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44. Critical Incident Management

The UK Border Agency has developed its capability to manage Critical Incidents, both operational and non operational, through a command structure and following the basic principles of Critical Incident Management.

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44.1 Definition

Any incident where the outcome or consequence of that incident is likely to result in:

Serious harm to any individual,
Significant community impact
Or
A significant impact on the business of the UK Border Agency

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44.1.2 Common Objectives

There are some common objectives which apply to all emergency services and other organisations responding to an emergency or major incident.

The first priority for UK Border Agency is to work with the other agencies and emergency services to save and prevent loss of life.

The primary objectives for UK Border Agency, the police and other emergency services in respect of an emergency or major incident are:

- Saving and protecting human life
- Relieving suffering
- Containing the emergency, limiting its escalation or spread
- Providing the public and businesses with warnings, advice and information
- Protecting the health and safety of responding personnel
- Safeguarding the environment

- As far as reasonably practicable, protecting property
- Maintaining or restoring critical activities
- Maintaining normal services at an appropriate level, especially those which protect the public
- Promoting and facilitating self-help in the community
- Facilitating investigations and inquiries
- Facilitating the recovery of the community
- Evaluating the response and recovery effort
- Identifying and taking action to implement lessons learned

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44.1.3 Policy Statement

The work of the UK Border Agency involves a level of risk. All areas of work throughout the Agency should include a comprehensive risk assessment, be noted on a risk register and the business continuity plan but there is always the potential for unexpected events and incidents to arise and when they do, tragic results can follow. There is also the possibility that legal action will be taken either against the Agency or against individual managers, when the management of the incident will be examined in detail and managers could be held personally accountable for their actions. Most importantly, we have a responsibility to staff, colleagues and those with whom we come into contact to handle such incidents as professionally and effectively as possible.

The purpose of this guidance is to ensure that in the event of a critical Incident occurring, there is a clear system in place for all officers to follow to ensure that the incident is managed appropriately and in a consistent manner which will stand up to the scrutiny of any subsequent investigation. The Agency in common with the police, other emergency services and some other Government departments adopt the Gold, Silver and Bronze Command structure as a model to follow.

Within this system, the Bronze, Silver and Gold Commanders have specific roles. **Gold** holds ultimate responsibility for the handling and outcome of the incident and sets out the **strategy** for dealing with it. **Silver** formulates a **tactical** plan to achieve Gold's strategy, and passes this to **Bronze** who takes the **operational** decisions necessary to implement it.

Incidents which occur within a local business area will normally be managed locally by that business area's command and control procedure. Similarly, where business areas in conjunction with corporate support can manage operational and reputation issues around individual incidents they will be managed as business as usual.

Where an incident goes beyond the capabilities of a command to manage and escalate into a cross business or develops into a national incident it may not be possible to manage it as business as usual. In the event of an incident rising beyond the capabilities of a business area / directorate gold commander, this policy is to be implemented throughout the UK Border Agency, including all commands, directorates and business areas and across all grades.

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44.1.4 What is a Critical Incident?

In the wider context, critical Incidents for the UK Border Agency as a whole are incidents and events of any scale outside of the usual business activity that can result in serious consequences. They can be both operational and non-operational. What follows are examples, these lists are by no means exhaustive

Operational

Death of any person
Serious injury to any person
Hostage taking of any person
Attempt or threat of suicide
Self harm or attempted self harm
Assault
Escape from detention
Encounter with serious crime
Riot/public disorder
Media presence/involvement
Multi-agency "blue on blue" incident
Industrial action
Radiological Detection
Corrupt or criminal acts
Local security threat

Non operational

Pandemic

Whistleblower

Legal action

Breach of procedure

Corruption, misdemeanour or crime

Unexpected immigration crisis e.g. the Chinese cockle pickers at Morecambe Bay

A specific high profile case e.g. one involving public figures or one which brings the UKBA in to adverse media attention

Many of these examples on their own would not necessarily constitute a Critical Incident (breach of procedure for example) but the outcome of that breach, or its consequences may. The above incidents have the potential to escalate to a higher level and become a UKBA wide Critical Incident managed by the National Gold Commander.

Cyclamen

Cyclamen is the UK's radiological detection capability. There are established operating and response procedures in place for Cyclamen, including the appointment of bronze/silver/gold commanders to deal with any incident. These procedures are agreed through ACPOTAM with all responders, port/airport operators and the Regions.

National incidents

There are a number of incidents likely to cause major disruption to the business preventing the Agency from meeting its objectives, which falls beyond the capabilities of business continuity management. These would be managed by the national gold commander and maybe as part of a multi agency critical incident. Some examples of these are listed below:

- unexpected mass immigration event e.g. mass expulsion of people by a foreign power
- acts of terrorism directly affecting UK Border Agency

- major disruption of transport network nationally
- loss of access to a number of UK Border Agency premises
- natural disasters and severe weather conditions (e.g. floods)
- major loss of IT systems
- major disruption of utility, power, or communications networks
- widespread and prolonged industrial action by staff or by third parties
- concerted action by protest groups
- sustained disorder affecting multiple sites
- major act of terrorism, civil unrest or war which, though not directly targeted at UK Border Agency, has a significant effect on UK Border Agency working

There are four stages to an incident:

- **Planning for a critical Incident.** The gold/silver/bronze command structure ready to access, a business continuity plan, risk registers and emergency communications guidance can assist in the planning.

- **The recognition and declaration of a critical incident**

- **Managing the situation** and preventing any further escalation of events through the command structure

- **Managing a return to normality,** recognising when an incident is no longer critical, working with the Business Continuity Plan and a debrief.

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44.1.5 The Command Structure

The Gold (strategic), Silver (tactical), Bronze (operational) command structure is role based rather than grade based. Role is allocated according to skill, expertise, location and competency.

Gold Commander

The Gold Commander is ultimately responsible for determining the strategy for managing an incident including any tactical parameters that the Silver or Bronze Commanders should follow. The

Gold Commander must retain strategic oversight of the incident. While Gold should not make tactical decisions, they will be responsible for ensuring that any tactics deployed are proportionate to the risks identified, meet the objectives of the strategy and are legally compliant.

Key responsibilities of the Gold Commander:

- Assume overall command of the incident which extends until their period of tenure ends.
- Set, review, update and communicate their strategy, inclusive of media strategy.
- Located in a place where they are easily contactable with all the necessary tools and staff to manage the incident effectively.
- Remain available for the Silver Commander.

Silver Commander

Silver is responsible for producing the tactical plan following the strategy set out by Gold. There can be more than one Silver Commander but each must have a clearly defined and logged remit.

Key responsibilities of the Silver Commander:

- Assume tactical command of the incident
- Appoint any further Bronze Commanders as appropriate
- Set, review, update and communicate the tactical plan
- Located appropriately to exert their tactical command over the incident. Depending on the circumstances this may be:

    - Near the scene, to offer the best service
    - At a nearby UK Border Agency office
    - At a pre-designated silver control
    - At a basic command unit control room

The Silver Commander may use the following guidance to help them understand their role when dealing with a critical incident.

What - what are the aims and objectives to be achieved?

Who - who by, police, emergency services and partner agencies, what resources are available?

When - timescales, deadlines and milestones in delivery of tasks;

Where – locations?

Why - what is the rationale within the overall aims and objectives set by the gold commander

How - how are these tasks going to be achieved, what barriers to achieving them may be encountered.

Key responsibilities of the Bronze Commanders

- Assume operational command of the incident or specified supporting activity
- Have a clear understanding of the Gold Commander's strategy, the Silver Commander's tactical plan and their role within it
- Suitably located in order to maintain effective operational command of their area of responsibility
- Review, update, and communicate any changes that may affect the tactical plan

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44.1.6 Planning for a Critical incident

The best way to contain any incident is to be well prepared for any eventuality. All areas of our business should be thoroughly risk assessed, incorporating business continuity plans and community impact assessments and recognising risks on a risk register. A command structure with the flexibility to respond to a range of incidents for each region / directorate / business area must be identified and ready to be set up in the event of a critical incident, including at a national level. In the event of an incident escalating beyond the directorate Gold Commander then the on call national Gold Commander must be informed. (See Annex B)

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44.1.7 Critical Incident Management Packs

A CI Management Pack should be readily accessible, and up to date. It should contain, as a minimum:

- A copy of this guidance and checklists
- On call Gold Commander(s) details
- Contact details *ie* The Command and Control Unit, Local Management, Other business areas (Ports, LITs, Intel offices etc), Local Emergency Services.
- Up to date staff lists
- Point of contact to access next of kin details in the event of an emergency
- Up to date duty lists
- Decision logs

A critical incident management pack should contain as much information as you consider relevant, but should be portable.

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44.1.8 Recognising and Declaring a Critical Incident

Anyone can declare a critical incident, but doing so confers responsibility. Whilst the decision to declare a critical incident should not be taken lightly, it is much better to do so, take the appropriate action and then “undeclare” it, rather than do nothing and increase the potential for escalation. In the event of escalation, the decision to declare a UK Border Agency wide critical incident lies with the duty Board member who will then inform the national Gold Commander.
The actions taken earliest during a critical incident (“the golden hour”) are often the most crucial. It is important that an incident is declared as soon as the potential for a critical situation is perceived. You do not require evidence, or for an event to have already occurred to recognise its potential.

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44.1.9 The Golden Hour

The **‘Golden Hour’** is not restricted to 60 minutes. It is the initial period following the incident occurring when the best opportunities exist to take decisive action.

Strategic action

A strategy must be set to establish a structured dynamic response to serious / critical incidents at the earliest opportunity; this will improve the likelihood of a successful outcome, including community confidence.

Tactical considerations

There are a number of areas to be considered during the 'golden hour', these include:

Victims – Identify, support and sensitivity preserve evidence.
Scenes – Identify, preserve, assess and log
Suspects – Identify, arrest and preserve
Witnesses – Identify, support and prioritise. Note first account and description of any suspects
Log – Decisions, reasons, resources, conditions, circumstances
Clear Lines of Responsibility – Identify, inform, brief, coordinate and review
Family/Community - Identify, inform, establish needs/expectations/concerns, primary support, sensitivity
Physical Evidence – Preservation, CCTV, escape routes, public transport routes, ambulances
Prevent Contamination – Victims, Suspects, Scenes (ambulances etc), exhibits
Intelligence – Identify, prioritise, maximise, exploit consider community and open source intelligence
Community Concerns – Establish through Lay Advice, anticipate possible developments, risks to public confidence, rumours etc…
Media Strategy – Use the Rapid Response Team in the early stages of any incidents. Adopt principles of basic media strategy.

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44.1.10 Business Continuity Management

Each business area, command or directorate has a Business Continuity Plan (BCP) in place. The threshold at which each business area declares an incident is for that business area to determine. Should an incident escalate beyond the capabilities of the business area's BCP then a Critical Incident should be declared and the critical incident management guidance must be followed.

An incident is likely, by its definition, to have a significant impact on normal service delivery. A continued business capability and service is still required to be delivered, both in the area directly affected and across the rest of the agency both during and after an incident. The critical incident management guidance focuses on managing the incident itself whereas Business Continuity Plans are focused on business recovery in a prioritised manner. Business Continuity Management must therefore run parallel and have close communication with critical incident management but with its own structure and not forming part of the Gold, Silver and Bronze command.

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44.2 Managing a Critical Incident through the Command structure

The management of a Critical incident through the Bronze, Silver and Gold command structure ensures clear lines of communications and a rapid response from the Agency.

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44.2.1 First steps

Early communication of the event is crucial once a critical incident is declared. All critical incidents that occur across the Agency must be reported to the Command and Control Unit. If the incident is centred around an event where a local command structure is in place you must alert the appointed Bronze, Silver and Gold Commanders immediately.

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44.2.2 The Role of the Command and Control Unit

The Command and Control Unit is available 24 hours a day, 7 days a week. All staff are Bronze and Silver Commander trained and a number are trained as Gold Commanders. It is necessary to report all critical incidents to the Command and Control Unit, if the incident requires a referral to the IPCC or the Professional Standards Unit the Command and Control Unit will undertake this role.

Directorate level incidents

If an incident is to be handled locally, the Command and Control Unit should be advised that an incident is occurring. This ensures the Command and Control Unit is involved from the start and should an incident escalate, valuable time is not lost passing on information later in the event. The

Command and Control Unit will be there to provide support, advice and specialist knowledge, and can support the commanders should events escalate or continue over a long period.

The Independent Police Complaints Commission

Any incident that occurs in England or Wales which needs to be referred to the IPCC must be referred to the Command and Control Unit (CCU) in the first instance. Incidents that occur in Scotland and Northern Ireland are not subject to IPCC oversight but still should be reported to the Command and Control Unit (CCU). For further information, including details of those incidents that will need IPCC involvement please refer to IOI 08 08.

It is intended that any incidents, serious complaints and conduct matters which occur in Northern Ireland should be subject to an independent oversight by the Police Ombudsman for Northern Ireland (PONI). Once this oversight is in place, referral to PONI will follow the same procedures as set out for IPCC.

In Scotland serious complaints, incidents or conduct matters where there is a reasonable inference of criminality or a death then such matters are referred to the Area Procurator Fiscal by the Police on behalf of the UKBA. The Police Complaints Commissioner of Scotland (PCCS) can oversee cases where there is not reasonable inference of criminality. The PCCS will be able to review cases where the complainant is dissatisfied with the outcome of an investigation by UKBA. They will not have an investigatory role like the IPCC or PONI.

Joint Police and UK Border Agency Activity in England and Wales

In the event of a critical incident occurring in England and Wales where a joint UK Border Agency Police team are operating each organisation has a statutory requirement to report incidents to the IPCC under certain circumstances. The criteria for each organisation are similar therefore scenarios are limited within joint operations, regardless of whether it was led by Police or UKBA, that would fall within the criteria for one to refer but not for the other.

- UK Border Agency's obligations are stated in Section 2 (1) (a) of the UK Border Agency (Complaints and Misconduct) Regulations 2010.
- The Police obligations are stated in Schedule 3 (4) of the Police Reform act 2002.

The decision to refer an incident is an independent decision to be taken by each organisation based upon its own criteria and policies and should not be made solely to emulate the decision of the other. However on a practical level staff involved in the management of the incident should communicate their intentions to report or not as a matter of courtesy to the other organisation as it may be publicly questioned why one organisation acted differently to the other.

Sole UK Border Agency activity when Police assistance is requested

If the Police are called to assist after sole UK Border Agency activity and an injury / death subsequently occurs then both the Police and the UK Border Agency would be legally obliged to make a referral.
In the event of the Police being called in response to an injury / death having occurred, then only the UK Border Agency would be legally obliged to make a referral. In any borderline cases the view should be taken that the referral should be made in the interests of the public confidence in the oversight regime.

Escalation of incidents

If an incident escalates beyond the control and capabilities of the directorate gold commander, then the Command and Control Unit must be contacted immediately. The Command and Control Unit will contact the UK Border Agency duty Board member who will decide whether or not to declare a UK Border Agency wide critical incident. If an Agency wide critical incident is declared, the Command and Control Unit will notify the duty national gold commander, the Rapid Response Team and the Director of Communications of the incident escalation.

National level incidents

The Command and Control Unit should be informed immediately of any incident with national or serious implications for the UK Border Agency. The Command and Control Unit will act as a support to any existing commanders, or assist in establishing an appropriate command structure if none exists. In all incidents, the Command and Control Unit will respond to appropriate tasking within the Gold/Silver/Bronze Command structure.

COBR (Cabinet Office Briefing Room)

COBR meets to discuss high-priority issues that cross departmental borders within government. In most cases COBR is convened as part of the civil contingencies committee, which plans government responses in times of emergency. The function of COBR is to determine government policy and strategy in relation to an incident and provides a forum for the co-ordination of the Government response. The operational control of the incident remains in the hands of the Gold Commander although COBR arranges for any specialist assistance required and importantly is the single source of Government communication with Gold.

CIRAM

Following the terrorist attacks of 7 July 2005, the CIRAM protocol was drawn up to ensure full UKBA participation in the COBR mechanism. CIRAM outlines procedures to deliver a rapid response to critical incidents and manage continuing operational activity at the Ports and Borders through an agreed structure.

All incidents

The Command and Control Unit maintains detailed and up to date critical incident packs which can be viewed by other offices as required. The Command and Control Unit can take responsibility for or co-ordinate the following in any event:

- Liaison with the emergency services and establishing who should take primacy
- Media handling – the command and control unit will liaise with the Rapid Response Team to ensure that accurate and up to date information is communicated effectively and appropriately, particularly to ministers and communications to minimise reputation damage.
- Liaison with Legal Advisors Branch to ensure the response to any incident is proportionate and legitimate
- Liaison with the Employee Assistance Programme

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44.2.3 Decision Logs and Scribes

Accurate, complete and detailed decision logs are crucial to the successful management of any Critical Incident. Every decision, however minor, must be logged ensuring that the rationale behind the decision is recorded accurately. At the conclusion of any incident, these logs will be made

available to the officer conducting the debrief, and if appropriate, to the investigating authorities and the courts. The importance of logs is paramount to auditing the decisions made.

There are practical difficulties of managing an incident; making decisions, relaying those decisions, taking advice whilst maintaining full and accurate notes therefore it is recommended that wherever possible, commanders should appoint scribes.

The Gold Commander remains ultimately responsible for the contents of the logs, and must ensure they are of a standard that would allow the Gold Commander to return to them up to seven years later, and know instantly why a decision was made, and defend that decision if necessary. Blank log books can be obtained from the Command and Control Unit.

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44.3 The end of an Incident

Once a Critical Incident has been called to an end there are still processes to follow which are part of the entire management of a Critical Incident.

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44.3.1 Final Steps

Once the seriousness of an event has receded and the strategy devised by Gold has been achieved, Gold should declare a formal end to the incident. This must be relayed immediately to Silver and Bronze Commander, and all commanders should note it in their logs. This decision must also be relayed to the Command and Control Unit. All paperwork relating to the incident, including extraneous notes should be collected and retained locally for seven years.

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44.3.2 Debrief and recovery

A debrief, led by Gold, but involving all those who played an active part in the incident (including other agencies) must be held as soon as is practical following the end of an incident. This is essential to allow the business to return to normal, to highlight any lessons learned in preventing a similar incident occurring in the future, and to air any difficulties or grievances over the handling of the incident. The advice of the employee assistance programme should be sought to establish if

there is a need for a psychological debrief for any of those involved, but it should be remembered that participation in such a debrief is voluntary and should not take place until all the legal requirements have taken place. A detailed written record of any debrief should be made. To ensure lessons are learned and shared through the Agency a copy of the debrief notes and action points should be sent to the Command and Control Unit (CCU). The continued implementation of a business continuity plan throughout the incident should facilitate a recovery and return to business as usual.

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44.3.3 Further information

Training in Critical Incident Management including the command roles is available and it is the responsibility of all directors to ensure their staff receives the relevant training.

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44.4 Support services for those involved in an incident

There is a variety of support services available to those officers and staff members involved in a Critical Incident both during the incident and after.

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44.4.1 First Aid

- If an incident does occur in or near the premises, first aid may be required for a member of staff or a resident.
- Official cars must be equipped with a first aid kit.
- Identify any person who is qualified to provide first aid (police officers and arrest team members are all trained in first aid).
- Inform colleagues as soon as possible when first aid is required.

- Where necessary seek further medical assistance as soon as possible i.e. call for an ambulance.

- Inform the duty CIO of any incident where first aid or other medical assistance is required.

- Officers are responsible for obtaining and updating immunisation protection against communicable diseases such as hepatitis B and tuberculosis. There is no requirement for anyone to undergo immunisation and individuals should discuss this with their GP.

- Any officer at risk of HIV infection as a result of exposure to an infected person should be offered appropriate prompt medical treatment as well as counselling.

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44.4.2 Counselling

- Where an incident occurs which results in any suggestion of the need for counselling, the line manager or duty CIO/HMI (whoever is available sooner) will ensure that staff are aware of the availability of the Employee Assistance Programme -The EAP provides a 24/7 support helpline.

- Any incident, no matter how minor, should be reported in the first instance to the duty CIO.

- Where care teams are available in local offices, these should be used as the first point of contact for after care.

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44.4.3 Compensation

- If clothing or personal property is damaged as a result of an incident at work an officer may make a claim for compensation.
- If injured, the officer may be entitled to seek recompense from the Criminal Injuries Compensation Board.

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44.4.4 Legal advice

- The UKBA will consider all requests to assist an officer with any legal proceedings he wishes to pursue or is being pursued against him.

- Even if the UKBA or the police are not taking any legal action the officer involved may be able to take out a private prosecution for common assault against the alleged assailant.

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44.4.5 Responsibilities of line managers during Enforcement Operations

- To ensure that all staff have received the appropriate level of training, prior to undergoing enforcement visits.

- To authorise visits only when satisfied that a sufficient risk assessment has been carried out and all hazards evaluated and either eliminated or controlled to an acceptable level.

- To ensure that staff wear PPE on all enforcement visits.

- To ensure that staff wear other PPE when the risk assessment has shown it as a necessary control measure.

- To establish a communication procedure with staff prior to their departure from the office.

- To ensure that, where staff have been identified as unfit to drive through fatigue, alternative arrangements are in place to ensure their safety.

- To maintain contact with staff that are on duty but out of the office.

- To ensure that those on visits have reported the outcome and their safe return to the office or a police station.

- To advise staff of the services available from the Employee Assistance Programme where the need is identified.

- To follow up any reported incidents, whether verbal or in writing, completing the appropriate accident report forms and investigating the incident.

Note: All the suggested actions listed above are to be used as an aide memoir for personal safety on enforcement work. The points covered are not exhaustive and common sense should be applied at all times.

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