

URGENT BUSINESS

Business Continuity Policy and Overall Council Plan Report of Corporate Director (Community Services)

PURPOSE OF REPORT			
To seek approval of the Council's new Business Continuity Policy and a new Overall Business Continuity Plan.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/> Referral from Cabinet Member
Date Included in Forward Plan	N/a		
This report is public			

Recommendation:

1. That both the Business Continuity Policy and the overall Business Continuity Plan be approved.
2. That the financial implications of fully implementing the plan be addressed in the next review of the Medium Term Financial Strategy and associated budget projections.

1.0 Introduction

- 1.1 From November 2006 onwards the Civil Contingencies Officer has been working with all Council Services to prepare Business Continuity (BC) Plans to maintain critical services in the event of disruption from a variety of causes. In addition to this being good practice for councils to adopt it is also now a statutory requirement under the Civil Contingencies Act. The preparation and development of these plans and their later exercising, maintenance and revision need to be conducted in a framework created by a Council Business Continuity policy.
- 1.2 Similarly, if any plan is activated, the Service(s) concerned will need the support of other Council officers to maintain or restore services. The Overall Business Continuity Plan provides a framework and procedures for that support.

2.0 Proposal Details

- 2.1 The Audit Commission has advised the Council that Business Continuity will be assessed in May 2007. This assessment will be 'bold' and count towards the overall published report. However, plans and policies that have not been approved by 31st March 2007 will not count towards the assessment.

- 2.2 This draft BC Policy document is based on a policy from Blackpool Council. The policy document has been modified to reflect the different structures and responsibilities at this Council.
- 2.3 The draft Overall BC Plan has been produced to complement the Service BC plans that are currently being created. It provides structures and procedures, including the convening of a Business Recovery Group, to support any Service that activates their own BC Plan. The draft plan has been considered and contributed to by officers in the Council's BC Team.
- 2.4 Both the Policy and the Plan will be subject to a programme of regular review and revision.

3.0 Details of Consultation

- 3.1 The BC Policy has been considered and contributed to by the members of the Council's Civil Contingencies Group and overall BC Plan has been considered and contributed to by the members of the BC Team.

4.0 Options and Options Analysis (including risk assessment)

- 4.1 Option 1: Do not adopt a Business Continuity policy or the Overall Plan. Under this option the work done so far will not be recognised by the Audit Commission who will report that the Council is failing in this area.
- 4.2 Option 2: Approve both documents. If approved the documents will be placed on the Council Intranet. The Communications Manager is drawing up a strategy to promote both the policy and plan. They will also be available for the Audit Commission as evidence that the Council is complying with the Civil Contingencies Act.

5.0 Officer Preferred Option (and comments)

- 5.1 Option 2 is recommended. Although there is no legal requirement to have a policy there is a legal requirement to undertake Business Continuity planning and the policy demonstrates the approach to this and provides an appropriate framework. The Overall Plan complements and supports the Service plans currently in preparation.

6.0 Conclusion

- 6.1 Individual BC plans for the 13 Services plus the Management Team will follow the Policy and Overall Plan. These are currently nearing completion following considerable effort by the Services concerned and members of the Business Continuity Team. Once they are complete and also approved the Council will be in a much better position to deal with any unforeseen incident that threatens or disrupts the delivery of critical services. The development and training needs associated with implementation of the overall policy and plan are funded through the Civil Contingencies Budget. However, there may be additional costs associated with individual detailed Service Business Continuity Plans and these will be identified as the plans are developed.

RELATIONSHIP TO POLICY FRAMEWORK

The Council has long accepted that it has responsibilities for public protection. Those duties are now statutory under the Civil Contingencies Act and now also include Business Continuity. This is the maintenance of critical services during major incidents or internal disruption. Although there is no legal requirement to have a policy there is a legal requirement to develop Business Continuity plans and this policy has been written to ensure compliance with the statutory duties. The Overall Plan provides the basic structures, support and procedures for individual Service plans.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The Policy and Overall Plan will not have any adverse impact on Diversity or Human Rights as they are frameworks for other plans produced by Services to operate in. The plan takes particular account of the welfare needs of Personnel and Health & Safety, supported by the HR Service being an integral part of the Business Recovery Group.

Legal & HR Services

The policy and plan will have a positive effect on Community Safety and Sustainability in ensuring the Council can continue to deliver critical services in a crisis situation. They will not have an adverse impact on Rural communities as both policy and plan are intended to apply throughout the Council area.

Corporate Strategy

FINANCIAL IMPLICATIONS

Whilst some budgetary provision has been made in the last two years' budget exercises to support Civil Contingencies Act requirements, there is currently insufficient provision within the Revenue or Capital budgets to support all the requirements of the Business Continuity Plan, should it be adopted. At present, whilst the plan provides the framework and procedures to support the maintenance and restoration of Services, the actual infrastructure and resources are not in place to allow this to happen.

The Business Continuity Team will need to quantify the cost of fulfilling the requirements of the plan and report back.

SECTION 151 OFFICER'S COMMENTS

Generally the Section 151 Officer would advise that in Members considering plans or policies, their estimated financial/budgetary implications should be assessed and reported to help inform decision-making. For Business Continuity this has not yet been completed but as highlighted above, it is expected that further budgetary provision will be needed to implement the arrangements fully. Members are requested to note this in reaching a decision. The Section 151 Officer would also advise that this aspect should be addressed in the next review of the budget and Medium Term Financial Strategy projections, due to be completed over the Summer.

LEGAL IMPLICATIONS

The adoption of the policy and implementation of the plan assists the Council to comply with the requirements of the Civil Contingencies Act. The plan particularly reminds staff of the need to keep records of decision-making and ensures these are maintained for future enquiry.

Legal & HR Services

MONITORING OFFICER'S COMMENTS

The Deputy Monitoring Officer has been consulted and has no further comments to add.

BACKGROUND PAPERS

Civil Contingencies Act 2004
Civil Contingencies Act
(implementation guidelines)

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