

19 June 2017

Committee	Council
Date	Tuesday, 27 June 2017
Time of Meeting	6:00 pm
Venue	Council Chamber

ALL MEMBERS OF THE COUNCIL ARE REQUESTED TO ATTEND



**for Sara J Freckleton
Borough Solicitor**

Agenda

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.



	Item	Page(s)
3.	MINUTES	1 - 16
	To approve the Minutes of the meetings held on 9 and 16 May 2017.	
4.	ANNOUNCEMENTS	
	1. When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.	
	In the event of a fire any person with a disability should be assisted in leaving the building.	
	2. To receive any announcements from the Chair of the Meeting and/or the Chief Executive.	
5.	ITEMS FROM MEMBERS OF THE PUBLIC	
	a) To receive any questions, deputations or petitions submitted under Council Rule of Procedure.12.	
	<i>(The deadline for public participation submissions for this meeting is 21 June 2017).</i>	
	b) To receive any petitions submitted under the Council's Petitions Scheme.	
6.	MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES	
	To receive any questions submitted under Rule of Procedure 13. Any items received will be circulated on 27 June 2017.	
	<i>(Any questions must be submitted in writing to Democratic Services by, not later than, 10.00am on the working day immediately preceding the date of the meeting).</i>	
7.	VOLUNTARY AND COMMUNITY SECTOR (VCS) ALLIANCE PRESENTATION	
	To receive a presentation on how the VCS Alliance can work with the public sector to ensure better engagement with the voluntary sector and communities resulting in better outcomes for both.	

8. RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

The Council is asked to consider and determine recommendations of a policy nature arising from the Executive Committee as follows:-

(a) Preparation for the General Data Protection Regulation

17 - 30

At its meeting on 7 June 2017 the Executive Committee considered a report which sought to prepare the Council for the General Data Protection Legislation. The Committee **RECOMMENDED TO COUNCIL** that ongoing funding for the Business Administration Manager post be included in the base budget for 2018/19 and future years.

Recording of Meetings

Please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Mayor will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at Millbrook Academy, Brockworth on Tuesday, 9 May 2017 commencing at 6.00pm and reconvened at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 16 May 2017 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor Mrs G F Blackwell
Councillor H A E Turbyfield

and Councillors:

R E Allen, Mrs K J Berry, R A Bird, K J Cromwell, D M M Davies, Mrs J E Day, M Dean, D T Foyle, R Furolo, R E Garnham, Mrs P A Godwin, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, A S Reece, V D Smith, T A Spencer, Mrs P E Stokes, P D Surman, M G Sztymiak, R J E Vines, D J Waters, M J Williams and P N Workman

CL.1 APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors R D East, J H Evetts, B C J Hesketh, Mrs S E Hillier-Richardson and Mrs H C McLain.

CL.1 ELECTION OF MAYOR

- 2.1 With the retiring Mayor, Councillor Mrs Gill Blackwell, in the chair, it was proposed by Councillor Rob Bird and seconded by Councillor Rob Garnham, that Councillor Harry Turbyfield be, and is hereby, elected Mayor of the Borough of Tewkesbury for the ensuing Municipal Year.
- 2.2 On the Motion being put to the meeting it was declared to be carried, whereupon the Mayor took the chair, signed the Declaration of Acceptance of Office and took the Oath of Allegiance to Her Majesty the Queen.
- 2.3 In thanking Members for the honour of electing him Mayor of the Borough of Tewkesbury, Councillor Turbyfield indicated that he knew the year ahead would be busy but that he planned to enjoy it immensely. He also thanked the staff and governors of the Academy Trust who had allowed him to use the school for his Mayor Making Ceremony. He expressed a hope that, in the coming year, he would be able to give something back to the Borough of Tewkesbury and, in particular, Brockworth which was the area he represented. He firmly believed that the Borough was at the forefront to take advantage of everything that was available to it - whether those be challenges or changes - and he would work hard to represent the Borough in all forums that he could to push its reputation forward.

- 2.4 The Mayor indicated that his Mayoress for the year would be his partner, Councillor Mrs Ruth Hatton, and his Chaplain would be Reverend Wendy Ruffle, Minister for Prior's Park. He felt sure that he would gain all the support and guidance needed to ensure a successful year in Office. The charities that he would be supporting during his Mayoral year were the Severn Area Rescue Association (SARA) and the Midlands Air Ambulance.
- 2.5 In concluding his speech, the Mayor thanked everyone for attending and hoped that they would have an enjoyable evening.

CL.3 RETIRING MAYOR - COUNCILLOR MRS GILL BLACKWELL

- 3.1 Councillor Mrs Elaine MacTiernan expressed the Council's thanks to Councillor Gill Blackwell for the way that she had represented the Borough throughout her year in Office. She indicated that Councillor Blackwell was extremely kind and considerate and had shown this at all points during her year in Office. She felt that one of Councillor Blackwell's great strengths was that nothing phased her, whether she was giving a speech for the Allied Rapid Reaction Corps (ARRC) or controlling the Councillors at a Council meeting – she did it all professionally and with warmth and good humour. Councillor MacTiernan was of the view that Councillor Blackwell had been a superb Mayor and ambassador for the Borough and she, along with the rest of the Council, was extremely grateful for this.
- 3.2 Councillor Blackwell thanked Councillor MacTiernan for her kind words and offered her congratulations and best wishes to the new Mayor and Mayoress for their year ahead.
- 3.3 Councillor Blackwell advised that she could not believe a year had passed already. She was extremely sad that her Mayoral year had come to an end as she had thoroughly enjoyed it and felt it had been a fantastic experience. She had many memories of the year about what people had said and done and she thanked the Councillors for allowing her the opportunity to serve the Borough as Mayor for the year. She was grateful for the support of her Mayoress and Consort, without whose guidance her year would not have been as enjoyable or successful. Lastly, Councillor Blackwell thanked her Chaplain, Reverend Wendy Ruffle, for the spiritual guidance she had offered and indicated that she had been an absolutely superb Chaplain with whom it had been a pleasure to work.
- 3.4 In concluding her speech, Councillor Blackwell offered her thanks to all of the Officers at the Council who had helped her throughout the year and to everyone who had attended her events and made them such a success.
- 3.5 The Worshipful the Mayor, Councillor Harry Turbyfield, presented Councillor Gill Blackwell with a Past Mayor's Badge to mark her successful year in Office.
- 3.6 The retiring Mayoress, Mrs Christine Wray, invested Councillor Mrs Ruth Hatton with the Mayoress' Badge of Office and Councillor Mrs Ruth Hatton presented Mrs Christine Wray with a Past Mayoress' Badge and Mr Mike Blackwell with a Past Consort Badge.

CL.4 APPOINTMENT OF DEPUTY MAYOR

- 4.1 It was proposed by Councillor Derek Davies, and seconded by Councillor David Foyle, that Councillor Terry Spencer be, and is hereby, appointed Deputy Mayor of the Borough of Tewkesbury for the ensuing Municipal Year.
- 4.2 The Motion was put to the meeting and was carried.

- 4.3 Councillor Spencer expressed his thanks to his fellow Councillors for their support and indicated that he felt honoured to be elected Deputy Mayor. He advised that his Mayoress would be his wife Mrs Kate Spencer.
- 4.4 Councillor Spencer accepted the Deputy Mayor's Badge of Office from the Mayor and signed the Declaration of Acceptance of Office.
- 4.5 Flowers were presented to Mrs Christine Wray, Councillor Mrs Gill Blackwell, Councillor Mrs Ruth Hatton and Mrs Kate Spencer.

CL.5 ADJOURNMENT

- 5.1 Upon the Motion of the Mayor, the meeting of the Council stood adjourned until Tuesday 16 May 2017 at 6.00pm.

CL.6 RESUMPTION

- 6.1 The meeting then resumed in the Council Chamber of the Tewkesbury Borough Council Offices, Gloucester Road, Tewkesbury on Tuesday 16 May 2017, when the attendance was as follows:

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor H A E Turbyfield
Councillor T A Spencer

and Councillors:

R E Allen, P W Awford, Mrs K J Berry, R A Bird, R Bishop, Mrs G F Blackwell, G J Bocking, K J Cromwell, D M M Davies, Mrs J E Day, M Dean, R D East, A J Evans, J H Evetts, D T Foyle, R Furolo, R E Garnham, Mrs P A Godwin, Mrs J Greening, Mrs R M Hatton, B C J Hesketh, Mrs S E Hillier-Richardson, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, Mrs H C McLain, A S Reece, V D Smith, Mrs P E Stokes, P D Surman, M G Sztymiak, R J E Vines, D J Waters, M J Williams and P N Workman

CL.7 APOLOGIES FOR ABSENCE

- 7.1 An apology for absence was received from Councillor Mrs M A Gore.

CL.8 DECLARATIONS OF INTEREST

- 8.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.
- 8.2 There were no declarations of interest made on this occasion.

CL.9 MINUTES

- 9.1 The Minutes of the meeting held on 21 February 2017, and of the Extraordinary meeting held on 13 March 2017, copies of which had been circulated, were approved as correct records and signed by the Mayor.

CL.10 ANNOUNCEMENTS

- 10.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 10.2 The Mayor thanked all those that had attended his Mayor Making Ceremony on 9 May and indicated that he was extremely proud to have been chosen to serve the Borough as its Mayor for the forthcoming Municipal Year.

CL.11 ITEMS FROM MEMBERS OF THE PUBLIC

- 11.1 There were no items from members of the public on this occasion.

CL.12 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

- 12.1 There were no Member questions on this occasion.

CL.13 LEADER OF THE COUNCIL - STATE OF THE BOROUGH PRESENTATION

- 13.1 The Mayor invited the Leader of the Council, Councillor R J E Vines, to present his 'State of the Borough' report.
- 13.2 The presentation covered the following key points:
- Introduction – 2017 had been a really successful and challenging year and had marked the end of the first year of the new Council Plan. Against a backdrop of financial pressures, the Council had made significant changes whilst continuing to deliver services that cost less but provided the same level of support for customers.
 - Year One Refresh – Finances and Resources – 2016/17 saw the Council face further challenges but also saw it change the way it thought about generating income for the Council and its services. The leisure centre had provided an income of £150,000 since May 2016 through management fees; a new commercial strategy had been developed which included a £14 million property investment providing an annual income of £430,000; a new corporate website had been designed and launched which was exceptional value for money at £150 per year compared to the previous annual cost of £13,600; £8,000 had been saved on annual electrical costs since the installation of solar panels on the building; a new £3.5 million waste and recycling fleet had been procured – with the new vehicles being more efficient and able to collect more waste so were future proofed for growth in the Borough; a strategic management review had been implemented, including the appointment of a new Deputy Chief Executive and two new Heads of Service; and, alongside all those achievements, Council Tax remained the fifth lowest in the country.
 - Year One Refresh – Economic Development – An economic assessment and employment land review had been carried out within the Borough. External funding had been secured and a consultant had been appointed to develop a vision for Junction 9 of the M5. The Council had been successful in gaining £377,000 worth of funding from the Local Enterprise Partnership to host a business growth hub at the Public Services Centre which would be the first of its kind in the County. The Council had also been successful with regeneration projects within Tewkesbury Town including a new signage project and the completion of the Riverside Walk. In addition, a new website for businesses in Tewkesbury had been launched along with a new investment prospectus which showed the benefits of investing within Tewkesbury Borough.

- Year One Refresh – Housing – The main modifications for the Joint Core Strategy had been approved by the three Councils (Tewkesbury Borough, Cheltenham Borough and Gloucester City) and all responses from the consultations had been sent to the Inspector for consideration; public examination hearings would be held in the summer. With 13 Neighbourhood Plans now being developed the Council continued to provide support to Town and Parish Councils for their development. A new housing and homelessness strategy for 2016/20 had been adopted and, in 2016/17, the Council had delivered 197 affordable homes which was above its target of 150. The Council had worked with key partners retendering the rough sleeper outreach contract which was part of the newly formed District partnership. The Council was continuing to work with its partners to prevent residents becoming homeless and undertaking visits with Severn Vale Housing to tenants most likely to be significantly affected by the forthcoming welfare reform.
- Year One Refresh – Customer-Focused Services – The Council's customer care standards had been launched in March 2016 with the aim to ensure customers received consistently excellent customer service. The public services centre had continued to grow with a further refurbishment of the reception area, civic suites and the top floor being approved for completion in early 2018. A review of the garden waste service had commenced which would look at improving the service for customers and introducing a set renewal date. A new digital strategy was approved in March 2016 and key projects had been delivered which included the introduction of a property services helpdesk, new tree inspection software – which mapped where all the Council's trees were within the Borough – as well as the design and launch of the refreshed corporate website. A new complaints framework had been rolled out which included a revised complaints and Freedom of Information reporting system which had made it easier for Officers to monitor and respond to customers. The Council continued to support the Citizens' Advice Bureau with a grant of £53,000 and this had helped to support over 1,000 residents. 2016/17 had seen an increased recycling rate of 54% of waste being recycled or composted throughout the year which was a good improvement on 50% in 2015/16. In addition, revenues and benefits performance continued to be in the top quartile nationally for the processing of claims.
- Moving Forward to 2017/18 – The Council had an exciting and challenging time ahead with constant pressure to do more with less. The second year of the Council Plan continued to have big ambitions with many projects coming to fruition throughout the year ahead. Investigating different options and putting in place a plan for the redevelopment of Spring Gardens was high on the agenda, as was delivering the public service centre refurbishment project - which would include letting the top floor of the building – this went hand in hand with an exciting project to develop and launch the business growth hub. The Council's commitment to 'digital' remained strong and a new online reporting system would be introduced to make residents experience simpler and quicker. The adoption of the Joint Core Strategy in the next year would be vital in helping to shape the future of the Borough. The Leader felt that, for a relatively small Council, Tewkesbury Borough had big ambitions.

13.3 The Leader encouraged Members to take the presentation to their respective Parish Council meetings as a way of reporting the Borough Council's work over the year. The Mayor thanked the Leader for his informative presentation and, with no further questions, it was

RESOLVED That the 'State of the Borough' presentation provided by the Leader of the Council be **NOTED**.

CL.14 OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2016/17

- 14.1 Attention was drawn to the report, circulated at Pages No. 16-39, which set out the draft Annual Overview and Scrutiny Report 2016/17. Members were asked to consider and adopt the report.
- 14.2 The Chair of the Overview and Scrutiny Committee, Councillor P W Awford, was pleased to present the 2016/17 Overview and Scrutiny Annual Report. He explained that this had been another productive year for the Committee as could be seen from the report, it had scrutinised, challenged, reviewed and received presentations across all aspects of the Council's business and priorities. In particular, the Committee, through its Working Groups, had supported the development of key strategies including the Housing and Homelessness Strategy and the Economic Development and Tourism Strategy – both of which were strategic priorities – this was scrutiny adding real value and demonstrating effective partnership working with officers. In addition, a Working Group had reviewed the Scheme of Public Participation at Planning Committee and concluded that this was a valued asset which supported openness and transparency so the scheme was now a permanent arrangement. The Committee had also continued to monitor activity which was close to the hearts of Members and its communities; such as enviro-crimes, Ubico, flood risk management and overall delivery of the Council's priorities. The Overview and Scrutiny Committee was also keen to learn about others and, during the course of the year, had received informative presentations from key partners such as the Office of the Police and Crime Commissioner, Healthwatch Gloucestershire and Gloucestershire Fire and Rescue Service. It was also a Committee that was not frightened to challenge itself and it had received feedback from an independent assessor on its effectiveness – moving forward it was felt to be important that the value of the Committee continued to be maximised. Looking ahead, the Chair felt sure the Committee would add even greater value to support the Council in its future challenges and, through the work of the Committee, this would have a positive impact on its communities.
- 14.3 A Member noted the use of the word 'Chairman' rather than 'Chair' within the report and it was agreed that this would be amended.
- 14.4 The Chair thanked his Vice-Chair, and the Officers and Members that had supported the Committee, for their hard work over the past year. Accordingly, it was
- RESOLVED** That, subject to the amendment of the use of the term 'Chairman' to 'Chair', the Overview and Scrutiny Committee's 2016/17 Annual Report be **ADOPTED**.

CL.15 ELECTION OF LEADER OF THE COUNCIL

- 15.1 Upon being proposed and seconded it was
- RESOLVED** That Councillor D J Waters be elected as Leader of the Council, and therefore Chair of the Executive Committee, for the ensuing Municipal Year.
- 15.2 Councillor Waters thanked the Council for the appointment and indicated that he intended to do his best for the Borough during the year ahead. Councillor Waters offered his thanks to the previous Leader, Councillor Vines, for his leadership during the time he had been Leader of the Council noting that the Council had been in engagement when he had taken over but he had turned this around and the Council was now in a great position going forward. He knew there would be more challenges ahead, particularly in terms of making savings and improving income streams and growth, but also in ensuring the Council had an ambition to grow and become a leader in business and development. He hoped he would be able to take

the Council forward through that phase as its Leader.

- 15.3 A Member expressed his thanks to Councillor Vines for his leadership over the past ten years. He indicated that the service provided by Councillor Vines had been exceptional; he was a friendly, approachable and professional character and he felt that his calmness and ease of speaking had been, and would continue to be, a great asset to the Council.

CL.16 ELECTION OF DEPUTY LEADER OF THE COUNCIL

- 16.1 Upon being proposed and seconded it was

RESOLVED That Councillor R A Bird be elected as Deputy Leader of the Council, and therefore Vice-Chair of the Executive Committee, for the ensuing Municipal Year.

- 16.2 Councillor Bird thanked the Council for its confidence in him and undertook to offer his full commitment in supporting the Leader to achieve the Council's aims and ambitions.

CL.17 MEMBERSHIP OF COMMITTEES, LEAD MEMBERS AND APPOINTMENT TO OUTSIDE BODIES

Membership of Committees 2017/18

- 17.1 Upon being proposed and seconded it was

RESOLVED That the following Committee Memberships be **AGREED**:

Executive

Mrs K J Berry
R A Bird
Mrs G F Blackwell
M Dean
R Furolo
Mrs J Greening
Mrs E J MacTiernan
J R Mason
D J Waters

Licensing

Mrs K J Berry
Mrs G F Blackwell
G J Bocking
Mrs J E Day
A J Evans
R Furolo
R E Garnham
Mrs P A Godwin
Mrs J Greening
Mrs R M Hatton
Mrs A Hollaway
A S Reece
H A E Turbyfield
M J Williams
P N Workman

Planning

Mrs G F Blackwell
 D M M Davies
 M Dean
 R D East
 J H Evetts
 D T Foyle
 R Furolo
 Mrs M A Gore
 Mrs J Greening
 Mrs R M Hatton
 Mrs A Hollaway
 Mrs E J MacTiernan
 J R Mason
 A S Reece
 T A Spencer
 Mrs P E Stokes
 P D Surman
 D J Waters
 P N Workman

Overview and Scrutiny

R E Allen
 P W Awford
 G J Bocking
 K J Cromwell
 Mrs J E Day
 D T Foyle
 Mrs P A Godwin
 Mrs R M Hatton
 Mrs H C McLain
 T A Spencer
 Mrs P E Stokes
 P D Surman
 M G Sztymiak
 H A E Turbyfield
 M J Williams

Standards

M Dean
 Mrs S E Hillier-Richardson
 T A Spencer
 P D Surman
 M G Sztymiak
 H A E Turbyfield
 M J Williams

Audit

K J Cromwell
 A J Evans
 Mrs P A Godwin
 B C J Hesketh
 Mrs S E Hillier-Richardson
 Mrs H C McLain
 V D Smith

AD HOC COMMITTEES**Employee Appeals
(any 5 from 8)**

Mrs K J Berry
 Mrs G F Blackwell
 Mrs J E Day
 R E Garnham
 Mrs M A Gore
 Mrs E J MacTiernan
 J R Mason
 P D Surman

**Employee
Appointments (5)**

R E Allen
 M Dean
 R E Garnham
 Mrs E J MacTiernan
 M G Sztymiak

**Housing Allocations and
Homelessness Review (any
5 from 9)**

Mrs G F Blackwell
 Mrs J E Day
 R Furolo
 Mrs P A Godwin
 Mrs R M Hatton
 Mrs E J MacTiernan
 J R Mason
 Mrs P E Stokes
 M J Williams

**Gloucestershire Police
and Crime Panel**

R E Garnham
 R E Allen (Reserve)

**Shared Legal Services
Joint Monitoring and
Liaison Group**

Lead Member for
 Corporate Governance
 D T Foyle
 Mrs M A Gore
 (Substitute)
 Mrs H C McLain
 (Substitute)

**Shared Building
Control Joint
Monitoring and Liaison
Group**
Lead Member for Built
Environment
R D East

Report of the Leader of the Council

- 17.2 The Leader of the Council indicated that, as part of the Constitution, he was required to report at the Annual Council meeting on the number of Lead Members and scope of their Portfolios for the coming year, the number of Specialist Members and the specialist areas to be covered, and any other matters in relation to the political management of the Council. He proposed that there should be no change to the current arrangements in respect of the number of Lead Members, the areas covered by each Portfolio, Member Specialists and any other matters in relation to the political management of the Council. He expressed a hope that Members would all continue to work in the best interests of the Borough to meet the challenges ahead. In terms of Outside Body appointments the Leader advised that, in order to regularise the position in respect of Membership of the Riverside Partnership and the Tewkesbury Regeneration Partnership, he would be proposing that the Membership of both Partnerships be the Lead Members for Built Environment, Economic Development/Promotion and Health and Wellbeing and Councillor P N Workman. Accordingly, it was

RESOLVED That the Leader's report be **NOTED** and that there be no changes to the number of Lead Members or scope of their Portfolios and no Member Specialists.

Outside Bodies 2017/18

- 17.3 Taking account of the Leader's Report and upon being proposed and seconded, it was

RESOLVED 1. That the following Outside Body Representation be **AGREED**:

2gether NHS Foundation Trust (<i>observer</i>)	Mrs J Greening
A46 Member Partnership	Mrs E J MacTiernan
A48 Meeting	D M M Davies
Ambulance Trust (<i>observer</i>)	Mrs J Greening
Cleeve Common Board of Conservators	R D East
Community Safety Partnership	Lead Member (<i>Community</i>) Mrs E J MacTiernan
Cotswolds AONB Conservation Board	M Dean
District Councils Network	Leader of the Council

G First/LEP (plus 1 reserve)	Lead Member (<i>Economic Development/ Promotion</i>) Mrs E J MacTiernan
Gloucester and District Citizens' Advice Bureau	A J Evans
Gloucestershire Airport Consultative Committee	M J Williams
Gloucestershire Hospitals NHS Foundation Trust (<i>observer</i>)	G J Bocking
Gloucestershire Joint Waste Committee	Lead Member (<i>Clean & Green Environment</i>) Support Member (<i>Clean & Green Environment</i>)
Gloucestershire Playing Fields Association	D T Foyle
Leadership Gloucestershire (plus 1 reserve)	Leader of the Council Deputy Leader of the Council
Local Government Association	Leader of the Council <i>* should the Leader of the Council be unable to attend the Annual Local Government Association Conference in any year, authority will be delegated to the Chief Executive, in consultation with the Leader, to appoint a representative to attend.</i>
Lower Severn (2005) Internal Drainage Board	P W Awford
Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee	K J Cromwell J R Mason
Prior's Park Neighbourhood Project	Mrs J Greening

Riverside Partnership	Lead Member (<i>Built Environment</i>) Lead Member (<i>Economic Development/Promotion</i>) Lead Member (<i>Health & Wellbeing</i>) P N Workman
Roses Theatre Trust	Mrs A Hollaway
Safe at Home Advisory Group (formerly known as Anchor Staying Put Advisory Group)	Mrs J E Day Mrs M A Gore
South West Councils	Leader of the Council M Dean (Deputy)
South West Councils – Employers Panel	M Dean
Tewkesbury District Twinning Association Management Committee	P W Awford
Tewkesbury Leisure Centre Partnership Board	Lead Member (<i>Health & Wellbeing</i>) Lead Member (<i>Finance & Asset Management</i>)
Tewkesbury Regeneration Partnership	Lead Member (<i>Built Environment</i>) Lead Member (<i>Economic Development/Promotion</i>) Lead Member (<i>Health & Wellbeing</i>) P N Workman
Tewkesbury Road Safety Liaison Group	K J Cromwell M Dean
Winchcombe Sports Hall Management Committee	Mrs J E Day
Winchcombe Town Trust	J R Mason

2. That authority be delegated to the Borough Solicitor, in consultation with the Leader of the Council, to nominate other Members to attend a meeting of an Outside Body in the event that the nominated Member or their representative is unable to attend.

Chairs and Vice-Chairs, County Council Health and Care Scrutiny Committee and Gloucestershire Economic Growth Scrutiny Committee

- 17.4 A short meeting of each of the main Committees set out in Paragraph 17.1 (excluding Ad-Hoc Committees) took place to elect a Chair and Vice-Chair and the Overview and Scrutiny Committee elected representatives to the County Council's Health and Care Scrutiny Committee and the Gloucestershire Economic Growth Scrutiny Committee. Accordingly, it was

RESOLVED

1. That the Chairs and Vice-Chairs for each Committee be **AGREED** as follows:

Overview and Scrutiny Committee:

Chair – Councillor P W Awford

Vice-Chair – Councillor R E Allen

Audit Committee:

Chair – Councillor V D Smith

Vice-Chair – Councillor Mrs H C McLain

Planning Committee:

Chair – Councillor J H Evetts

Vice-Chair – Councillor R D East

Licensing Committee:

Chair – Councillor R E Garnham

Vice-Chair – Councillor Mrs J Greening

Standards Committee

Chair – Councillor M J Williams

Vice-Chair – Councillor P D Surman

2. That Councillor Mrs J E Day be the Council's nominated representative on the County Council's Health and Care Scrutiny Committee.
3. That Councillor P W Awford be the Council's nominated representative on the Gloucestershire Economic Growth Scrutiny Committee and that Councillor Mrs H C McLain be the reserve.

CL.18 MAYOR OF TEWKESBURY'S APPEAL FUND

- 18.1 It was proposed, seconded and

RESOLVED

That Councillors P W Awford, J R Mason and D J Waters be appointed as Trustees of the Mayor of Tewkesbury's Appeal Fund for 2017/18.

CL.19 RECOMMENDATION FROM EXECUTIVE COMMITTEE**Council Plan 2016/20 Refresh - Year Two**

- 19.1 At its meeting on 1 February 2017, the Executive Committee had considered a report which detailed the year two refresh of the 2016/20 Council Plan. The Executive Committee had recommended to Council that the Council Plan refresh be adopted.
- 19.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 45-69.
- 19.3 The recommendation was proposed by the Vice-Chair of the Executive Committee. He indicated that the Council Plan was a rolling programme with the only real changes being actions that had now been delivered being replaced with new actions which were needed to help the Council achieve its objectives.
- 19.4 During the discussion which ensued, a Member advised that he was happy to approve the refresh of the Plan but there was one area upon which he would like clarification. He indicated that one of the priorities was to maximise growth at the M5 junctions within the Borough and he questioned how this could be achieved in practice, particularly with regard to the planning process. In response, he was advised that economic development was a key issue for the Council and, in planning terms, policies in the Joint Core Strategy and Tewkesbury Borough Plan needed to align; however, the Council Plan was not a planning policy. The Chief Executive explained that the Council delivered on its Council Plan through its own Policy framework and this was closely linked to the national policy framework; the Joint Core Strategy and Borough Plan would be the decision-making framework which was used by Members at Planning Committee. The Council Plan was supported by a whole range of policies and Pages No. 5 and 7 of the Plan showed how it aligned to the Joint Core Strategy and Borough Plan.
- 19.5 Another Member referred to the statistics included within the document at Page No. 3 of the plan, and questioned whether they needed to be refreshed. She also queried whether the pictures would be refreshed and whether weblinks could be included in the document so that, when other plans and policies were referenced, they could be accessed easily. In response, she was advised that the statistics were up to date, that the pictures had been refreshed and that the idea of adding weblinks to the document was a good suggestion. In terms of the Council's policy on commercial investments, a Member indicated that it would be useful to understand the yield for all investments made, and proposed to be made, on an annual basis. In response, the Chief Executive explained that those figures were provided to the Council and the appropriate Committees, and monitored through the Transform Working Group and the Overview and Scrutiny Committee, but they would not be put into the Council Plan as it was a high level document which did not contain commercially sensitive information.
- 19.6 Accordingly, it was
- RESOLVED** That the Council Plan refresh be **ADOPTED**.

CL.20 TEWKESBURY BATTLEFIELD

- 20.1 The report of the Head of Development Services, circulated at Pages No. 70-81, outlined the progress to date in exploring the whole of the Battlefield as a heritage, cultural and economic asset for the Borough. Members were asked to request that Officers meet with Historic England and other partners to explore utilising the Battlefield as a cultural and heritage asset; to request that Officers continue to work through the preparation of the Borough Plan to ensure the wider battlefield area was recognised in planning policy; and to ask that future progress be reported to the Executive Committee.
- 20.2 The Deputy Chief Executive advised that, in December 2016, a petition had been received from the Tewkesbury Battlefield Society which asked that the Council communicate to the governors of Tewkesbury School its disagreement with its decision not to sell the Gastons to the Tewkesbury Battlefield Society; to make clear that any aspiration to sell the Gastons for development purposes was wholly inappropriate given its historical significance and would be vigorously opposed if this was attempted by the Trustees; and to consider formally designating the Gastons in the Local Plan as the intended site for the future creation of a Heritage Park for Tewkesbury and to work with the Society and residents to deliver that objective. At its meeting in January 2017, the Council had considered that petition and agreed that it was committed to the principle of developing the whole of the Tewkesbury Battlefield as a heritage, cultural and economic asset for the Borough. It had also requested that Officers considered the issues raised by the petition through a) the Borough Plan and other planning processes including supplementary planning guidance and enforcement and b) by exploring, with Tewkesbury Battlefield Society, the Tewkesbury School Trust and landowners, the potential for improving the Battlefield as a cultural and heritage asset; and that an update report be presented to the Council within three months.
- 20.3 Members were advised that Page No. 72 of the Council report detailed the current and proposed planning protection. The Gastons, together with the wider Battle of Tewkesbury 1471 area, was subject to saved policy HEN24, together with other saved policies contained within the adopted Borough Plan and the guidance contained within the National Planning Policy Framework (NPPF). Paragraph 132 of the NPPF stated that assets such as Battlefields were areas of highest significance and should be protected, any proposals for development within the Battlefield would be judged against those policies, with proposals having to have regard to the conservation of the historic landscape, demonstrate they respected the character of the registered site and generally retained its character. Wider designation of the Battlefield in its promotion as a cultural and heritage asset would be considered through a policy designation in the Tewkesbury Borough Plan review. The existing saved HEN24 of the Tewkesbury Borough Plan was a policy of protection – this obviously had an important role to play in terms of preventing unacceptable development in the area – and any revised policy through the Borough Plan process could be drafted to retain this protective stance yet include greater reference to promoting the benefits of retaining or enhancing the battlefield asset; this could help support any cultural or heritage funding bids. In addition, Historic England had amended the boundary of the designation of the Battlefield - the new boundary removed the vast majority of properties built within the last 20 years and drew the boundary tighter around the Cambian School. A meeting had taken place with a representative of the Battlefield Society to broadly discuss how the Council could work with landowners and stakeholders to promote the asset. The first part of this approach would be to hold a landowner meeting to gauge landowner's interest in terms of their engagement in further discussions and explore options for promotion. It was considered that a great opportunity for promotion of the Battlefield, and Tewkesbury as a whole, had arisen in light of the fact that 2021 marked 550 years

since the battle of Tewkesbury as well as the 900th anniversary of the Norman consecration. Tewkesbury Abbey would be running a number of events and celebrations and was looking to collaboratively celebrate the double commemorations with the Council to maximise the benefits of the two events. It was felt that it would be a great opportunity to have one or more 'landmark events' that really put Tewkesbury and the Battlefield 'on the map'. So far it had been decided that a steering group should be established to look at individual promotional opportunities and to help organise and steer the project. The timeframe to 2021 would need careful planning and choreographing to ensure the dual celebrations were appropriately marked for the Town. The double landmark celebration would provide extra focus and impetus for the Town's heritage and tourism offer and the Council would look to maintain the momentum to maximise the cultural, economic and heritage asset which the Battlefield represented.

- 20.4 During the discussion which ensued, a Member indicated that, when the petition had been put before the Council, there had been a general consensus and agreement that it should do whatever it could to ensure the protection of the valuable area and to recognise its worth and historical significance. As the local authority, the Council would be the main influencer amongst the partners and it should do what it could to support the Battlefield Society. He felt the steps outlined within the report sought to do this and, as such, he proposed that the recommendations within the report be accepted. That proposal was seconded.
- 20.5 It was suggested that the Council needed to establish a set of objectives for the talks with landowners etc. and, in response, the Deputy Chief Executive explained that this would be necessary but first of all it needed to be understood what the objectives of the landowners and stakeholders were; this could then be used to establish a Battlefield 'vision'. The broad aim was to maximise what Tewkesbury had already but this would be further defined as the discussions moved forward. A Member indicated that the Council needed to be careful with the approach it took. He felt that the Council was ultimately an influencer and could not take control of the project.
- 20.6 Another Member felt that the whole Council should be informed of progress and the Deputy Chief Executive undertook to ensure this was done. Accordingly, it was
- RESOLVED**
1. That Officers meet with Historic England and other partners to explore utilising the Battlefield as a cultural and heritage asset.
 2. That Officers continue to work through the preparation of the Borough Plan to ensure the wider Battlefield area is recognised in planning policy.
 3. That future progress is reported to the Executive Committee.

CL.21 SEPARATE BUSINESS

- 21.1 The Chairman proposed, and it was

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely discussion of exempt information as defined in Part 1 of Schedule 12A of the Act.

CL.22 SEPARATE MINUTES

- 22.1 The separate Minutes of the meeting held on 21 February 2017, and of the Extraordinary meeting held on 13 March 2017, copies of which had been circulated, were approved as correct records and signed by the Mayor.

The meeting closed at 7:30 pm

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	7 June 2017
Subject:	Preparation for the General Data Protection Regulation
Report of:	Mike Dawson, Chief Executive
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor D J Waters
Number of Appendices:	Two

Executive Summary:

This report summarises the impact on the Council of the new General Data Protection Regulation which comes into force on 25 May 2018 and the associated risks of non-compliance. The report gives details of steps taken to date and provides an initial action plan aimed at achieving compliance with the new requirements. Resource implications are dealt with, including proposals for a new post of Business Administration Manager to lead and coordinate work set out in the action plan and to maintain compliance post implementation of the new requirements.

Recommendation:

- 1) That the Committee **NOTES** the action plan at Appendix 1 to achieve compliance with the General Data Protection Regulation.
- 2) That, subject to (3) below, the establishment of the Business Administration Manager's post is **APPROVED** in accordance with section 4 of this report.
- 3) That it be **RECOMMENDED TO COUNCIL** that the inclusion of the ongoing funding for the Business Administration Manager post be **APPROVED** for the base budget for 2018/19 and future years.

Reasons for Recommendation:

To ensure the Council is compliant with the requirements of the General Data Protection Regulation.

Resource Implications:

The majority of the current work to achieve and maintain compliance with the General Data Protection Regulation can be undertaken within existing resources. A new post is proposed in section 4 of this report and the on-costed cost of that post is a maximum of £50,970. Provision has been made in the reserves list to fund the post during the current financial year, but ongoing provision is required in the Council's base budget for 2018/19 and beyond.

It is possible that there will be further resource implications as implementation works continue. This is especially likely in the area of ICT. Reports will be brought forward as required.

Legal Implications:

The Council is required to comply with new General Data Protection Regulation when it comes into force on 25 May 2018. The Information Commissioners Office has issued a guidance checklist setting out actions required to achieve compliance by the implementation date. Compliance will need to be maintained post implementation and the Council may be subject to periodic inspection by the Information Commissioners Office. The new data protection framework brings new requirements and significantly increased fines for breaches. These are detailed in this report.

Risk Management Implications:

Non-compliance with the new data protection framework will expose the Council to reputational and financial risks. It may also give rise to poor handling of customer data which will undermine the customer service aims and objectives set out in the Council Plan. Fines for breaches of the new data protection framework can be as much as €20million.

An action plan has been developed to ensure timely implementation of work to improve data handling policies, procedures, systems and training. Implementation of this plan will be managed through the Council's project management programme and this will set out associated risks and mitigation measures.

Performance Management Follow-up:

The delivery of the action plan will be monitored through the project management system and Management Team at officer level. Reports in respect of progress will be forwarded to this Committee and the Overview and Scrutiny Committee as required. Ongoing audits of the data management system will be reported the Audit Committee.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

- 1.1** On 25 May 2018, the General Data Protection Regulation (GDPR) will come into force across the European Union (EU), replacing existing data protection laws. The GDPR will increase the rights of individuals over their personal data and tighten the obligations of all organisations to comply with new rules concerning the management of personal information.
- 1.2** While the UK decision to leave the EU means that the GDPR will no longer apply to the UK in the longer term, the GDPR will apply to the UK directly until the UK is no longer a member. Furthermore, the Government has confirmed that the UK will opt into the GDPR. Following this commitment, the UK Information Commissioner's Office (ICO) has stated that, whatever the outcome of the negotiations to exit the EU, UK data protection standards will be equivalent to the EU GDPR framework in order not to create any block on trade with the EU single market.

2.0 GDPR IMPACT ON THE COUNCIL

- 2.1** The Council handles and stores significant amounts of personal data as part of its routine service to its customers. The volume of data processed and retained is constantly increasing. Good data protection is therefore fundamental to high standards of customer service and the effective operation of the Council's business. Personal data is an asset owned by the customer as must be treated accordingly.

- 2.2** The GDPR significantly increases the data protection obligations on the Council and although existing data protection procedures are in place, these require extensive review and revision in order to achieve compliance with the GDPR framework.
- 2.3** Many of the GDPR's main concepts are the same as those in the current Data Protection Act 1998 (DPA). This means that the Council's current approach to compliance under existing law will remain valid. However, new elements and significant enhancements within the GDPR will need to be taken account of and prepared for.
- 2.4** The most significant addition is a new 'accountability' requirement. Organisations, including the Council, will need to be able to demonstrate compliance with the GDPR principles, for example, by maintaining documentation on decisions about why personal information is being processed. Another important change is vastly increased fines for those organisations that fail to comply with GDPR or permit data breaches. For serious breaches organisations can be fined up to €20million. For less serious breaches or for failing to keep records the fine can be up to €10million.
- 2.5** To demonstrate compliance the Council must:
- Implement technical and organisational measures that demonstrate compliance. These include data protection policies, staff and Member training, internal data processing audits.
 - Maintain relevant documentation on processing activities.
 - Appoint a Data Protection Officer (DPO) (a new statutory role).
 - Implement measures that meet the principles of data protection by design including, data minimisation, using artificial identifiers e.g. replacing a name with numbers and transparency.
 - Implement data protection privacy impact assessments.
- 2.6** Under current DPA arrangements, the ICO only respond reactively to data breaches. It must be noted that, following implementation of the GDPR, the ICO will implement a proactive inspection regime to monitor compliance. Enforcement action could follow any breaches arising during inspections.
- 3.0 STEPS TAKEN TO DATE**
- 3.1** The requirements of GDPR are extensive and complex.
- 3.2** The ICO has produced a checklist highlighting the specific steps that should be taken to meet the requirements of GDPR. This checklist has been used to develop an initial action plan to ensure compliance with GDPR by May 2018. As part of the programme it is planned to hold Member seminars on the GDPR impact and the implementation of policies and procedures to ensure the Council achieves compliance. The action plan is included at Appendix 1.
- 3.3** The action plan will require a significant amount of work to prepare for implementation. Following on from implementation there will be extensive ongoing work to manage the Council's data in compliance with GDPR requirements. This work will involve input from teams across the whole Council, but will require a dedicated resource to lead and coordinate the associated activities.

4.0 PROPOSED NEW BUSINESS ADMINISTRATION MANAGER POST

4.1 Given the extent, importance of the work and risks associated with achieving and importantly maintaining GDPR compliance, officers have considered the additional resources required. The specific functions required by the GDPR and existing data protection frameworks include the following roles:

- Senior Information Risk Owner (SIRO) – makes and is accountable for local risk management decisions e.g. Council use of cloud based services to store personal data etc.
- Data Controller (DC) – makes and is accountable for decisions on the purpose and use of personal data.
- Data Protection Officer (DPO) – advises monitors compliance and deals with the ICO.

4.2 The first two roles are already accommodated within the existing management resources, but the allocation of the roles to posts will be reviewed as part of the implementation action plan. The DPO role will be undertaken by One Legal and this can be accommodated within existing budgets.

4.3 In addition to the above, there is a need for a new post to work with the SIRO and DC and all teams to implement the requirements of GDPR and to maintain compliance post May 2018. The work involved is extensive and will involve all of the Council's administrative systems, both electronic and paper-based which process and store personal data. This will include processes from Customer Services through to the individual services themselves and require effective coordination of administration resources across the whole Council.

4.4 Given the requirements of the proposed new post it is suggested that it be established as a permanent post with the title of Business Administration Manager at Operational Manager/Team Leader level. The post will be located within Corporate Services Section of the Chief Executive's Unit reporting to the Corporate Services Manager. A draft job description and structure chart is attached for information at Appendix 2.

4.5 The Business Administration Manager role is subject to job evaluation, but it is anticipated that the post will be placed on scale H. The maximum annual cost of a scale H post is £50,970, including on-costs. Provision for the post in 2017/18 has been included in the reserves list within the Financial Outturn report elsewhere on this agenda. The cost of the post will need to be included in the base budget for 2018/19 and beyond and this will require approval by Council.

4.6 Given that the post is central to the timely implementation of work to prepare for GDPR compliance it is intended to recruit to the post as soon as possible following approval by the Executive Committee and Council at their June meetings. It is likely that the post will be filled internally which will allow for implementation work to be undertaken without delay.

5.0 OTHER OPTIONS CONSIDERED

5.1 None.

6.0 CONSULTATION

6.1 Consultation has been undertaken with the Leader of the Council as Lead Member for corporate governance.

- 7.0 RELEVANT COUNCIL POLICIES/STRATEGIES**
- 7.1 Current data protection procedures.
- 8.0 RELEVANT GOVERNMENT POLICIES**
- 8.1 GDPR Framework and ICO Guidance.
- 9.0 RESOURCE IMPLICATIONS (Human/Property)**
- 9.1 The statutory roles required by the new GDPR Framework can be undertaken within existing resources; however a new post at operational manager level is required to coordinate and undertake work associated with the new requirements of the GDPR Framework.
- 10.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**
- 10.1 None.
- 11.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**
- 11.1 Data protection is a key area of the Council's work aimed at maintaining privacy which one of the rights listed in the Human Rights Act.
- 12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**
- 12.1 None.

Background Papers: None.

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Appendices:

1. GDPR Action Plan.
2. Draft Job Description – Business Administration Manager.

General Data Protection Regulation – Action Plan May 2017

What	ICO recommendation	Action	Proposed end date	By Whom	Progress
Raise awareness	<ul style="list-style-type: none"> Ensure that that decision makers and key people in organisation are aware that the law is changing to the GDPR in 2018 identify areas that could cause compliance problems under the GDPR 	<ul style="list-style-type: none"> Briefing to Members and Senior officers on GDPR and Action Plan Briefing on GDPR and Action Plan to managers Staff briefings Project plan agreed and actions assigned to relevant officers 	May 2017		
Data Protection Officers	<ul style="list-style-type: none"> Designate a Data Protection Officer if required or someone to take responsibility for data protection compliance and assess where this role will sit within the organisation's structure and governance arrangements. Assess whether current approach to data protection compliance will meet the GDPR requirements 	<ul style="list-style-type: none"> Appoint a Data Protection Officer provide sufficient support to allow DPO to carry out role ensure sufficient resources to carry out Controller responsibilities listed below 	June 2017		
Conduct a personal information audit	<ul style="list-style-type: none"> Document what personal data is held, where it came from and who it is shared with 	<ul style="list-style-type: none"> Carry out personal data audit <ul style="list-style-type: none"> Identify where special category personal data is being processed Identify where Minimisation and Accuracy of data collected is required 	September 2017		

		<ul style="list-style-type: none"> ○ Identify where Consents are required ○ Identify where children's data retained ○ Identify where profiling is taking place ○ Identify processing of personal data for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties (needs to comply with GDPR and a separate directive) <ul style="list-style-type: none"> • Compile and maintain a list of processing (Article 30) carried out by the authority (including by contractors and wholly owned companies) <ul style="list-style-type: none"> ○ Identify where personal data is being processed by a Data processor, ensure compliance with Article 40 (code of Conduct) or Article 42(Compliance certification) ○ Ensure processor holds a record of processing being carried out (Article 30) <ul style="list-style-type: none"> • Identify where privacy by design needs to be built into processing • Identify where personal data is not obtained from data subject. 			
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Consent	<ul style="list-style-type: none"> Review and record how consent is sought and obtained (consent must be a positive indication of agreement, it cannot be inferred) Review systems that are in place for recording consent – an audit trail is required 	<ul style="list-style-type: none"> Consent should not be relied upon unless absolutely necessary ICO has advised that public authorities should not need to rely on consent to carry out its functions 	September 2017 (part of Data Audit)		
Children	<ul style="list-style-type: none"> Review what systems are in place to verify individuals' ages and to gather parental or guardian consent for data processing activity for children (likely to be 13 or under but could be 16 or under – this is yet to be confirmed) Review privacy notices relating to children – they must be in language that children understand 	<ul style="list-style-type: none"> Review how and why personal data or children is collect and used. Where consent is relied upon ensure parental consent has been obtained for children under 13 	September 2017 (part of Data Audit)		
International	<ul style="list-style-type: none"> For organisations operating internationally, determine which data protection supervisory authority applies. 	<ul style="list-style-type: none"> Identify where personal data is stored and/or back up outside the EEA. Gain an understanding of how Brexit will affect data storage on cloud based systems and whether the UK will have sufficient data protection standards to comply with EU standards or will special agreements be required. 	Sept 2017 (part of Data Audit)		

Communicate privacy information	<ul style="list-style-type: none"> • Conduct a review of privacy notices and update where necessary (to include legal basis for processing, data retention periods, right to complain to ICO) 	<ul style="list-style-type: none"> • Update privacy notices on all manual and electronic forms used to collect data • Update any consent including for direct marketing • Create a privacy dashboard on website for each dept. or processing carried out including data set out in GDPR 	November 2017		
Legal basis for processing personal data	<ul style="list-style-type: none"> • Review the types of personal data processing that are carried out and identify and document legal basis for processing (e.g. consent) 	<ul style="list-style-type: none"> • Undertake minimalisation of data collection • Implement privacy by design procedures • Review legal basis for data processing from data audit including the processing conditions set out in Article 6 and Article 9 (for special categories) of the GDPR • Review and update Data Retention and Destruction Policies • Create Information Asset Register 	December 2017		
Individuals' rights	<ul style="list-style-type: none"> • Ensure procedures cover individuals' rights including: <ul style="list-style-type: none"> ➤ Subject Access ➤ to have inaccuracies corrected ➤ to have information erased (ensure that personal data can be deleted) ➤ to prevent direct marketing ➤ to prevent automated decision making ➤ to ensure data can be ported 	<p>Processes:</p> <ul style="list-style-type: none"> • put in place a process to correct inaccuracies, rectification, erasure, restriction, automated decision making • put in place a process for preventing profiling • put in place a process for preventing direct marketing • put in place a process and facility for portability of data/self-service system 	December 2107		

Subject Access Requests (SAR)	<ul style="list-style-type: none"> • Update subject access request procedures • Ensure that SARs can be handled within one month rather than 40 calendar days • Consider conducting a cost/benefit analysis of providing on-line access to personal information 	<p>Review and update data protection policy</p> <p>Review and update data subject access request procedure</p>	January 2018		
Data breaches	<ul style="list-style-type: none"> • Review procedures for detecting, reporting and investigating personal data breaches • Determine which incidents would fall within the notification requirement if there was a breach • Develop policies and procedures for managing data breaches 	<ul style="list-style-type: none"> • Update Security incident breach policies and procedures including a process for notification to ICO and to data subject where a breach is identified within the timescales set out in the GDPR 	January 2018		
Data Protection by Design / Data Protection Privacy Impact Assessments	<ul style="list-style-type: none"> • Digest ICO guidance on Privacy Impact Assessments and determine when and how to implement PIAs within the organisation • Develop processes for including data protection controls at the design stage of new project involving the processing of personal data 	<ul style="list-style-type: none"> • Develop a process for carrying out Privacy Impact Assessment • Embed process into <ul style="list-style-type: none"> ○ procurement process ○ services reviews ○ reports for committee/council ○ project management 	January 2018		

Data Protection Training for all staff	<ul style="list-style-type: none"> Set a timetable for relevant staff training for all staff 	<ul style="list-style-type: none"> Agree levels of training required for posts/depts. Agree a training programme Implement training programme Agree a rolling programme to ensure compliance with GDPR 	January 2018		
Compliance certification	<ul style="list-style-type: none"> If required obtain a data protection certification to demonstrate compliance 	<ul style="list-style-type: none"> keep up to date on information and requirements coming out of the ICO or Article 29 working Party to ensure compliance with GDPR any code of conduct, code of practice or certification requirements 	April 2018		

JOB DESCRIPTION

1. Group	Chief Executives Unit
2. Post Title	Business Administration Manager
3. Post Number	To be confirmed
4. Post Grade	To be evaluated
5. Section	Corporate Services
6. Responsible to	Policy and Communications Manager
7. Responsible for	
8. Main Purpose of Job	To assist with the implementation of the new Data Protection Regulations corporately, and Freedom of Information (FOI) requests. To provide business administrative support to managers. To work with IT to maximise the way we handle personal data in accordance Data Protection Regulations. To ensure customer facing services provide excellent customer service.

9.0 Specific Duties

- 9.1** To set up a team(s) within the council including representatives from IT, HR, One Legal, service managers on a regular basis to assist with the implementation of the General Data Protection Regulations (GDPR) across the council.
- 9.2** To meet with the Data Protection Officer (DPO) and inform the relevant managers of identified risks and actions to be taken.
- 9.3** To create a data register to meet record keeping requirements and to audit current data processing practices against requirements under the GDPR.
- 9.4** To ensure that systems and processes are in place to comply with GDPR, including subject access rights and data breach requirements to meet the timeframes required by GDPR.
- 9.5** To liaise with IT and service managers to ensure IT systems can discover all personal data easily in backup's and archives.
- 9.6** To be responsible for ensuring that the council integrate privacy by design and default into operational practices. This includes ensuring collecting the minimum amount of information, considering privacy from the outset of each project involving personal data and ensuring that the organisation engages with relevant business areas early on.

- 9.7** To create and/or review corporate policies and procedures. This will include policies and procedures specifically related to data protection (e.g. employee data protection policies and subject access procedures), as well as all other policies and procedures that contain data processing elements. These will need to contain clear and practical guidance on GDPR compliance.
- 9.8** Develop a data breach response programme for prompt notification, allocating responsibility for investigating a breach, containing the breach and making a report so that a response can be given within 30 days.
- 9.9** To work with contract managers to ensure that contracts and procurement procedures comply with requirements related to third party data processors.
- 9.10** To liaise with managers to review staffing requirements for ongoing data protection compliance following the implementation of the GDPR.
- 9.11** To arrange and assist with training for all staff, following the introduction of new data protection policies. Ensure Data Protection training is mandatory and refresher training is provided on an annual basis and monitor the take up of training.
- 9.12** Implement regular audits against defined metrics (eg the number of privacy complaints, completion of training and data breaches suffered) to assess the ongoing success of the compliance programme.
- 9.13** To work with IT to ensure that there is investment in new technology to ensure that IT systems are able to protect personal data, and that this is monitored annually (IT systems must be kept up to date).
- 9.14** To identify administrative support across the council that can be provided to managers when a business need arises.
- 9.15** Ensuring that services are delivered in compliance with existing and new Health and Safety legislation and the Council's Health and Safety Policy, and ensuring that duties are pursued in a safe manner with due regard to the Health and Safety of yourself and others.
- 9.16** To manage risk and to help formulate and comply with the Council's Corporate Health, Safety and Welfare Plan, and to ensure that both systems and premises under your control are maintained in an acceptable standard to ensure the risk management and health and safety of staff and visitors.]
- 9.17** To adhere to all Council Policy, in particular Equal Opportunities.
- 9.18** To undertake any other duties properly assigned from time to time by the Chief Officer which are appropriate to the grade and character of the post.

Corporate Services

