Agenda

NEWPORT
CITY COUNCIL
CYNGOR DINAS
CASNEWYDD

Delegated Decisions - Cabinet Member for City Services

Date: Monday, 25 November 2019

To: Councillor R Jeavons

Item		Wards Affected
1	Business Continuity Management Policy and Programme *(Pages 3 - 18)*	All Wards

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Date of Issue: 15 November 2019

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Report

NEWPORT CITY COUNCIL CYNGOR DINAS CASNEWYDD

Cabinet Member for City Services

Part 1

Date: 25 November 2019

Subject **Business Continuity Management Policy and Programme**

Purpose To seek formal approval for the Business Continuity Management arrangements

Author Civil Contingencies Manager

Ward N/A

Summary There is a duty upon the Council under the Civil Contingencies Act (2004), to prepare and maintain business continuity arrangements. Such arrangements have been in place for a number of years for Newport City Council; however, an internal review indicated that a formal Policy and Programme needs to be established to ensure we are aligned with the Business Continuity Good Practice Guidelines 2018. This report proposes adoption of that policy and programme.

Proposal **To adopt the proposed Business Continuity Management Policy and Programme document.**

Action by Civil Contingencies Manager, Heads of Service

Timetable Following approval, this document will be circulated to all relevant senior managers as appropriate.

This report was prepared after consultation with:

- Strategic Director, Place
- Strategic Director, People
- Chief Executive
- All Heads of Service
- Performance and Research Business Partner
- Policy Partnership and Involvement Manager

Signed

Introduction

There is a legal requirement under the Civil Contingencies Act (2004) for Newport City Council to prepare and maintain business continuity arrangements. Business Continuity is a key mechanism to restore and deliver continuity of key services in the event of a disruption or an emergency. In the initial preparations for the new legislative duties in 2004, the then threat of pandemic flu necessitated a focus upon operational arrangements to ensure all critical services were identified and subsequent contingency plans were developed. These plans remain in place and have been utilised operationally in disruptive events on multiple occasions e.g. snow incidents.

This report follows the review of these documents and arrangements, and proposes the adoption of a revised set of documents.

Background

An internal review of current business continuity arrangements including a comparison against the Business Continuity Good Practice Guidelines 2018 has identified the need to establish a formal Business Continuity Policy and Programme in order to ensure robust Business Continuity Management (BCM) arrangements are in place, and that these are documented, reviewed regularly and followed appropriately. Whilst the majority of these aspects have been part of our existing arrangements, they have not been formally set out and adopted as an agreed process.

Policy and Programme

The proposed NCC Business Continuity Management Policy statement (which can be found in Appendix 1) sets out the purpose, context, scope and governance of the BCM Programme. This provides the guiding principles of which the BCM Programme is implemented throughout Newport City Council.

The proposed NCC BCM Programme aims to:

- Ensure statutory obligations and policy objectives are met;
- Seek to improve overall business resilience;
- Ensure that adequate business recovery arrangements and plans are in place;
- Safeguard its employees, clients or service users, members, pupils, and all stakeholders to whom the Council has a duty of care;
- Preserve and promote the reputation of the Council.

Business Continuity Process / Roles & Responsibility

Existing BCM processes have been in place since 2006. These currently outline roles and responsibilities; however, the proposed NCC BCM policy and programme now provides a formalised and documented process in monitoring Business Continuity as a whole within the organisation. Within the proposed BCM Programme, we have re-defined roles to ensure that Business Continuity (BC) measures are maintained and improved throughout the organisation.

The Business Continuity officer group (also known as the Steering Group) led by Strategic Director- Place, is an existing group. This group includes representatives from all service areas of the Council who will oversee and advise the organisation in reviewing existing plans and report to the senior leadership team of NCC. The group will also provide guidance and ensure the Policy is enforced.

Each Head of Service or respective Manager will need to review existing service area business continuity arrangements on an annual basis. They will also review Business Impact Analysis (BIAs) and report any significant changes to the officer group.

Each Service Area has a liaison officer who will assist the Head of Service or respective Manager in reviewing BIA's in their area of responsibility.

Civil Contingencies will review the BCM Policy every 3 years and will provide guidance to all members of staff and support the process.

Integration into Corporate Planning Process

To assist in the ongoing monitoring of business continuity performance, several questions are to be incorporated into the Service Area Service Planning process. This will provide evidence as to whether service areas have adequate BCM arrangements in place, and the frequency of review and implementation. These questions will be addressed by Service Areas via MI Hub (existing NCC monitoring system), providing an annual reminder to review their plans and contacts needed in the event of a disruption to services. It also provides an opportunity for service areas to request support from liaison officers and Civil Contingencies.

Times Scales

- Formal Report to Cabinet Member - September 2019
- Reinstatement of Business Continuity officer group with a review of membership – December 2019
- BCM Promotion to each Service Area – September – December 2019
- Reviewing existing service area arrangements and BIA's - January 2020 - ongoing
- Train Service Area Liaison Officers – January 2020 – ongoing
- Integration of questions to MI Hub - April 2020

There are no staffing issues for the Council arising from this report.

Financial Summary

There is no financial impact on the service area. Some staff time will be utilised from Service Area Liaison officers.

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs (Income)	0	0	0	0	
Net Costs (Savings)	0	0	0	0	
Net Impact on Budget	0	0	0	0	

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Could be identified by WAO of being non-compliant with the Good Practice Guidelines 2018 in relation to Policy and Programme	M	L	Ensuring that our arrangements are compliant with Good Practice Guidelines 2018 in relation Policy and Programme.	Civil Contingencies Manager
Delays on the timeline for implementation of the new arrangements due to Brexit preparations and response	M/H	H	The Council has a corporate Brexit group that monitors the potential implications of Brexit and ensuring impacts are mitigated against.	Brexit Task and Finish Group

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities
A formal Policy and Programme document will support the Council in contributing towards:
- The Corporate Emergency Management Plan.
- Mitigating against the Business Continuity risk that is currently within the People and Business Change Service Risk Register.
- Providing a governance structure that will help achieve the well-being goals, such as a healthier Wales and a resilient Wales.
- Corporate Plan (2017-2022) – commitment to Resilient Communities in Newport
- National Well-being goal for Wales – A resilient Wales

Options Available and considered
a) The Cabinet Member approves the plan for formal circulation to senior managers.
b) The Cabinet Member determines not to approve the plan.

Preferred Option and Why
The Cabinet Member approve the document, which will ensure compliance with Business Continuity Good Practice Guidelines 2018. Failure to approve the proposed NCC BCM Policy and Programme will result in the Council becoming non-compliant with the Good Practice Guidelines 2018 and increase the risk of receiving further recommendations from the Wales Audit Office.

Additionally, failure to approve the proposed NCC BCM Policy and Programme will result in the Business Continuity Risk noted within the People and Business Change service area to remain at the same or at a heightened level or risk.

Comments of Chief Financial Officer
Adoption of the proposed Business Continuity Management Policy and Programme document will have no budgetary impact. The ongoing monitoring, review and implementation of business continuity performance will be delivered through existing budgets.

Comments of Monitoring Officer
There are no specific legal issues arising from the Report. The BCM Policy and Programme has been developed in alignment with Business Continuity Management Good Practice Guidelines 2018 and sets out a formal process and governance structure for Business Continuity Management. It also provides a way to audit BCM annually by utilising Newport City Council existing systems. This policy helps the Council to comply with its legal duty under Civil Contingencies Act 2004 of maintaining business continuity arrangements.

Comments of Head of People and Business Change
The proposed document aims to formally implement an NCC BCM policy and programme, to ensure that the Council has adequate BCM arrangements in place that are, documented, regularly reviewed and followed appropriately. Although there are existing arrangements in place, the policy statement will ensure that the BCM arrangements are adhered to, and the programme provides the method of which BCM will be implemented. Incorporating annual reviews of BCM Arrangements via existing systems (MI Hub) ensures that there is an auditable process in place, and an opportunity for service areas to gain support from Civil Contingencies.

This proposal has fully considered the Well-being of Future Generations (Wales) Act 2015 including the well-being goals and sustainable development principle (long-term, prevention, integration, collaboration, involvement) within the Act.

There are no direct HR implications arising from the report.

Comments of Cabinet Member

As Cabinet Member with responsibility for Civil Contingencies I fully support the important arrangements outlined in this report. It is essential that these systems are implemented and this will also be monitored through Cabinet Member briefing arrangements.

Local issues

There are no local issues.

Scrutiny Committees

This plan has not been through any Scrutiny Committees.

Equalities Impact Assessment and the Equalities Act 2010

A Fairness Equality Impact Assessment (FEIA) is not considered appropriate to this plan due to the following reasons:

- The revision of the plan is not related to a change of public service;
- The revision of the plan is not related to a funding cut or an adjustment to funding;
- The plan continues to provide a flexible framework and establishes roles and responsibilities of all external partner organisations involved in the response to an incident.

Children and Families (Wales) Measure

No consultation has taken place specifically with children and young people.

Wellbeing of Future Generations (Wales) Act 2015

This document meets the well-being of future generations sustainable development principle in the following ways:

- **Long term**: the NCC Business Continuity Policy and Programme is a new document, however existing service area business continuity plans have been in place for a number of years and were previously developed before the introduction of the Wellbeing of Future Generations (Wales) Act. These plans for critical services remain in place and have been utilised in numerous disruptive events. The policy and programme will allow the Council to appropriately manage such arrangements to ensure they are reviewed and kept up to date over a prolonged period of time.
- **Prevention**: this document ensures that there is an agreed way of working in place to mitigate any problems that may arise from an incident that affects the Council's critical services. Prioritised services will be maintained, to prevent issues within incidents such as loss of life or limb, significant environmental and economic damage or an adverse effect to the reputation of the Council.
- **Integration**: this document contributes towards the well-being goals of a Resilient Wales and a Healthier Wales by means of having a Policy in place that governs existing arrangements to mitigate the effects of any adverse incidents. It also does not adversely affect the other well-being goals not mentioned above.
- **Collaboration**: following document approval, collaboration with key members of staff such as Service Area Liaison Officers will take place via the Business Continuity officer group. This collaboration will enable close working relationships with service areas across the organisation.
- **Involvement**: Service Area Liaison Officers will be involved in ensuring that the Policy and Programme is adopted in their respective service areas. Civil Contingencies will also work closely with service areas to ensure managers can maintain and improve service area business continuity plans.

Crime and Disorder Act 1998

The proposed document does not have a direct impact on Crime and Disorder.

Consultation

This document has been subject to consultation with all individuals noted in the Timetable section on Page 1.

Background Papers
Business Continuity Good Practice Guidelines 2018.
Civil Contingencies Act 2004

Dated: 15 November 2019

Newport City Council

Business Continuity Management Policy and Programme

1. Business Continuity Management (BCM) Policy Statement

1. The 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.
2. The business continuity arrangements will be based upon the following standards:
   a. ISO 22301:2012 Business Continuity Management
   b. The Business Continuity Good Practice Guidelines 2018
   c. Civil Contingencies Act 2004
   d. Recognised standards of corporate governance
3. Each service delivery process throughout the council is owned by a Head of Service or respective manager who will ensure that their responsibilities within the overall Business Continuity Arrangements meet a minimum acceptable standard of service delivery for prioritised processes.
4. Each Head of Service or respective manager will contribute to an annual review of the Business Continuity Arrangements.
5. The scope of these business continuity arrangements have been pre-determined to maintain prioritised services where if not maintained, may result in loss of life or limb, significant environmental damage, significant financial implications or damage to the reputation of the council.
6. Those services deemed more critical by Business Impact Assessments (BIAs), have been identified as the most important services to be returned to at least a minimal level, within a defined time period following a disruption or failure.
7. Contracts for goods and/or services deemed critical by the appropriate service areas to business continuity will include a requirement for NCC to reserve the right to have access and look at, but not necessarily formally review their business continuity plans. Every tender for critical goods and/or services will include business continuity as an element of the tender evaluation process in future contracts.
8. All appropriate key staff must be made aware of the plans that affect their service delivery areas and their role following invocation.
9. There is a requirement to exercise business continuity plans within a 3-yearly cycle. However, if the plan has been implemented within this 3-yearly cycle, then an exercise is not required.
10. Civil Contingencies and the liaison officers will review service area plans with service area managers in a 3-year cycle.

2. Business Continuity Management (BCM) Programme

BCM is defined as a holistic management process that identifies potential impacts that threaten an organisation and provides a framework for building resilience with the capability for an effective response that safeguards the interests of its key stakeholders, reputation and value creating activities.

The primary objective of BCM is to allow the Council to continue to manage its business activities under adverse conditions, by the introduction of appropriate resilience strategies, recovery objectives, business continuity and incident management arrangements in collaboration with, or as a key component of, an integrated risk management initiative.

AIM

- Ensure statutory obligations and policy objectives are met;
- Seek to improve overall business resilience;
- Ensure that adequate business recovery arrangements and plans are in place;
- Safeguard its employees, clients or service users, members, pupils, and all stakeholders to whom the Council has a duty of care;
- Preserve and promote the reputation of the Council.

OBJECTIVES

- Develop and maintain a BCM Programme to give a clear structure to help the Council plan and prepare for disruption and strengthen our resilience thus allowing the management and on-going delivery of services following an incident.
- Establish a BCM Programme of work.
- Identify and review the areas of potential damage or loss that may be caused to Council services as a result of serious disruption (including those defined by the Civil Contingencies Act (2004)).
- Ensure that relevant plans are produced, maintained and rehearsed or tested at appropriate intervals.
- Provide competent assistance and guidance to help managers to maintain and improve service area BCM plans.
- If an incident has occurred and the plan has been implemented within the 3-year cycle, an exercise is not required. However, if the plan hasn't been activated within the 3-year cycle, then the service area should look to test their service area arrangements with the support of Civil Contingencies.

- Initiate an on-going programme of education, training and awareness of managers, service area liaison officers and other employees.
- Benchmark with similar Local Authorities and other relevant organisations as well as being aware of guidance and best practice issued by Welsh Government, Central Government, professional bodies and other authoritative sources.
- Newport City Council will, for all critical services, seek to ensure that suppliers have BCM plans.
- Promote and provide advice and assistance on BCM to local businesses and the voluntary sector.
- Ensure that organisations are referred to the current best BCM practice that is available.
- Develop arrangements with other partners in the Gwent Local Resilience Forum to share best practice.

SCOPE

In scope:
- All council services that have a Maximum Tolerable Period of Disruption (MTPD) of less than 1 day.
- Selected (at the time of disruption) council services that have a MTPD of 1 day to 1 week.
- Predetermined third party provided services that could directly impact critical services.
- All council services that have a MTPD of 1 week to 1 month.

Out of scope:
- All Council services who do not meet the criteria for Critical Services.
- Non Newport City Council systems.
- Non Newport City Council locations.

BCM Programme

The process shown below is based on the BCM model as outlined in ISO22301:2012 and outlined in the 'Good Practice Guidelines 2018' guidance. This process involves the following activities:

BCM programme management

This includes:
- reviewing responsibilities for implementing and maintaining the BCM programme within the council.

- the ongoing management of business continuity – regular reviews and updates of business continuity arrangements and plans. This will be undertaken by service area managers annually and reviews in conjunction with Civil Contingencies on a 3-year cycle.
- reviewing identified prioritised council services will be included within business continuity service plans (in scope) and those that will not be included (out of scope). This will be undertaken in the form of a Business Impact Analysis (BIA) which will be carried out by Liaison Officers and service managers, with overview and assistance from Civil Contingencies, if required.
- review any additional training needs for staff.

Understanding the organisation

Business impact and risk assessments have been carried out to identify critical deliverables, evaluate priorities and assess risks to service delivery. BIA's are an ongoing process and will be reviewed every 3 years. BIA's will be undertaken by service area liaison officers and service managers, in conjunction with Civil Contingencies. As an output of the BIAs a ranking system has been established in order to prioritise the re-establishing of services. These are:
- less than 1 day;
- 1 day to 1 week; and,
- 1 week to 1 month.

Those services that are considered to be at the greatest risk after completion of a BIA, will be given greater priority in regards to business continuity arrangements being put in place for that particular service.

Due to the complexity of the organisation, a categorisation system has been put in place to establish defined time periods of recovery following a disruption. Instead of using the pre-established Business Continuity terminology of Recovery Point Objectives (RPO) and Recovery Time Objectives (RTO), the organisation has adopted the ranking system in the bullet points above.

Roles and responsibilities

The following list, details some of the more fundamental roles in relation to ensuring the continued support of the BCM programme within the council. Initial Business Continuity arrangements have already been agreed and signed off by Cabinet,

senior leadership team (strategic directors and chief executive) and Service Area Management Team (SMT), therefore future changes are governed by the senior leadership team. The senior leadership team therefore have overall responsibility for BCM within Newport City Council. If there are any significant changes, then this is approved by Cabinet.

Business Continuity Steering Group (Business Continuity Officer Group):
- Oversee, advise, and manage the business continuity programme and making recommendations, and reporting to the senior leadership team.
- Ensure the Council's BCM policy is enforced for the benefit of the Council.
- Promote the need for continuous improvement of business continuity measures throughout the Council.

Service Area Managers/Business Continuity Plan Owners:
- Each Head of Service or respective manager are to review business continuity arrangements and plans for their area of responsibility on an annual basis.
- Conduct and review the Business Impact Analysis of their area of responsibility on an annual basis and report any changes to the steering group.
- Participate in BCM training, workshops and exercising.
- Promote business continuity to those staff in their areas of responsibility, as well as contractors, suppliers and partners.
- Proactively look to mitigate risks of potential business exposures and vulnerabilities.

Service Area Liaison Officers:
- Assist their Head of Service or respective manager to review business continuity arrangements and plans for their area of responsibility on an annual basis.
- Assist their service managers implementing and reviewing Business Impact Analysis' of their area of responsibility on an annual basis.
- Participate in BCM training, workshops and exercising.
- Promote business continuity to those staff in their areas of responsibility.
- Assist Civil Contingencies in promoting good BCM practice.

Civil Contingencies Unit (CCU):
- Review the BCM Policy every three years.
- Provide guidance and advice to Service Managers in regards to business continuity plans.
- Provide guidance to liaison officers and Service managers with the BIA's.
- Develop and maintain a BCM promotion programme.
- Keep up to date with best practice guidelines and ensure that it is reflected in any advice and assistance to business and voluntary partner organisations.

All employees:
- Co-operate, and where appropriate be part of the response arrangements in the event of BCM arrangements being invoked.
- Attend exercises and training when appropriate.

- Proactively look to mitigate risks of potential business vulnerabilities and to escalate any potential weaknesses in BCM or arrangements to their manager.

Determining BCM Strategy

We have identified alternative strategies by means of service area plans to mitigate the impact of disruptive events on the organisation. In the event of a disruption to a service, we will utilise existing emergency response arrangements in order to provide a coordinated response and consider the business continuity impacts to the organisation.

Implementing a BCM Response

Individual service responses to business continuity challenges and overarching Business Continuity Arrangements (BCA) are detailed in service area arrangements. The Emergency Management structure detailed in the Corporate Emergency Management Plan (CEMP) should be utilised in any incident. For any incident an emergency response team (ERT) can be set up as per the CEMP.

The ERT ensures that actions are considered for:
- the immediate response to the incident;
- interim solutions or maintaining at least a minimum acceptable level of service, leading on to;
- reinstating full services.

Exercising

In recognition that we need to ensure BCA are fit for purpose, kept up to date. fit for purpose and quality assured. An exercise programme will enable the council to:
- demonstrate the extent to which strategies and plans are complete, current and accurate and;
- identify opportunities for improvement.

There is a requirement to exercise business continuity plans within a 3-yearly cycle. However, if the plan has been implemented within this 3-yearly cycle, then an exercise is not required. Should an exercise be required, arrangements can be made with the support of Civil Contingencies. Civil Contingencies will monitor the activation of incidents and these will be documented accordingly.

Review

Document	Reviewing Body	Review Frequency	Sign off
BCM Policy	Civil Contingencies Team	Every 3 years	Senior Leadership Team/ Cabinet Member
Business Impact Analysis (undertaken by Service Managers within the Business Planning process)	Civil Contingencies Team	Every 3 years	Senior Leadership Team
Service area BC Plans	Plan Owners and Civil Contingencies	Annually – plan owners 3 Yearly – Civil Contingencies	SMT of respective service area
BC Exercises	Plan Owners	Every 3 years if BC plans have not been activated.	SMT of respective service area
BCM Programme Review	Civil Contingencies Team	Every 3 years	Business Continuity Steering Group

Embedding BCM in the council's culture

The embedding of a continuity culture by raising awareness throughout the council and offering training to key staff on BCM issues:
- items in Council publications
- e-mail bulletins / staff newsletter
- staff development sessions
- further training for service area liaison officers
- inclusion of BCM questions within Service Plans, utilising MI Hub.

Link to relevant Policies, Plans, Documents and Strategies

This document supports and or links directly or indirectly to the following Corporate policies, plans and strategies and thus should be read in conjunction with them:

- Corporate Plan
- Corporate Emergency Management Plan
- Adverse Weather Plan
- Pandemic Influenza Response Plan
- Newport Well-being Plan 2018-23
- Newport City Council Fuel Plan
- Agile Working Guidance
- Health Safety and Wellbeing Policies

Appendix 1 – Definitions

Within this programme, the following terms are defined as:

Business Continuity Policy
The key document that sets out the scope and governance of the BCM programme and reflects the reasons why it is being implemented.

Business Continuity (BC)
Strategic and tactical capability of the organisation to plan for and respond to incidents and business disruptions in order to continue business operations at an acceptable pre-defined level. Its primary objective is to allow the Council to continue to manage its business activities under adverse conditions, by the introduction of appropriate resilience strategies, recovery objectives, and incident management arrangements in collaboration with, or as a key component of, an integrated risk management initiative.

Business Continuity Management Programme
On-going management and governance process supported by the wider Corporate Leadership Team. Appropriately resourced to ensure that the necessary steps are taken to identify the impact of potential losses, maintain viable recovery strategies and plans, and ensure continuity of products and services through training, exercising, maintenance and review.

Business Continuity Arrangements (BCA) – Service Level
Operational level arrangements provide for the recovery of the business activities covered from the beginning of the incident through the recovery phases. They are based upon the agreed recovery requirements and measures, containing appropriate strategies, tactics and procedures to determine how continuity and recovery from disruption will be achieved to an agreed level of service.

Business Impact Analysis (BIA)
Process of analysing activities and the effect that a business disruption might have on them.

Maximum Tolerable Period of Disruption (MTPD) – less than 1 day
Activities that must be kept operational or be provided to a pre-designated minimum level within a designated timescale (recovery time objective) within **24 hours**. These activities must have a service Business Continuity Plan in place.

MTPD – 1 day to 1 week
Activities that must be provided to a pre-designated minimum level within a designated timescale (recovery time objective) **between a time period of between**

1 day and 1 week. These activities must have a service Business Continuity Plan in place.

MTPD – 1 week to 1 month
Activities that could be delayed for up to 1 week or more, but must be provided to a pre-designated level within a timescale of between **1 week and 1 month**.

Recovery Point Objective (RPO)
The point to which information used by an activity must be restored to enable the activity to operate on resumption at a minimum agreed level.

Recovery Time Objective (RTO)
The period of time following an incident/disruption within which systems, applications, or functions must be recovered (e.g. a designated time period within 24 hours of the disruption occurring). RTOs are often used as the basis for the development of recovery strategies.

Business Continuity Steering Group
Steering group is a group of people who direct and control the implementation of Business Continuity- chaired by the Strategic Director (Place).