bluepages.org.uk
Association of British Insurers	www.abi.org.uk or 020 7600 3333
British Insurance Brokers Association	www.biba.org.uk or 0870 950 1790
Royal Institute of Chartered Surveyors	www.rics.org/flooding
Know Your Flood Risk campaign	www.knowyourfloodrisk.co.uk

Mid Devon	East Devon	North Devon	Teignbridge	South Hams/ West Devon	Torridge	Exeter
						
Julia Ryder 01884 234997 jryder@ middevon.gov.uk	Pam Harvey 01395 516551 pharvey@ eastdevon.gov.uk	Amanda Palmer 01271 388760 amanda.palmer@ northdevon.gov.uk	Ian Flood-Page 01626 215835 iflood@ teignbridge.gov.uk	Peter Dale 01803 861278 peter.dale@ southhams.gov.uk	Richard Haste 01237 428963 richard.haste@ torridge.gov.uk	Jude Hardiman 01392 382634 judith.hardiman@ devon.gov.uk