



# Agenda

## Regulatory and Governance Committee

Wednesday, 28 November 2018 at 7.00 pm

Brentwood County High School, Shenfield Common, Seven Arches Road,  
Brentwood CM14 4JF

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### Membership (Quorum – 3)

Cllrs Ms Rowlands (Chair), Barrett, Cloke, Mrs Hones, Kendall, McCheyne, Mrs Middlehurst and Mynott

### Substitute Members

Cllrs Hirst, Naylor, Nolan, Morrissey, Mrs Murphy and Tierney

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### Agenda

Item	Item	Wards(s) Affected	Page No
1.	Apologies for absence		
2.	Minutes of the Previous Meeting		5 - 10
3.	Chairs Update Report	All Wards	11 - 14
4.	Review issues referred to the Committee by a Statutory Officer of the Council or any Council or any Council Body	All Wards	15 - 16
5.	General Data Protection Regulation (GDPR)	All Wards	17 - 24

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|----|--|-----------|---------|
| 6. | <b>General Data Bodies - Website Accessibility Regulations</b> | All Wards | 25 - 28 |
| 7. | <b>Business Continuity Policy/Strategy</b>                     | All Wards | 29 - 46 |
| 8. | <b>Strategic and Operational Risk</b><br>To follow             | All Wards |         |
| 9. | <b>Urgent Business</b>   |           |         |



Chief Executive

Town Hall  
Brentwood, Essex  
20.11.2018

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### Information for Members

#### Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

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#### Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

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#### Point of Order/ Personal explanation/ Point of Information

##### Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

##### Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

##### Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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### Information for Members of the Public

#### Access to Information and Meetings

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Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk).

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The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

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these activities, in their opinion, are disrupting proceedings at the meeting.

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 **Private Session**

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 **Access**

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 **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.

## Minutes

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### Regulatory and Governance Committee Wednesday, 10<sup>th</sup> October, 2018

#### Attendance

Cllr Ms Rowlands (Chair)  
Cllr Barrett  
Cllr Cloke

Cllr Mrs Hones  
Cllr McCheyne  
Cllr Mynott

#### Apologies

Cllr Tumbridge

#### Substitute Present

Cllr Mrs Murphy (substituting for Cllr Tumbridge)

#### Also Present

Cllr Mrs Pound  
Cllr Naylor

#### Officers Present

Steve Summers	-	Chief Operating Officer
Claire Mayhew	-	Corporate and Democratic Services Manager
Jacqueline Van Mellaerts	-	Chief Financial Officer
Sue White	-	Risk and Insurance Officer
Daniel Toohey	-	Monitoring Officer and Head of Legal Services
Lorne Spicer	-	Business Development & PR Communications Manager

#### 150. Apologies for absence

Apologies were received from Cllr Tumbridge with Cllr Murphy substituting. The Clerk informed the committee, that Cllr Tumbridge had recently resigned from the committee therefore, Cllr Murphy is present in the vacant role.

#### **151. Minutes of the previous meeting**

The Minutes of the meeting held on 11th July 2018 were agreed as a true record, subject to amendment from Cllr Barrett to minute 83 – GDPR Update. Cllr Barrett advised the committee that he didn't vote for the recommendation and therefore the vote was not UNANIMOUSLY RESOLVED. The recommendation on this item was RESOLVED.

#### **152. Nomination of Vice-Chair**

Cllr Ms Rowlands **MOVED** and Cllr McCheyne **SECONDED** and Members agreed that Cllr Cloke be appointed as Vice-Chair of the committee for the duration of the meeting.

#### **153. Variation in the Order of the Agenda**

Cllr Ms Rowlands **MOVED** and Cllr Cloke **SECONDED** and Members agreed that Agenda Item 8 – Strategic and Operational Risk Update be taken before Item 7 – Insurance and Risk Management Strategy.

#### **154. Chair's Update Report**

##### **GDPR Update**

A GDPR Update will be made to the November Regulatory & Governance meeting. At the July meeting the Committee agreed that an individual be identified as a Data Protection Officer from within the Council and a report made to the next Policy, Projects and Resources Committee.

At the Policy, Projects and Resources Committee on the 18 September 2018, Min 137 refers, it was agreed that:

1. Shared arrangements that are currently in place with Thurrock Council to continue and are to be reviewed in September 2019.
2. That performance continues to be monitored to ensure that the obligations of the Council, under the control and management of the DPO, are being met by the shared management agreement in place.

##### **Regulation of Investigatory Powers Act 2000**

At the previous meeting the Committee were advised that the Investigatory Powers Commissioner's Office (IPCO) conducts periodic inspections of local authorities' use of their powers under the Regulation of Investigatory Powers Act 2000 (RIPA). The purpose of these inspections is to examine the Council's policies, procedures, operations and administration in relation to directed surveillance and covert human intelligence sources (CHIS) under RIPA.

The last inspection took place on 16th August 2017 and although it was noted that there has been no directed surveillance or CHIS been requested since 21st

July 2014 the inspector made one recommendation requiring a number of parts of Corporate RIPA policy to be updated and amended.

Subsequently the Committee approved the amendments to the Corporate RIPA Policy with the recommendation of the Surveillance Inspector. In addition, the Committee agreed that Appendix 4 (of the Regulation of Investigatory Powers Act 2000 (RIPA) Corporate Policy – June 2018 – Appendix A of the report) be brought back for review with the data protection compliance report at the next meeting.

As stated above in the GDPR Update a report will be provided to the November Regulatory & Governance meeting, this will include the review of Appendix 4 (of the Regulation of Investigatory Powers Act 2000 (RIPA) Corporate Policy – June 2018 – Appendix A of the report) as previously agreed.

Members posed questions relating to the appointment of the DPO officer and the vacant post on the Constitution Work Group.

**155. Review issues referred to the committee by a statutory officer of the Council or any Council Body.**

The terms of references for the Regulatory and Governance Committee requires it to review issues referred to the committee by a statutory officer of the council or any council body.

This will be a standing item for the committee with officers' provision any matters for the committee to consider including a nil response.

There were no current matters to be referred to the committee.

Cllr Ms Rowlands **MOVED** and Cllr Cloke **SECONDED** to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY.**

- 1. That the Committee agrees that there no issues to be referred by the Councils Statutory Officers at this stage.**

**REASON FOR RECOMMEDATION**

The Constitution requires that the Regulatory and Governance Committee to review issues referred to the committee by a statutory officer of the Council or any Council Body.

**156. Draft Corporate Complaints Policy and Persistent and Unreasonable Behaviour Policy**

This report asked Members to consider and adopt a revised Corporate Complaints Policy and the introduction of a Persistent and Unreasonable Behaviour Policy.

Members of the committee asked questions around the complaints process in relation to the Member's Request System. Concerns were expressed about the responses received by Members to their requests. The Officer informed the members that any concerns relation to the system should be reported.

Cllr Ms Rowlands **MOVED** and Cllr Cloke **SECONDED** to approve the recommendations in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**.

- 1. That the committee approves the Draft Corporate Complaints Policy (Appendix A).**
- 2. That the committee approves the Draft Persistent and Unreasonable Behaviour Policy (Appendix B).**

#### **REASON FOR RECOMMENDATION**

The Council is keen to ensure that the Complaints Policy is kept as effective and efficient as possible, and the revised policy sees multiple improvements for the experience of the complainant.

In the absence of a defined policy, the Council has experienced difficulty dealing with customers whose behaviour is deemed to be unreasonable. The introduction of a Persistent and Unreasonable Behaviour Policy will empower staff to deal confidently and effectively with these instances, and benefit service delivery for other customers.

#### **157. Anti-Fraud Policy (Incorporating Bribery, Corruption and Money Laundering)**

The revised Anti-Fraud Policy incorporates previously approved policies covering Fraud, Corruption, Bribery and Money Laundering into one single Policy.

The Policy helps to provide a clear statement of the Council's position and investigating allegation helps to provide clarify around working practices and mitigates financial risk to the Council.

Cllr Kendall asked the Officer about the amount of information supplied to Members. The Officer informed Cllr Kendall were appropriate, these instances will be reported to the Chair. The Officer will be guided by the Monitoring Officer in relation to any reporting requirements.

After a full discussion, Cllr Ms Rowlands **MOVED** and Cllr Cloke **SECONDED** to approve the recommendations in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**.



1. **To approve and adopt the Anti-Fraud Policy (Incorporating Bribery, Corruption and Money Laundering) Appendix A.**
2. **The Anti- Fraud Policy supersedes previously approved Policies; Anti-Fraud and Corruption Policy and Guidance; Anti Bribery Policy and Proceeds of Crime (anti-Money Laundering (Appendix B, C & D).**

#### **REASON FOR RECOMMENDATION**

To maintain and strength the Council's governance arrangements and to improve financial management across the Council.

Having a Policy helps to provide clear statement of the Council's position and investigating allegations helps to provide clarity around working practices to mitigate financial risk to the Council.

#### **158. Strategic and Operational Risk Register**

The report updates members of the Regulatory & Governance Committee on the status of the Council's 2018/2019 Strategic Risk Register and the progress being made across Services in delivering Operational Risk Registers.

Members expressed concerns relating to 4.10 Brexit of the report and requested this should be added to the risk register going forward.

Cllr Barrett, requested a risk relating to the Interest Rate, especially relating to SAIL. This to be reported at the next meeting.

After a full discussion, Cllr Ms Rowlands **MOVED** and Cllr Cloke **SECONDED** to approve the recommendations in the report.

A vote was taken by a show of hands and it was **RESOLVED**.

1. **To agree the amendments to the Strategic Risk Register, as shown in Appendix A, and the risk scores recoded for each rick accurately represents the current status of each risk.**
2. **To agree the risk exposure changes, as shown in Appendix B, to the Operational Risks.**

#### **REASON FOR RECOMMENDATION**

Risk Management continues to be embedded quarterly within Executive Board and Corporate Leadership Team, where Departmental Managers and Senior Offices discuss the operational and strategic risks for their service area to ensure that the risks are updated and reflect the ongoing changes.

In addition, the Risk and Insurance Officer will continue to work with risk managers to maintain the good progress to date and further develop a

consistent application of risk management considerations across all operations of the Council.

#### **158. Insurance and Risk Management Strategy 2018**

The report updates members of the Regulatory & Governance Committee with a revised Insurance & Risk Management Strategy which it reviews annually and is attached in Appendix A.

Following changes have been updates:

- Roles & Responsibilities (page 7)
- Risk Analysis (pages 8 ,9 & 10)
- Rick Ranking Table (page 11)
- Risk Appetite/Risk Tolerance (page 12)

Cllr Ms Rowlands **MOVED** and Cllr Cloke **SECONDED** to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY.**

- 1. To approve and adopt the revised Insurance & Risk Management Strategy 2018 (Appendix A).**

#### **REASON FOR RECOMMENDATION**

Risk Management continues to be embedded quarterly within Executive Board and Corporate Leadership Team, where Departmental Managers and Senior Offices discuss the top-level risks for their service area to ensure that the risks are updated and reflect the ongoing changes.

In addition, the Risk and Insurance Officer will continue to work with risk managers to maintain the good progress to date and further develop a consistent application of risk management considerations across all operations of the Council.

#### **160. Urgent Business**

There were no items of urgent business and the meeting concluded at 19:58.

**28<sup>th</sup> November 2018**

## **Regulatory & Governance Committee**

### **Chair's Update Report**

**Report of:** *Cllr Louise Rowlands – Chair of the Regulatory & Governance*

**Wards Affected:** *All Wards*

**This report is:** *Public*

### **GDPR Update**

A GDPR Update will be made to the November Regulatory & Governance meeting. At the July meeting the Committee agreed that an individual be identified as a Data Protection Officer from within the Council and a report made to the next Policy, Projects and Resources Committee.

At the Policy, Projects and Resources Committee on the 18 September 2018, Min 137 refers, it was agreed that:

1. Shared arrangements that are currently in place with Thurrock Council to continue  
and are to be reviewed in September 2019.
2. That performance continues to be monitored to ensure that the obligations of the Council, under the control and management of the DPO, are being met by the Shared management agreement in place.

In addition I have met with the Councils DPO Officer, Lee Henley, and discussed arrangements for going forward.

### **Regulation of Investigatory Powers Act 2000**

The report advised members that the Investigatory Powers Commissioner's Office (IPCO) conducts periodic inspections of local authorities' use of their powers under the Regulation of Investigatory Powers Act 2000 (RIPA). The purpose of these inspections is to examine the Council's policies, procedures, operations and administration in relation to directed surveillance and covert human intelligence sources (CHIS) under RIPA.

The last inspection took place on 16<sup>th</sup> August 2017 and although it was noted that there has been no directed surveillance or CHIS been requested since 21<sup>st</sup> July 2014 the inspector made one recommendation requiring a number of parts of Corporate RIPA policy to be updated and amended.

Subsequently the Committee approved the amendments to the Corporate RIPA Policy with the recommendation of the Surveillance Inspector. In addition the Committee agreed that Appendix 4 (of the Regulation of Investigatory Powers Act 2000 (RIPA) Corporate Policy – June 2018 – Appendix A of the report) be brought back for review with the data protection compliance report at the next meeting.

### **Strategic and Operational Risk**

The governance arrangements set out in the 'Insurance & Risk Management Strategy' and terms of reference of committees from the Council's constitution require the Regulatory & Governance Committee to review the strategic risks every quarter and confirm they are confident that the risks associated within the register are those which are strategic and relevant to the organisation at this point in time and the considered future.

The report updated the committee on the status of the Council's 2018/19 Strategic Risk Register and the progress being made across Services in delivering Operational Risk Registers. In addition the committee requested that risks were added for Brexit and also Interest Rates.

### **Members Training Programme 2018/19**

The committee received a report on the Members Training Programme for 2018/19 which was adopted. This information included sessions which are mandatory as follows:

- New Members Induction Session
- Planning and Licensing Training as required under Chapter 5.5 paragraph 2, 2.1 & Chapter 5.5 paragraph 4, 4.1 of the Constitution.

Members will be given an opportunity to give feedback and comment on any further training that might help by completing the feedback form in the Members Training Programme.

The Member's training programme will improve knowledge and awareness of Council processes and procedures and where appropriate, statutory requirements, therefore improving the Council's overall compliance with governance requirements.

### **Insurance and Risk Management Strategy 2018**

The committee received a report on a revised Insurance & Risk Management Strategy which is reviewed annually.

The following changes have been made to the Strategy:

- Roles & Responsibilities
- Risk Analysis
- Risk Ranking Table
- Risk Appetite/Risk Tolerance

The Committee agreed to approve and adopt the revised Insurance & Risk Management Strategy 2018.

### **Anti-Fraud Policy (Incorporating Bribery, Corruption and Money Laundering)**

The committee were advised that the revised Anti-Fraud Policy incorporated previously approved policies covering Fraud, Corruption, Bribery and Money Laundering into one single Policy. The Policy helps to provide a clear statement of the Council's position and investigating allegation helps to provided clarify around working practices and mitigates financial risk to the Council.

The Committee agreed to approve and adopt the Anti-Fraud Policy (Incorporating Bribery, Corruption and Money Laundering).

### **Draft Corporate Complaints Policy and Persistent and Unreasonable Behaviour Policy**

Following a review of the current policies and arrangements Members were asked to consider and adopt a revised Corporate Complaints Policy and the introduction of a Persistent and Unreasonable Behaviour Policy.

The committee approved the Draft Corporate Complaints Policy and the Draft Persistent and Unreasonable Behaviour Policy.

**Report Author Contact Details:**

**Name:** Claire Mayhew  
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**28 November 2018**

## **Regulatory & Governance Committee**

### **Review issues referred to the committee by a statutory officer of the Council or any Council Body**

**Report of:** *Claire Mayhew – Corporate and Democratic Services Manager*

**Wards Affected:** *All*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 The Terms of Reference for the Regulatory & Governance Committee requires it to review issues referred to the committee by a statutory officer of the Council or any Council Body.
- 1.2 This will now be a standing item for the Committee with Officers providing any matters for the committee to consider including a nil response.
- 1.3 There are no current matters to be referred to the committee.

#### **2. Recommendation(s)**

- 2.1 That the Committee agrees that there no issues to be referred by the Councils Statutory Officers at this stage.**

#### **3. Introduction and Background**

- 3.1 The Council's Constitution provides the framework within which we conduct our business. It describes who is responsible for making decisions and how decisions are made.
- 3.2 The Terms of Reference for the Regulatory & Governance Committee requires it to review issues referred to the committee by a statutory officer of the Council or any Council Body.

#### **4 Reasons for Recommendation**

- 4.1 The Constitution requires that the Regulatory & Governance Committee to review issues referred to the committee by a statutory officer of the Council or any Council Body.

## **5 Consultation**

5.1 None.

## **6 References to Corporate Plan**

6.1 The vision of Transformation includes an action to improve the Council's governance arrangements, leading to faster, more effective decision-making.

## **7 Implications**

### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Finance Office/S151 Officer**

**Tel & Email: 01277 312829 /jacqueline.vanmellaerts@brentwood.gov.uk**

7.1 There are no direct financial implications arising from this report.

### **Legal Implications**

**Name & Title: Daniel Toohey, Monitoring Officer & Head of Legal Services**

**Tel & Email: 01277 312860/daniel.toohey@brentwood.gov.uk**

7.2 There are no direct legal implications arising directly from this report.

## **8 Background Papers**

8.1 None

## **9 Appendices to this report**

None

### **Report Author Contact Details:**

**Name:** Claire Mayhew, Corporate and Democratic Services Manager

**Telephone:** 01277 312741

**E-mail:** claire.mayhew@brentwood.gov.uk



**28 November 2018**

## **Regulatory & Governance Committee**

### **General Data Protection Regulation (GDPR)**

**Report of:** *Lee Henley - Data Protection Officer*

**Wards Affected:** *All wards*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 The council are making good progress in improving and embedding its processes in relation to the GDPR. This report sets out work undertaken and details further work to embed compliance throughout the council.

#### **2. Recommendation**

- 2.1 That the Committee note the actions being taken by the Council in relation to the GDPR.**

#### **3. Introduction and Background**

- 3.1 The General Data Protection Regulation (GDPR) came into effect on 25 May 2018.
- 3.2 GDPR is a European Regulation which brings together a single piece of Data Protection Law across all EU member states. As a result of the Brexit decision, the UK Government has implemented a new Data Protection Act (Data Protection Act 2018) that will closely align with the GDPR.
- 3.3 GDPR introduces a higher level of accountability and evidence based compliance. Therefore, by establishing and/or adjusting governance arrangements to comply with the GDPR, the council will be confident not only that it is complying with legislation and respecting data subjects' rights, but also that it is mitigating risk appropriately and has a defence in the event of a breach.

- 3.4 Under the GDPR, the fines available have been significantly increased (up to 18 million euros) and may be imposed for **any** infringement of the Regulation, not just data security breaches.
- 3.5 The Information Management Team at Thurrock Council has been commissioned to provide support to Brentwood in relation to Data Protection. Thurrock commenced work at Brentwood in June 2018 and begun by carrying out a review of the existing processes.

**4. Progress to date regarding GDPR**

- 4.1 This paper captures the actions taken to ensure that the Council maintains compliance with the GDPR. A summary of key changes due to the GDPR, along with the estimated timeline for the completion of the work programme is detailed within the table below. **Note** – The delivery of these timeframes will be dependent on the work of the Information Asset Owners.
- 4.2 Organisations will always have on-going work to achieve compliance with Data Protection Legislation and work programmes will be fluid due to this. The Information Commissioner’s Office has recognised this and will want an assurance that action plans are in place to move Data Protection best practice forward.
- 4.3 Key priorities at this stage for the Council are Training which should be rolled out during November and Records of Processing Activity work which will be a continuous on-going cycle of work.

Key Changes due to GDPR	Progress Made	Completion Timelines (Q3/Q4)
<p>Authorities are now required to demonstrate that they comply with the new law (evidence based).</p>	<p><b>Completed work:</b></p> <ul style="list-style-type: none"> <li>• There is an existing Data Protection Policy and a range of other policies have been put in place (e.g. Retention and Data Breach Policies).</li> <li>• Mandatory Information Governance training has been amended to reflect GDPR changes</li> <li>• Individuals Rights content has been provided on the internet (public view).</li> <li>• Information for staff has been provided on the intranet (staff</li> </ul>	

Key Changes due to GDPR	Progress Made	Completion Timelines (Q3/Q4)
	<p>view).</p> <ul style="list-style-type: none"> <li>An Information Risk Framework has been produced to identify risks to key information assets.</li> <li>Contracts have been reviewed to ensure they are GDPR compliant.</li> </ul> <p><b>Work to be completed:</b></p> <ul style="list-style-type: none"> <li>There are ongoing plans to engage with suppliers regarding the 'right to be forgotten' requirement and data portability requirement</li> <li>The Information Asset Owners are currently reviewing the Document Retention Policy.</li> <li>The IG training is being piloted with the aim of this being rolled out to staff in November</li> <li>Information Asset Owners to undertake actions in-line with the Information Risk Framework.</li> <li>To finalise the review of additional Information Governance related policies</li> </ul>	<p>Q4</p> <p>Q3</p> <p>Q4</p> <p>Q4</p> <p>Q4</p>
<p>Legal requirement for breach notification within 72 hours to the Information Commissioner's Officer (ICO).</p>	<p><b>Completed work;</b></p> <ul style="list-style-type: none"> <li>A GDPR incident reporting procedure has been produced.</li> </ul> <p><b>Work to be completed</b></p> <ul style="list-style-type: none"> <li>Update/refresh incident reporting and risk assessment form.</li> </ul> <p><b>Note</b> – There have been no incidents requiring escalation to the ICO. Where incidents were reported, investigations were undertaken with appropriate feedback provided to those reporting incidents.</p>	<p>Q3</p>
<p>Significantly increased penalties possible for any breach of the Regulation – not just data breaches.</p>	<p><b>Completed work:</b></p> <ul style="list-style-type: none"> <li>A comprehensive GDPR action plan has been put in place.</li> <li>An Information Governance Group has been set up to drive forward the work required on</li> </ul>	

Key Changes due to GDPR	Progress Made	Completion Timelines (Q3/Q4)
	<p>GDPR.</p> <p><b>Work to be completed:</b></p> <ul style="list-style-type: none"> <li>• New starters to complete Information Governance training before joining the council.</li> <li>• A Data Protection Compliance Programme will need to be produced (e.g. Data Protection Audits).</li> </ul>	<p><b>Q4</b></p> <p><b>Q4</b></p>
<p>Removal of charges for providing responses to Subject Access Requests (SARs).</p>	<p><b>Completed Work:</b></p> <ul style="list-style-type: none"> <li>• A revised SAR procedure has been produced to reflect new timescales and the fact that most requests will be free of charge.</li> </ul> <p><b>Note</b> - Between June and September 2018, the council received 3 SARs. All were processed within the statutory/legal timeframe.</p>	
<p>Requirement to keep records of data processing activities.</p>	<p><b>Completed work:</b></p> <ul style="list-style-type: none"> <li>• Information Asset Owners (IAOs) for all key areas have been identified.</li> <li>• On-going development of a Record of Processing Activities (RoPA) for key services.</li> </ul> <p><b>Work to be completed:</b> This is a key area of GDPR. Work is on-going by the Information Governance Group to further develop their RoPA. This is key to determine:</p> <ul style="list-style-type: none"> <li>• What personal data is held, where it originated from and who it is shared with.</li> <li>• Do we have a legal basis for processing and is there evidence of this or are we relying on consent.</li> <li>• Is any data stored outside the UK.</li> <li>• Are fair processing notices in-line</li> </ul>	<p><b>Q4</b></p>

Key Changes due to GDPR	Progress Made	Completion Timelines (Q3/Q4)
	<p>with new requirements.</p> <ul style="list-style-type: none"> <li>How consent is obtained and recorded and whether the council need to make any changes. For example, do we have evidence of consent and was it a positive form of consent (and not pre-ticked opt-in boxes). <b>Note-</b> The rules around consent only apply where the council are relying on consent as its legal basis for processing personal data.</li> </ul>	
Appointment of a Data Protection Officer (DPO).	<p><b>Completed work:</b></p> <ul style="list-style-type: none"> <li>A DPO has been appointed.</li> </ul>	
Data Protection Impact Assessments (DPIA) are required for high risk processing and/or when using new technologies.	<p><b>Completed work:</b></p> <ul style="list-style-type: none"> <li>A DPIA document has been produced.</li> <li>The DPIA has been shared with the project team which considers new systems for the council.</li> <li>The DPIA now forms part of the procurement process.</li> </ul>	
Specific requirements for transparency and fair processing.	<p><b>Completed work:</b></p> <ul style="list-style-type: none"> <li>A GDPR compliant privacy notice has been produced.</li> <li>A detailed guide on Information rights under GDPR has been produced.</li> <li>An incident reporting procedure has been produced which will result in certain breaches reported to regulatory bodies.</li> </ul> <p><b>Work to be completed:</b></p> <ul style="list-style-type: none"> <li>Mid-tier service area privacy notices to be completed and published.</li> </ul>	<b>Q3</b>

4.4 At the Regulatory and Governance Committee on 11 July 2018 members approved the amended Regulation of Investigatory Powers Act (RIPA) policy. It was further resolved that Appendix 4 of that policy be brought to Members with this report so that, both documents could be viewed at the same time. A copy of Appendix 4 of the RIPA policy is attached (Appendix A). This contains a brief

restatement of the principles of the Data Protection Act 2018; paragraphs (a) – (f) are a word for word restatement of the recitals of Act 5 GDPR, which sets out the principles relating to the processing of personal data.

## **5 Implications**

### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Financial Officer/Section 151 Officer**

**Tel & Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk**

- 5.1 There are no direct financial implications arising from this report. Costs of implementing the Data Protection Act 2018 requirements are being sought through existing resources of the Medium Term Financial Plan.

### **Legal Implications**

**Name & Title: Daniel Toohey, Monitoring Officer and Head of Legal Services**

**Tel & Email: 01277 312860 /daniel.toohey@brentwood.gov.uk**

- 5.2 Legal implications are contained in the body of this report

## **6 Background Papers**

- 6.1 None

## **7 Appendices to this report**

Appendix A - RIPA policy (Appendix 4)

### **Report Author Contact Details:**

**Name:** Lee Henley- Data Protection Officer

**E-mail:** lhenley@thurrock.gov.uk

# Appendix A

## The Data Protection Act 2018 (DPA)

The following principles of the Act relating to the acquisition of personal data need to be observed when using RIPA. To ensure compliance, the information must:

(a) processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency');

(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation');

(c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');

(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation');

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

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18<sup>th</sup> November 2018

## Regulatory & Governance Committee

### The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018

**Report of:** Steve Summers – Chief Operating Officer

**Wards Affected:** All

**This report is:** Public

#### 1. Executive Summary

- 1.1 This report is to update Members on The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 and the proposed actions that the Council will be taking to meet the regulations.

#### 2. Recommendation

- 2.1 **That the Committee notes The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 and agrees the proposed actions of the Council as set out in 4.6 below.**

#### 3. Introduction and Background

- 3.1 The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 came into effect on 23 September 2018. The new law has been introduced to make all Public Sector websites and apps more accessible. It puts an obligation on Public Sector organisations to provide accessible websites and mobile apps, and to provide details of that in an accessibility statement.

- 3.2 The key dates of the new regulations are set out below;

- **September 2018:** Directive transposed into UK law;
- **September 2019:** new websites of Public Sector bodies created after 22 September 2018 will need to comply with the requirements from 22 September 2019;
- **September 2020:** All Public Sector websites must be accessible;
- **June 2021:** All mobile apps must be accessible.

## **4. Issue, Options and Analysis of Options**

- 4.1 All websites and slightly later mobile applications are covered however there are some exceptions though and the categories of exception include:
- "Disproportionate burden", so if the cost out-weighs the benefit this could be stated as an exception
  - Some organisations such as schools and non-governmental organisations only have to apply this to certain areas
  - Some content, such as documents and video, has a grace period before the rules apply
  - Intranet and extranet content published before 23 September 2019, until those websites undergo a substantial revision
  - 3rd Party content not under the control of the Public Sector body.
- 4.2 The accessibility statement is intended to provide the public with details of the site's accessibility, including saying which areas or features are not covered or currently accessible. It should be seen as a living document that gets updated as the site does. The first step when creating an accessibility statement is knowing what the current accessibility issues are.
- 4.3 The second step is to fix as many issues as possible, so the accessibility statement does not become a critical document.
- 4.4 The official format for the accessibility statement has not been finalised yet, but hopefully there will be some flexibility to make it useful to the people who need it. For example, listing issues by task (e.g. paying a bill) and how people can accomplish their task.
- 4.5 With all authorities being required to conform to these regulations, at the last meeting of the Essex Online Partnership web group a desire to work together and discuss the way forward was confirmed. This would include:
- Identifying partner's current position and their list of websites.
  - Looking into developing a generic accessibility statement for individual authority amendment. The group could consider looking at the highest-rated local authority websites for accessibility; such as Bracknell Forest; and look to adapt their accessibility statement.
  - Extracting the guidance and adapting for all websites.
  - Auditing the websites through a single tool. This could be through working with a University or procuring an external audit.

- All partners to share their list of websites and mobile applications; as well as their current position for meeting the Accessibility Regulations 2018.

4.6 The list of actions that have been agreed as set out below:

- Add to Corporate Project Register;
- Create list of current and planned websites, Intranet and mobile apps;
- Initial review of each site to better understand our current position and how to meet regulation;
- Review new Content Management Systems/Websites to better understand how regulation can be met and gather costs for budget planning;
- Agree level of accessibility/usability testing based on level of service and gather costs for budget planning;
- Discuss with third party website providers their intentions for meeting regulation;
- Create Accessibility Statement for each site.

## **5. Reasons for Recommendation**

5.1 To ensure the Councils website conforms with legislation.

## **6. Consultation**

6.1 None

## **7. References to Corporate Plan**

7.1 Continue to improve our governance arrangements leading to faster more effective decision-making.

## **8. Implications**

### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Finance Officer**

**Tel & Email: 01277 212829/jacqueline.vanmellaerts@brentwood.gov.uk**

8.1 It is currently not known what specific costs would be required and this will be worked through as part of the Actions included in the report. However It is expected that resources will be met within the current establishment of the Medium Term Financial Plan.

## **Legal Implications**

**Name & Title:** Daniel Toohey, Monitoring Officer/Head of Legal Services

**Tel & Email:** 01277 312860/daniel.toohey@brentwood.gov.uk

- 8.2 The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 ('the Regulations') were introduced to make public sector websites and apps more accessible, provided that this would be proportionate, particularly to persons with disabilities. A failure to comply with the Regulations' requirements will be treated as a failure to make a reasonable adjustment, contrary to the Equality Act 2010.
- 8.3 The recommendations outlined in this report are lawful and will help ensure the Council can meet its statutory obligations within the required timeframe.

### **Other Implications.**

- 8.4 None

## **9 Background Papers**

- 9.1 The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018

## **10 Appendices to this report**

- 10.1 None.

### **Report Author Contact Details:**

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**28 November 2018**

**Regulatory and Governance Committee**

**Business Continuity Policy and Strategy**

**Report of:** *Jacqueline Van Mellaerts, Interim Chief Financial Officer*

**Wards Affected:** *All wards*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 Brentwood Borough Council's Business Continuity Policy and Strategy documents will form the cornerstone to permanently establish and embed business continuity management, to ensure that the Council can continue to operate and deliver essential services to the community.

## **2. Recommendation(s)**

- 2.1 That Regulatory & Governance Committee approve the proposed Business Continuity Policy (Appendix A) and Strategy (Appendix B).**

## **3. Introduction and Background**

- 3.1 All organisations can suffer disruptions and business continuity at its simplest is about how they cope with the disruption. Business continuity is defined as the capability of an organisation to continue delivery of products or services at acceptable predefined levels following a disruptive incident. This is particularly important for Brentwood Borough Council as we provide a large range of services to the public and disruption to service provision will directly affect the residents within the borough.
- 3.2 Under the Civil Contingencies Act 2004 Brentwood Borough Council is defined as a Category 1 Responder. The Act places several statutory duties upon the council including:
- Put in place business continuity management arrangements
  - Provide advice and assistance to businesses and voluntary organisations about business continuity management (local authorities only).

- 3.3 The development of the Business Continuity Policy and Strategy applies best practice as contained within the Business Continuity Institutes Good Practice Guidelines and the International Standard for Business Continuity ISO 22301 for the identification, evaluation and mitigation of key risks that could disrupt the delivery of critical services. The adoption and integration of an effective and transparent corporate approach to proactive business continuity management throughout the organisation will help to promote a culture of resilience to underpin the continuous delivery of services

#### **4. Issue, Options and Analysis of Options**

##### **Business Continuity Policy**

- 4.1 The Business Continuity Policy (appendix A) outlines the national context for the requirement for the Council meet its business continuity statutory duties under the Civil Contingencies Act 2004 and how it will apply best practice as contained within the Business Continuity Institutes Good Practice Guidelines and the International Standard for Business Continuity ISO 2230.
- 4.2 It also details the local context and how business continuity management is an all-inclusive process that must cover all areas of the Council. This management process helps manage the risks, ensuring it can continue to operate to the extent required in the event of a disruption. These risks could be from several sources however the result will be one of the following; loss of staff, denial of access, loss of information technology or telecommunications, loss of supplier or contractor.

##### **Business Continuity Strategy**

- 4.3 The Business Continuity strategy (appendix B) provides the framework to promote year on year improvements to the ongoing resilience of the Council, its partners and residents. It details the process to assist the organisation to anticipate, prepare for, prevent, respond to and recover from disruptions, whatever the source.
- 4.4 The Strategy outlines a 3-year programme of key actions for the continual development of business continuity plans, through the ongoing review and exercising of all plans.

4.5 Risks in not approving the recommendation:

- Brentwood Borough Council is not adequately able to carry out its statutory duties in accordance with the Civil Contingencies Act 2004.
- The Council's response to a business continuity incident is not appropriate with subsequent danger to the Council's ability to continue to operate and deliver essential services to the community

**5. Reasons for Recommendation**

5.1 The Council will improve its resilience to and ability to recovery from business continuity incidents.

**6. References to Corporate Plan**

6.1 Effective business continuity arrangements will enable the Council to continue to operate and deliver essential services to the community.

**7. Implications**

**Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Financial Officer**

**Tel & Email: 01277 312829/[jacqueline.vanmellaerts@brentwood.gov.uk](mailto:jacqueline.vanmellaerts@brentwood.gov.uk)**

7.1 The recommendations do not involve any additional expenditure above already allocated budgets, however there may be some additional officer time required for training and exercises.

**Legal Implications**

**Name & Title: Daniel Toohey, Monitoring Officer and Head of Legal Services**

**Tel & Email: 01277 312860 /[daniel.toohey@brentwood.gov.uk](mailto:daniel.toohey@brentwood.gov.uk)**

7.2 The Council has duties within an existing legal framework which sets out the roles and responsibilities of emergency responders. As a Category 1 Responder, the Council is subject to the full range of civil protection duties in the Civil Contingencies Act 2004. The recommendation outlined in this report is lawful and will support the Council in meeting its statutory obligations.

## **8. Appendices to this report**

Appendix A – Business Continuity Policy 2018  
Appendix B – Business Continuity Strategy 2018

### **Report Author Contact Details:**

**Name:** Sue White, Risk & Insurance Officer  
**Telephone:** 01277 312821  
**E-mail:** sue.white@brentwood.gov.uk





# **Business Continuity Policy**

Version 1.0

June 2018

## Key Information

Author:	Jon Henley
Section / Directorate:	Finance
External Consultation:	Essex District Emergency Planning Officers Group
Internal Consultation	Service Managers, Corporate Leadership Board
Background Information:	Civil Contingencies Act 2004 Business Continuity Institute Good Practice Guidelines International Standard for Business Continuity ISO 22301
Policy Approval – Officer Level:	<b>Name</b> <b>Date</b>
Policy Approval – Member Level:	<b>Name</b> <b>Date</b>
Policy Published Date:	<b>???</b>
Policy Review Date:	June 2020

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# 1 Introduction

All organisations can suffer disruptions and business continuity at its simplest is about how they cope with the disruption. Business continuity is defined as the capability of an organisation to continue delivery of products or services at acceptable predefined levels following a disruptive incident. This is particularly important for Brentwood Borough Council as we provide a large range of services to the public and disruption to service provision will directly affect the residents within the borough.

Brentwood Borough Council is committed to ensuring robust and effective business continuity management as a key mechanism to restore and deliver continuity of key services in the event of a disruption or emergency.

The capability for delivery of these services must be safeguarded, to the extent that agreed critical services continue to be delivered regardless of any interruption to the normal day to day working of the Council. This capability must also be sufficiently resilient to allow provision of critical services in emergency situations.

The Council's business continuity management strategy and framework will apply best practice as contained within the Business Continuity Institutes Good Practice Guidelines and the International Standard for Business Continuity ISO 22301 for the identification, evaluation and mitigation of key risks that could disrupt the delivery of critical services. The adoption and integration of an effective and transparent corporate approach to proactive business continuity management throughout the organisation will help to promote a culture of resilience to underpin the continuous delivery of services.

Brentwood Borough Council will achieve these aims by implementing a business continuity management strategy and supporting framework that meets the statutory requirements of the Civil Contingencies Act 2004 and local requirements.

## 2 Policy Statement / Vision

Brentwood Borough Council recognises the importance of effective identification and management of all key strategic and operational risks. It also recognises the importance of ensuring continued delivery of critical services to the community, even during a period of disruption, or in the event of an emergency situation.

The Council has statutory responsibilities under the Civil Contingencies Act 2004 in relation to business continuity planning, which require the Council to:

- Maintain plans to ensure that they can continue to exercise its critical functions in the event of an emergency as far as reasonably practicable.
- Include within the business continuity plan arrangements for exercises, for the purpose of ensuring the plan is effective, and arrangements for the provision of training to those involved in implementing the plan.
- Review its business continuity plan and keep up to date.

- Have regard to assessment of both internal and external risks when developing and reviewing its business continuity plan.
- Have a clear procedure for invoking the business continuity plan.
- Publish aspects of the business continuity plan insofar as making this information available is necessary or desirable for the purposes of dealing with emergencies.
- Promote business continuity management to local businesses.

Business continuity management is an all-inclusive process that must cover all areas of the Council. It is a management process that helps manage the risks, ensuring it can continue to operate to the extent required in the event of a disruption. These risks could be from a number of sources however the result will be one of the following; loss of staff, denial of access, loss of information technology or telecommunications, loss of supplier or contractor.

Business continuity management must be a continuous process that will assist the Council to anticipate, prepare for, prevent, respond to and recover from disruptions, whatever their source and whatever aspect of the business they affect.

This document, and the related strategy, will form the cornerstone to permanently establish and embed business continuity management, to ensure that the Council can continue to operate and deliver essential services to the community.

In this regard all elected Members and every employee of the Council have both a responsibility for, and a contribution to make in terms of business continuity management.

### **3 Context**

This policy aims to ensure that the Council complies with its statutory duties for business continuity management this will be achieved by a continuous process that:

- Continually reassesses the implications to service delivery of a business interruption.
- Identifies alternative methods to enable continuity of service.
- Develop Corporate and Service level plans for use in the event of an incident.
- Enhance the effectiveness of plans by regular review and exercise.
- Promotion of business continuity to local business.

The adoption of a robust business continuity management policy will positively affect every person and organisation that comes into contact with Brentwood Borough Council. The policy will cover all Business Continuity activity at Brentwood Borough Council and therefore there will be no business continuity exclusions.

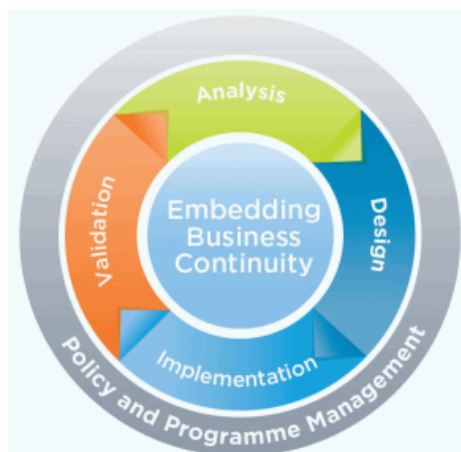
National – The Civil Contingencies Act 2004 delivers a single framework for civil protection in the UK. Part One of the Act outlines a set of statutory duties and the roles and responsibilities for those involved in emergency preparation and response at a local level. Local Authorities are clearly identified as a Category 1 Responder and as such have a number of statutory duties including these specifically relating to business continuity:

- Put in place business continuity management arrangements.
- Provide advice and assistance to businesses and voluntary organisations about business continuity management (local authorities only).

Although not formal legislation there are two internationally recognised guidance documents that are universally used in designing business continuity management processes:

- Business Continuity Institutes Good Practice Guidelines. These are based on worldwide knowledge for good business continuity practice encompassing both academic and practitioner thinking.
- International Standard for Business Continuity ISO 22301. This is the international standard for business continuity management systems. Organisations can become certified to ISO 22301 however unless required it is more common to align the business continuity management systems to it.

Local – The business continuity management lifecycle (shown below) shows the stages of activity that an organisation moves through and continuously repeats to improve their resilience to disruptions. The business continuity policy acts as the cornerstone for the successful delivery of a business continuity management system and forms the outer ring of the lifecycle.



Business Continuity Management Lifecycle (BCI 2015)

Following an external review, the Council is putting in place a business continuity management system, including the ongoing development of plans and a regime of exercising these. Current activities within the business continuity management lifecycle are:

- **Policy & Programme Management**

The programme is managed by the Risk & Insurance Officer and is underpinned by this policy document.

- **Analysis & Design**

There is a strategy and a corporate business continuity plan in place. These documents will be regularly reviewed and updated as appropriate to ensure consistency across them.

- **Implementation & Validation**

- During 2018/19 all services in the council will be taken through a business impact assessment to understand their critical activities and mitigating actions. These business impact assessments will then be utilised to create individual service plans. The corporate business continuity plan will be table top exercised.
- During 2019/20 all individual service plans will be table top exercised to test them and look for improvements which can be made. A review of the corporate business continuity plan will be completed.
- Moving into 2020/21 the business continuity policy and strategy documents will be reviewed. A robust check and challenge of all service level plans will be completed. The corporate business continuity plan will be table top exercised.

- **Embedded Business Continuity**

- Due to the ongoing nature of the lifecycle there is good management engagement towards business continuity within the council. This is further enhanced because some services are using the principles on a daily basis to deliver an uninterrupted service to the boroughs residents.
- The Risk & Insurance Officer uses a number of ways to outreach with messages to local business to prompt them into thinking about business continuity and the plans they have in place. These messages are focused on recent events and sign post the readers to helpful information to make their businesses more resilient.

## **4 Outcomes and Priorities**

Outcomes – Improve resilience throughout the organisation by having robust business continuity management processes in place.

Priorities – Continuous program of planning, reviewing and exercising of all service plans.

## **5 Links to other Corporate Policies or Partner documents**

The business continuity management process should be an integral part of day to day business being applied to and linked with all aspects of the Council's services, policies and procedures.

Partners should be encouraged in turn to have robust plans in place.





# **Business Continuity Strategy**

Version 1.0

June 2018

## Key Information

Author:	Jon Henley
Section / Directorate:	Finance
External Consultation:	Essex District Emergency Planning Officers Group
Internal Consultation	Service Managers, Corporate Leadership Board
Background Information:	Civil Contingencies Act 2004 Business Continuity Institute Good Practice Guidelines International Standard for Business Continuity ISO 22301
Strategy Approval – Officer Level:	<b>Name</b> <b>Date</b>
Strategy Approval – Member Level:	<b>Name</b> <b>Date</b>
Strategy Published Date:	<b>???</b>
Strategy Review Date:	June 2020

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## 1 Introduction

All organisations can suffer disruptions and business continuity at its simplest is about how they cope with the disruption. Business continuity is defined as the capability of an organisation to continue delivery of products or services at acceptable predefined levels following a disruptive incident. This is particularly important for Brentwood Borough Council as we provide a large range of services to the public and disruption to service provision will directly affect the residents within the borough.

Brentwood Borough Council is committed to ensuring robust and effective business continuity management as a key mechanism to restore and deliver continuity of key services in the event of a disruption or emergency.

The business continuity strategy has been developed with reference to, and will apply best practice as contained within the Business Continuity Institutes Good Practice Guidelines and the International Standard for Business Continuity ISO 22301 for the identification, evaluation and mitigation of key risks that could disrupt the delivery of critical services. The adoption and integration of an effective and transparent corporate approach to proactive business continuity management throughout the organisation will help to promote a culture of resilience to underpin the continuous delivery of services.

The strategy provides the framework to promote year on year improvements to the ongoing resilience of the Council, its partners and residents. It details the process to assist the organisation to anticipate, prepare for, prevent, respond to and recover from disruptions, whatever the source.

## 2 Strategy Context

The strategy aims to ensure Brentwood Borough Council:

- Complies with its statutory duties under the Civil Contingencies Act 2004 whilst improving its ability to continue to provide its services during a disruption.
- Meets the Outcome identified in the Policy - Improve resilience throughout the organisation by having robust business continuity management processes in place.
- Meets the Priorities identified in the Policy - Continuous programme of planning, reviewing and exercising of all service plans.

The business continuity management lifecycle (shown below) shows the stages of activity that the Council will move through and continuously repeat to improve its resilience to disruptions. The business continuity policy and strategy acts as the cornerstone for the successful delivery of a business continuity management system and forms the outer ring of the lifecycle.



Business Continuity Management Lifecycle (BCI 2015)

Analysis	Continually reassess the implications to service delivery of a business interruption
Design	Identifies alternative methods to enable continuity of service
Implementation	Develop Corporate and Service level plans for use in the event of an incident
Validation	Enhance the effectiveness of plans by regular review and exercise
Embedding	Due to the ongoing nature of the lifecycle there is good management engagement towards business continuity within the council. This is further enhanced because some services are using the principles daily to deliver an uninterrupted service to the boroughs residents.

### 3 Strategy Action Plan

The action plan has been developed as part of the overarching strategy to deliver business continuity management within the authority. The Risk & Insurance Officer will continue to take a hands-on approach working with service areas to develop, maintain and exercise their business continuity plans.

It is noted by the Risk & Insurance Officer that the organisation is in a period of transformation and will ensure that business continuity continues to evolve in conjunction with changing service provision.

#### 3.1 Key Actions

Since 2017 a rolling programme has developed for the continual development of business continuity plans. The intention is for this programme to continue for all service areas covering the following over a three-year period.

##### Historic Actions

2017/18 External review of Emergency Planning and Business Continuity

#### Future Actions

2018/19	Re-write of business continuity policy and strategy documents Business impact assessments to be completed for all service areas Creation of new business continuity plans for individual services Table top exercise of the corporate business continuity plan
2019/20	Table top exercises of individual service plans Review of corporate business continuity plan
2020/21	Review of business continuity policy and strategy documents Robust check & challenge of individual service plans Review of individual services without plans Table top exercise of the corporate business continuity plan

### **3.2 Performance Management**

Performance is monitored as a percentage of plans challenged and or exercised annually with a requirement for 100% completion.

### **3.3 Monitoring**

The day to day business continuity management process will be monitored by the Risk & Insurance Officer as part of normal service planning, reporting monthly to the Chief Operating Officer.

Business Continuity Management forms part of the annual governance statement.

### **3.4 Governance**

The Risk & Insurance Officer are responsible for the content and currency of the strategy along with the related policy and will review it every second year or if major changes take place. Any revisions will be approved by the Chief Operating Officer before implementation.

## **4 Links to other Corporate Policies, Strategies or Partner documents**

The business continuity management process should be an integral part of day to day business being applied to and linked with all aspects of the Council's services, policies and procedures.

Partners should be encouraged in turn to have robust plans in place.

## **Members Interests**

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.



## **Regulatory and Governance Committee**

- 1) To maintain an overview of the Council's Constitution including contract procedure rules, financial regulations and codes of conduct and behaviour.
- 2) To review any issue referred to it by a Statutory Officer of the Council or any Council body.
- 3) To monitor the effective development and operation of risk management and corporate governance in the Council.
- 4) To monitor Council policies and strategies on:
  - Whistleblowing
  - Money Laundering
  - Anti-Fraud and Corruption
  - Insurance and Risk Management
  - Emergency Planning
  - Business Continuity
  - Corporate Complaints
- 5) To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- 6) To consider the Council's compliance with its own and other published standards and controls.
- 7) To monitor and maintain an overview of the Council's requirements and duties under the General Data protection Regulations.
- 8) To monitor the Council's processes in relation to
  - Freedom of Information Requests
  - Members Enquiries
- 9) Data quality

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