

Bolsover District Council

Customer Service and Transformation Scrutiny Committee

16th March 2020

Policy Updates – Performance Team, Corporate Governance

Report of the Information, Engagement & Performance Manager

This report is public

Purpose of the Report

- To report progress on a suite of policies which fall under the responsibility of the Performance Team, Corporate Governance Department and to seek comments.

1 Report Details

1.1 The following policies have been appended for the Committee's attention:

- 1.1.1 Joint Data Protection Policy
- 1.1.2 Joint Access to Information Policy
- 1.1.3 Joint Use of Overt Surveillance Systems
- 1.1.4 Joint Equality and Diversity Policy for Service Delivery

1.2 Joint Data Protection Policy Previously the Councils had a combined Freedom of Information, Environmental Information Regulations and Data Protection policy. A separate policy has been drafted to strengthen the accountability requirements under the General Data Protection Regulation (GDPR). The policy sets out the main requirements of the data protection legislation and how the Councils will comply. It is not a statement of how compliance will be achieved as that continues to be a matter for operational procedures and processes.

1.3 Joint Access to Information Policy This policy covers requests made under the Freedom of Information Act, Environmental Information Regulation and Re-use Regulation. It has been reviewed and updated to reflect the data protection aspect being separated out. The policy ensures compliance with the relevant legislation and that customers gain appropriate access to information on request.

1.4 Joint Overt Use of Surveillance Systems Policy This is a new policy. A surveillance camera is a broad term to describe closed circuit television (CCTV), body worn cameras and other devices used for overt surveillance purposes. The Councils use overt surveillance systems for the purposes of public safety, crime prevention, detection and prosecution of offenders, monitoring council buildings and assets to protect the public, staff, elected members and visitors, and its property. The Councils use CCTV, Body Worn Video (BWV) and deployable cameras. As such it is prudent for the Councils to have a separate policy on the use of these systems.

- 1.5 Joint Equality and Diversity Policy for Service Delivery It is good practice to review policies every three years and this is contained within the Councils' guidance on policy development. This policy was formally approved in 2016 and has been reviewed as part of the three year cycle. The main change is the inclusion of the Anti-Semitism definition following recent adoption by both Councils. The other changes relate to naming of forms and procedural housekeeping.

2 Conclusions and Reasons for Recommendation

- 2.1 It is important that the Councils have up to date policies that reflect current legislation and the Councils position around those obligations.
- 2.2 This is an information report to keep Members informed of policy developments and to seek any comments on those policies.

3 Consultation and Equality Impact

- 3.1 Service Managers and SAMT have had an opportunity to provide feedback on the policies. All comments are in the process of being considered.
- 3.2 New equality impact assessments have been undertaken.

4 Alternative Options and Reasons for Rejection

- 4.1 Effective corporate governance requires up to date policies.
- 4.2 The Councils are relevant authorities as defined by section 33 of the Protection of Freedoms Act and therefore must have regard to the Surveillance Camera Code of Practice. That advocates having a clear policy on the use of surveillance systems.

5 Implications

5.1 Finance and Risk Implications

Not having up to date policies could put the Councils at risk of criticism from the appropriate regulators. This could be a consideration in the event of a serious data breach which carry financial penalties.

5.2 Legal Implications including Data Protection

See above

5.3 Human Resources Implications

No human resource implications within this report.

6 Recommendations

- 6.1 That Scrutiny Committee provide comments on the policies and endorse the continuation of their approval onto Executive.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	Not applicable
<p>Links to Corporate Plan priorities or Policy Framework</p>	Links to all Corporate Plan 2019-2020 aims and priorities

8 Document Information

Appendix No	Title
1.	Joint Data Protection Policy
2.	Joint Access to Information Policy
3.	Joint Overt Use of Surveillance Systems Policy
4.	Joint Equality and Diversity Policy for Service Delivery
Background Papers	
Report Author	Contact Number
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