



## Notice of a meeting of Cabinet

**Tuesday, 12 June 2018  
6.00 pm  
Pittville Room - Municipal Offices**

<b>Membership</b>	
<b>Councillors:</b>	Steve Jordan, Flo Clucas, Chris Coleman, Rowena Hay, Alex Hegenbarth, Peter Jeffries and Andrew McKinlay

### Agenda

		<b>SECTION 1 : PROCEDURAL MATTERS</b>	
<b>1.</b>		<b>APOLOGIES</b>	
<b>2.</b>		<b>DECLARATIONS OF INTEREST</b>	
<b>3.</b>		<b>MINUTES OF THE LAST MEETING</b> Minutes of the meeting held on 10 April 2018	(Pages 3 - 10)
<b>4.</b>		<b>PUBLIC AND MEMBER QUESTIONS AND PETITIONS</b> These must be received no later than 12 noon on the fourth working day before the date of the meeting i.e. Wednesday 6 June	
		<b>SECTION 2 :THE COUNCIL</b> <i>There are no matters referred to the Cabinet by the Council on this occasion</i>	
		<b>SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE</b> <i>There are no matters referred to the Cabinet by the Overview and Scrutiny Committee on this occasion</i>	
		<b>SECTION 4 : OTHER COMMITTEES</b> <i>There are no matters referred to the Cabinet by other Committees on this occasion</i>	
		<b>SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS</b>	
<b>5.</b>		<b>DATA PROTECTION</b>	(Pages

		Report of the Cabinet Member Corporate Services	11 - 38)
<b>6.</b>		<b>HOUSING OPTIONS - SERVICE RELOCATION</b> Report of the Cabinet Member Housing	(Pages 39 - 58)
		<b>SECTION 6 : BRIEFING SESSION</b> • Leader and Cabinet Members	
<b>7.</b>		<b>BRIEFING FROM CABINET MEMBERS</b>	
		<b>SECTION 7 : DECISIONS OF CABINET MEMBERS</b> Member decisions taken since the last Cabinet meeting	
		<b>SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION</b>	
<b>8.</b>		<b>SECTION 9 : BRIEFING NOTES</b>	

**Contact Officer:** Rosalind Reeves, Democratic Services Manager, 01242 774937  
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### Cabinet

**Tuesday, 10th April, 2018**  
**6.00 - 6.45 pm**

Attendees	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Peter Jeffries (Cabinet Member Housing), Andrew McKinlay (Cabinet Member Development and Safety) and Roger Whyborn (Cabinet Member Corporate Services)

### Minutes

**1. APOLOGIES**

There were none.

**2. DECLARATIONS OF INTEREST**

Councillors McKinlay and Whyborn declared an interest in agenda item 8 as trustees of one of the third sector organisations concerned.

**3. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 6 March 2018 were approved and signed as a correct record.

**4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**

There were no public or member questions or petitions.

**5. IMPLEMENTATION OF ENFORCEMENT POWERS, HOUSING AND PLANNING ACT 2016**

The Cabinet Member Development and Safety introduced the report which set out new enforcement powers contained in the Housing and Planning Act 2016 (Part 2), including the use of civil penalties. The criteria for deciding the levels of such penalties were contained in Appendix 2. He believed that this was good news providing extra flexibility to the Council so it could impose standards on the private rented sector, particular on houses of multiple occupation (HMOs).

**RESOLVED THAT**

- 1. With immediate effect, the ability of the Council to impose fixed penalties, as detailed in the report, and the criteria for determining the level of penalty as contained in Appendix 2 be approved.**
- 2. With immediate effect, the Council's use of powers to impose rent repayment orders, as detailed in this report be approved;**
- 3. The Council's use of banning orders, as detailed in this report be approved, once Chapter 2, Part 2 of the Housing and Planning Act 2016 is in force;**

- 4. The Director of Environment be authorised to take such actions and decisions as are necessary to facilitate the effective implementation and operation of the Council's powers referred to in this report.**

**6. PROPOSED DISPOSAL OF FREEHOLD INTEREST OF 1 HALLAND ROAD**

The Cabinet Member Finance introduced the report and explained that 1 Halland Road was a residential property located on a private cul de sac in Leckhampton, and was held in the Housing Revenue Account.

The house was a large 4 storey semi-detached red brick Edwardian house that had been sub divided into 2 self-contained properties.

The property was let to Liveability which had served its 6 months break notice on the lease. The lease terminated on the 9th April 2018.

Together with Cheltenham Borough Homes the council had looked at the feasibility of retaining the property within the housing stock and this was detailed in the exempt appendix 3.

The recommended option was to dispose of the freehold interest which was supported by the Asset Management Working Group on 26 March.

The Cabinet Member then sought Cabinet agreement to include an additional third recommendation as follows :

**Recommendation 3**

Cabinet requests CBH to allocate the sale proceeds to the provision of additional affordable housing units aimed if possible (and subject to the Council's Housing and Homelessness Strategy) at the under 35 age group.

This was supported by Members.

Members supported the recommendations, recognising the lack of affordable housing in the town with the provision of housing for the under 35s being crucial for the future of Cheltenham.

**RESOLVED THAT**

- 1. The Head of Property & Asset Management (in consultation with the Cabinet Member for Finance) be authorised to market and dispose of the property for best consideration and upon such other terms as are deemed appropriate.**
- 2. The Borough Solicitor be authorised to prepare and conclude the necessary documentation to reflect the terms negotiated.**
- 3. CBH be requested to allocate the sale proceeds to the provision of additional affordable housing units aimed if possible (and subject to the Council's Housing and Homelessness Strategy) at the under 35 age group.**

**7. REPLACEMENT AUDIO VISUAL SYSTEM IN THE COUNCIL CHAMBER**

The Cabinet Member Corporate Services introduced the report and explained that there had been intermittent problems with the sound system in the Council Chamber for some time. A project was set up in September 2017 to consider the options for replacing the system and a Cabinet Member working group had been established to help define the priorities. The project aimed to replace the current audio system in the Council Chamber and add additional options dependent on costing, and business case, as well as to prioritise compliance with the requirement to provide assistive listening. He was confident in the proposed solution which was a result of a thorough tender process in which BP Bastion was successful in terms of both price and quality. The wired system for the Council Chamber would be portable and fit for purpose. The proposal was to also have a wireless system for the Pittville Room. He wished to put on record his thanks to Rosalind Reeves, Democratic Services Manager and Garrie Dowling, Senior Capital Projects Surveyor for their valuable contribution to the process.

A Member asked whether with the new system the council would be fulfilling its duties in facilitating proper access to decision making for the hard of hearing. In response the Cabinet Member confirmed that the new system in the Chamber included assisted listening and there would be a much improved conventional system in the Pittville Room.

Finally, the Leader thanked both the Cabinet Member Corporate Services and the working group for their efforts and highlighted the importance of the council being able to communicate well.

**RESOLVED THAT**

- 1) the essential and desirable items listed in paragraphs 4.1 and 4.2 are purchased by Cheltenham Borough Council within a total cost of £66,000.**
- 2) a sum of £5000 is provisioned for maintenance and support of the system over a 5 year period as follows:**
  - i) £1000 for 2018/19 from the £75K allocated for the capital expenditure**
  - ii) in subsequent years it is proposed to increase the current Municipal Offices maintenance budget by £1000 p.a to cover this either through a transfer from existing budgets or a growth bid.**
- 3) the remaining £8K from the £75 K allocated is retained during 2018/19 for additional unforeseen costs and contingencies that may arise during the implementation, and/or later enhancements to be authorised by the Head of Property Services in consultation with the Cabinet Member Corporate Services.**

**8. RENT SUPPORT GRANTS TO THIRD SECTOR ORGANISATIONS**

Having declared an interest in this item Councillors McKinlay and Whyborn left the room and therefore did not participate in the debate.

The Cabinet Member Finance introduced the report and explained that as part of this council's ambitions to support a thriving voluntary and community sector, the council enabled VCS groups to rent its properties through offering a rent support grant scheme.

A revised rent support grant scheme was adopted in December 2016 by council with four outcomes as set out at paragraph 1.3 of the report. The policy permitted these groups to apply for a rent support grant either at the start of a lease or at the time of a rent review. An annual monitoring process was in place whereby recipients of these rent support grants must submit a monitoring form to explain the activities that have been delivered from the premises; this information would be reviewed by the AMWG.

The Cabinet Member went on to explain that Gloucester and District Citizens Advice Bureau had under the criteria scored a 56% rent support grant. CAB provided an invaluable service to some of the most vulnerable residents in the town and she proposed that the additional discretionary amount of 10% be awarded. She highlighted that the outcomes and outputs that were detailed in their application stood testament to the absolute need to help sustain the CAB service in Cheltenham.

The Cabinet Member then reported that St Margaret's Hall Users Group had under the scoring criteria scored a 72% rent support grant, and she proposed that an additional discretionary amount of 10% be awarded in recognition that activities being provided out of St Margaret's Hall played a critical role in sustaining community life in Hatherley and Warden Hill.

With regards to the remaining two applications from the Hesters Way Neighbourhood Project, the Cabinet Member stated that, subject to Cabinet agreement, these would be deferred until the June Cabinet. She explained that additional information had been received and she wished to discuss with the relevant officer who was on annual leave and the relevant organisation prior to seeking Cabinet approval.

Members welcomed the proposals and expressed their pride in being able to support voluntary organizations to such a level which was unique in Gloucestershire and beneficial to the town. A question was raised as to the effect the Place Strategy would have on how this process was undertaken in the future. In response the Cabinet Member Finance explained that this had been acknowledged and it was important to review the policy to ensure that the criteria and outcomes expected linked to both. She informed that the Asset Management Working Group would have a monitoring role to play in assessing the success of the new policy.

### **RESOLVED THAT**

#### **1. The following rent support grants be agreed :**

- **St Margarets Hall Users Group-St Margarets Hall : A rent support grant of 82 % of the current market rent totalling £11,070**

- **Glos and District CAB-3 St Georges Place : A rent support grant of 66% of current market rent totalling £6,600**

2. **The Strategy and Engagement Manager be authorised to enter into rent support grant agreements with the applicants.**

**9. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Healthy Lifestyles informed Members that work on the Town Hall was continuing and a proposal would come forward to Cabinet and Council in July further to consultation with residents, businesses and other cultural organisations. She wished to put on record her thanks to her councillor colleagues for their attendance at the recent pre-Council seminar by a group of young people and said she hoped to extend that involvement. She reported that the Culture Board were due to meet shortly. Work had commenced at Leisure@ and was expected to complete by the start of the school summer holidays. A full briefing on weekly cash spend on the project was received each week and she thanked the Director Resources and Corporate Projects for facilitating this.

The Cabinet Member Development and Safety reported on the recent call-in by Overview and Scrutiny of the taxi and private hire policy. It had met and considered the issues on 28 March and had unanimously approved the decision made by Cabinet in March. The new policy was therefore now live.

The Cabinet Member Housing informed Members that the draft housing and homelessness strategy which was now out for consultation and would be brought to Cabinet for approval in July. He thanked officers for their time in producing the draft and invited all Members to submit their comments.

The Cabinet Member Corporate Services reported that a new telephone exchange system would be introduced on 12/13 May in addition to new telephones, a percentage of which would be video phones. The new system would provide more resilience in terms of being expandable to meet demand and should the telephone exchange fail calls would be picked up by the Forest of Dean.

The Cabinet Member Clean and Green Environment referred to the Cemetery and Crematorium project which was on time and on budget. He wished to put on record his thanks to the Members on the Cabinet Member Working Group, 2 of whom would be retiring at the election. He hoped the cross party working group would continue following the election as there would be a further nine months of the project remaining.

The Leader announced that the Local Government Pay Settlement had now concluded and had been accepted on the basis of the Employers' offer of 2 %.

Finally, as it was the last Cabinet before the elections the Leader thanked the Chief Executive and officers for the support provided to Cabinet and also thanked Cabinet colleagues for their contributions to the town.

**10. CABINET MEMBER DECISIONS SINCE THE LAST MEETING OF CABINET**

Cabinet	Decision	Link
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Member		
Cabinet Member Housing	Grant funding to Gloucestershire Nightstop	<a href="https://democracy.cheltenham.gov.uk/ieDecisionsDetails.aspx?ID=1080">https://democracy.cheltenham.gov.uk/ieDecisionsDetails.aspx?ID=1080</a>
Leader	Appointment to the role of Commercial Director GAL (the candidate had subsequently not taken up the role therefore the appointment process is still in progress)	<a href="https://democracy.cheltenham.gov.uk/ieDecisionsDetails.aspx?ID=1084">https://democracy.cheltenham.gov.uk/ieDecisionsDetails.aspx?ID=1084</a>
Leader	To authorise a property transaction	(Exempt decision)
Cabinet Member Development and Safety	To award a contract for the supply, installation and maintenance of a new parking and revenue control system at Regent Arcade to Scheidt and Bachmann UK Ltd	<a href="https://democracy.cheltenham.gov.uk/ieDecisionsDetails.aspx?ID=1086">https://democracy.cheltenham.gov.uk/ieDecisionsDetails.aspx?ID=1086</a>

**11. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS  
RESOLVED THAT**

In accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 1 and 3, Part (1) Schedule (12A) Local Government Act 1972, namely :

Paragraph 1 : Information relating to any individual

Paragraph 3 : Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**12. A PROPERTY MATTER**

The Cabinet Member Finance introduced the exempt report to Members. Members considered the recommendations and it was

**RESOLVED THAT**

**The recommendations be approved.**

**13. A PROPERTY ACQUISITION**

The Cabinet Member Finance introduced the exempt report and explained that the acquisition would build on the council's investment portfolio in order to support the Medium Term Financial strategy and the economy of the town.



**RESOLVED THAT**

**The recommendations be approved.**

**14. A FINANCIAL MATTER**

The Cabinet Member Finance introduced the exempt report which had been circulated with the agenda. Members considered the issue and

**RESOLVED THAT**

**The recommendations be approved.**

**Chairman**

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## Cheltenham Borough Council Cabinet – 12 June 2018 Data Protection

<b>Accountable member</b>	<b>Councillor Alex Hegenbarth, Cabinet Lead Corporate Services</b>
<b>Accountable officer</b>	<b>Director of Resources and Corporate Projects, Mark Sheldon</b>
<b>Ward(s) affected</b>	<b>None Directly</b>
<b>Key/Significant Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>From 25 May 2018, the existing Data Protection Act 1998 will be replaced by new legislation in the form of the EU General Data Protection Regulation (GDPR), a new Data Protection Act and related legislation. This report sets out the main features of the legislation and its likely impact, and details the current approach to ensuring compliance.</p> <p>The Council currently has a Data Protection Policy which has been rewritten to reflect the new legislation.</p> <p>This new Data protection Policy (appendix 2) applies to all users who handle information and personal data held by Cheltenham Borough Council, including personal data of our service users.</p> <p>This Policy applies to all employees, Members and processors of personal data held by the Council. The policy does not apply to Members handling their own data or data as part of their political work.</p> <p>Audit Committee considered this policy on the 18 April 2018 and resolved to recommend to Cabinet that;</p>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li><b>1. Cabinet approve the new Data Protection Policy;</b></li> <li><b>2. Cabinet delegate authority to the Director of Resources and Corporate Projects to vary the existing s101 Share Service arrangement between the Council, Gloucester City Council and One Legal (Tewkesbury Borough Council) to;</b> <ul style="list-style-type: none"> <li>- <b>Include undertaking the statutory function of the Data Protection Officer (DPO) under the Data Protection legislation and;</b></li> <li>- <b>Designate the council's Borough Solicitor as the DPO for the Council.</b></li> </ul> </li> </ol>

<b>Financial implications</b>	<p>Members approved new funding of £17,000 for this council's share of the cost of a new Data Protection Officer, to be provided by One Legal, as part of the Council 2018/19 budget setting meeting on 19<sup>th</sup> February 2018, as detailed in section 3 of this report. Gloucester City Council and Tewkesbury District Council also have provision for their share of this new cost within their Council budget.</p> <p><b>Contact officer: Sarah Didcot</b></p> <p><b>Tel; 01242 264125</b></p> <p><b>Email; Sarah Didcot @cheltenham.gov.uk,</b></p>
<b>Legal implications</b>	<p>The Data Protection Policy has been updated to reflect the new Data Protection legislation due to come into effect on 25<sup>th</sup> May 2018.</p> <p>The Data Protection Officer is a statutory role whose responsibilities are set out in the proposed legislation. The proposal is to extend the current s101 shared service arrangement with One Legal to undertake the function.</p> <p><b>Contact Officer Shirin Wotherspoon, One Legal</b></p> <p><b>Email; <a href="mailto:Shirin.wotherspoon@teWKesbury.gov.uk">Shirin.wotherspoon@teWKesbury.gov.uk</a></b></p> <p><b>Tel; 01684 295010</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>As stated the existing Data Protection Act 1998 will be replaced by new legislation in the form of the EU General Data Protection Regulation (GDPR), and a new Data Protection Act. The Council is aware of its duty to ensure that the roles, responsibilities and knowledge of the new legislation are cascaded to all employees. Training has been provided by colleagues from Publica and One Legal.</p> <p><b>Contact officer: Julie McCarthy, HR Manager, Publica Group Ltd.</b></p> <p><b>Tel; 01242 264355</b></p> <p><b>Email; julie.mccarthy@cheltenham.gov.uk,</b></p>
<b>Key risks</b>	<p><b>If the Council fails to have a robust Data protection process in place or to provide the necessary resources then it will fail to comply with legation which could lead to a data breech, substantial fines and reputational damage.</b></p>
<b>Corporate and community plan Implications</b>	None
<b>Environmental and climate change implications</b>	None

## 1. Background

- 1.1 Cheltenham Borough Council (CBC) has an obligation to comply with the six Data Protection principles when processing personal data. These principles require that personal data:
- Shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.
  - Shall be collected only for specified, explicit and legitimate purposes. It must not be further processed in any manner incompatible with those purposes.
  - Shall be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
  - Shall be accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that data which is inaccurate, having regard to the purposes for which it is processed, is erased or rectified without delay.
  - Shall not be kept in a form which permits identification of data subjects for longer than is necessary for the purposes for which the data is processed. Personal data may be stored for longer periods provided it is processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes. This is subject to the implementation of appropriate data security measures designed to safeguard the rights and freedoms of data subjects.
  - Shall be processed in a manner that ensures its appropriate security. This includes protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.
- 1.2 CBC will ensure that it is able to demonstrate compliance with all of the above six principles by:
- Following best practice in all personal data processing;
  - adhering to the relevant processing conditions for the fair and lawful processing of personal data and special categories of personal data (set out on page 4);
  - telling people why we are processing their personal data and who we will share their personal data with, through our clear and effective privacy notices;
  - ensuring that if relying on consent from the data subject, it is freely given, specific, informed and unambiguous;
  - implementing "privacy by default" measures to ensure that, by default, we only process the personal data necessary for each specific business purpose.

## 2. The need for a new Data Protection Policy

- 2.1 From 25 May 2018, the existing Data Protection Act 1998 will be replaced by new legislation in the form of the EU General Data Protection Regulation (GDPR), and a new Data Protection Act. This report sets out the main features of the legislation and its likely impact, and details the current approach to ensuring compliance.

- 2.2** The Council currently has a Data Protection Policy which has been rewritten to reflect the new legislation.
- 2.3** This new Data Protection Policy (appendix 2) applies to all users who handle information and personal data held by Cheltenham Borough Council, including personal data of our service users.
- 2.4** This Policy applies to all employees, Members and processors of personal data held by the Council.
- 2.5** CBC therefore needs a policy (see recommendation 1) to provide guidance to ensure that the Council is compliant with the legislation and that all of its Data is collected, managed, shared stored and deleted correctly to prevent breaches of the legislation. This policy covers the following key areas:
- Policy Objectives
  - Introduction to Data Protection Legislation
  - Accountability and Demonstrating Compliance
  - Organisational Security
  - Handling Personal Data
  - Sharing Personal Data and Processing of Personal Data by Third Parties
  - Specific Uses
  - Monitoring and Review
- 2.6** The legislation and best practice describes a number of Key roles and responsibilities these are described in the policy.
- SENIOR INFORMATION RISK OWNER (SIRO) - to ensure information assets and risks with the Council are managed as a business, actively work with the DPO and other experts within or outside the Council to determine the most effective and proportionate information control measure. The SIRO is responsible for building an informed culture within the Council to promote the best practice for the use and protection of Information assets.
  - SINGLE POINT OF CONTACT FOR CONTROLLER (SPoC) - to act as single point of contact for customers, staff and the Data Protection Officer in relation to Personal Data. Support the SIRO in ensuring the Council can demonstrate compliance with current Data Protection Legislation.
  - DATA PROTECTION OFFICER (DPO) - to undertake the statutory role by monitoring compliance and by providing advice and assistance to the SIRO. The DPO may report directly to the Council's Executive Board and shall provide training on policies relating to data protection.
  - INFORMATION ASSET OWNERS - Service managers have been nominated as Information Asset Owners for the information held within their service areas and are responsible for ensuring that their services area can demonstrate compliance with current Data Protection Legislation.
  - STAFF - all staff are responsible for ensuring that the Personal Data they handle is processed in accordance with this Policy and current Data Protection

Legislation.

- MEMBERS - all members are responsible for ensuring that the Personal Data they handle is processed in accordance with this Policy and current Data Protection Legislation.

**2.7** A summary of the key roles of the Data Controller, the Data Protection Officer and the Information Commissionerr is set out in appendix 3.

## **3. Appointment of Data Protection Officer**

**3.1** The new legislation also states that the council is required under s67 of the Data Protection Bill and the General Data Protection Regulations 2016 (the Data Protection legislation) to designate a data protection officer (DPO). The Bill provides that the data controller (the council), when designating a DPO must have regard to the professional qualities of the proposed officer, in particular, ‘..expert knowledge of data protection law and practice’ and , ‘ the ability of the proposed officer to perform the tasks mentioned in s69’.

**3.2** S69 of the Bill sets out the tasks of the DPO as follows:

- Informing and advising the controller, any processor and employee of their obligations under legislation
- Advising on data protection impact assessments and monitoring compliance
- Co-operating with the ICO
- Acting as the contact point for the ICO on processing issues
- Monitoring compliance with policies
- Monitoring compliance generally.

**3.3** The Bill permits the same DPO to be designated by several controllers.

**3.4** On 1st April 2015 the council, Tewkesbury Borough Council and Gloucester City Council entered into a shared service arrangement under s101 of the Local Government Act 1972 and Part 1A Chapter 2 Section 9EB of the Local Government Act 2000 (and related legislation) (the ‘s101 Shared Service arrangement’). The functions delegated to One Legal (Tewkesbury Borough Council as host authority) already include advice on Data Protection matters and so undertaking the statutory functions of the DPO and designating the Borough Solicitor as the council’s DPO would be effected by a simple Deed of Variation to the s101 Shared Service agreement.

**3.5** It is proposed, therefore, to delegate authority to the Director of Resources and Corporate Projects to vary the existing s101 Shared Service arrangement with One Legal to:

- include undertaking the statutory function of the DPO under the Data Protection legislation and
- designate the council’s Borough Solicitor as the DPO for the council.

**3.6** Gloucester City Council and Tewkesbury Borough Council have also agreed to the appointment of One Legal to undertake the DPO role. See recommendation 2

## **4. Alternative options considered**

None

## 5. Consultation and feedback

5.1 As detailed in the report

## 6. Performance management –monitoring and review

6.1 Each service area will continue to have a designated champion for GDPR who will report back to the GDPR project on progress in implementing any outstanding actions and mitigating any risks.

<b>Report author</b>	<b>Contact officer: Bryan Parsons Corporate Governance Risk and Compliance officer</b>  <b>Email <a href="mailto:bryan.parsons@cheltenham.gov.uk">bryan.parsons@cheltenham.gov.uk</a>,</b> <b>Tel;01242 264189</b>
<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. Risk Assessment</li> <li>2. Data Protection Policy</li> <li>3. Data protection Roles and responsibilities</li> </ol>
<b>Background information</b>	None



The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Council fails to agree a comprehensive Data Protection Policy and train its Data users and processors on the requirements of the law then there could be an increased risk of a data breach and substantial fines	Director of Resources and Corporate Projects - (SIRO)	16 April 2018	4	3	12	reduce	Draft and agree a Data Protection Policy that will guide data users and processors	May 2018	Director of Resources and Corporate Projects - (SIRO)	
	If CBC as a Data Controller fails to take effective action to comply with the GDPR or to act on the recommendations set out in ICO Codes then it could suffer substantial financial and reputational damage.	Director of Resources and Corporate Projects - (SIRO)	20/06/2017	5	2	10	Reduce	Initiate and deliver a project based on a project Plan with clear objectives, sufficient resources and clear roles and responsibilities.	May 2018	Project manager	
	If the human and / or financial resources required to	Director of Resources and Corporate	20/06/2017	3	3	9	Reduce	"Review initial assessment of resource requirements as part	May 2018	SIRO	

	deliver the project are not identified adequately and put in place there may be a failure to deliver GDPR compliance.	Projects - (SIRO)						of service compliance planning.			
	If CBC fails to embed ongoing training and compliance to Data Protection legislation within its systems it is more likely to be open to breaches of the legislation leading to possible fines and/or reputational damage	Director of Resources and Corporate Projects (SIRO)	20/06/2017	5	2	10	Reduce	"Successful delivery of the project.	On-going	SIRO	
	If the organisation is not prepared for the GDPR which comes into effect in May 2018, then this may lead to breach of the regulations and consequently fines which may impact on the organisation's financial resources and r reputation.	Director of Resources and Corporate Projects (SIRO)	16/11/2017	5	2	10	Reduce	Successful delivery of the project.	May 2018	SIRO	

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# Data Protection Policy



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# Data Protection Policy

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# Data Protection Policy

## SECTION ONE – POLICY OBJECTIVES

### 1.1 Policy Objectives

- To comply with all relevant legislation and good practice to protect the Personal Data held by the Council
- To monitor, demonstrate and review compliance with legislation and introduce changes where necessary
- To ensure that Personal Data is processed fairly and lawfully.
- To respect the confidentiality of all Personal Data
- To provide staff with appropriate procedures and training to handle Personal Data.
- To assist members of the public in exercising their rights over their Personal Data held by the Council
- To co-operate with the Information Commissioner and the external auditor as required

### 1.2 Staff and Member responsibility

It is the duty of individual staff and Members to ensure that Personal Data held by the Council is handled in accordance with current Data Protection Legislation and this Policy. Action may be taken against any employee or Member who fails to comply or commits any breach of the Data Protection Legislation and/or this Policy.

## SECTION 2 – INTRODUCTION TO DATA PROTECTION LEGISLATION

- 2.1 Data Protection Legislation was introduced to balance the rights of individuals to protect their Personal Data and an organisation's right to use their Personal Data. Data Protection Legislation covers both electronic information and manual files the Council holds.
- 2.2 This Policy is applicable to all Data Protection Legislation relating to the use of Personal Data.
- 2.3 The Council processes and keeps Personal Data about Data Subjects to enable it to conduct Council business, provide services and employ staff.



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# Data Protection Policy

## The Data Protection Principles

2.4 The Council will:

- process Personal Data lawfully, fairly and transparently (the first data protection principle)
- only obtain Personal Data for specified, explicit and legitimate purposes (the second data protection principle)
- only collect Personal Data that is adequate, relevant and not excessive (the third data protection principle)
- ensure that Personal Data is accurate and kept up to date (the fourth data protection principle)
- ensure that Personal Data is not being kept for longer than is necessary (the fifth data protection principle)
- ensure that Personal Data is processed in a secure manner (the sixth data protection principle).

## SECTION THREE – ACCOUNTABILITY AND DEMONSTRATING COMPLIANCE

3.1 The Council is accountable for and must be able to demonstrate compliance with the Data Protection Legislation.

### Roles and Responsibilities

3.2 The Council allocates the following roles and responsibilities:

SENIOR INFORMATION RISK OWNER (SIRO) – to ensure information assets and risks with the Council are managed as a business, actively work with the DPO and other experts within or outside the Council to determine the most effective and proportionate information control measure. The SIRO is responsible for building an informed culture within the Council to promote the best practice for the use and protection of Information assets. The SIRO is responsible for implementing current Data Protection Legislation on behalf of the Council (the Data Controller).



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## Data Protection Policy

**SINGLE POINT OF CONTACT FOR CONTROLLER (SPoC)** – to act as single point of contact for customers, staff and the Data Protection Officer in relation to Personal Data. Support the SIRO in ensuring the Council can demonstrate compliance with current Data Protection Legislation.

**DATA PROTECTION OFFICER (DPO)** – to undertake the statutory role by monitoring compliance and by providing advice and assistance to the SIRO. The DPO may report directly to the Council's Executive Board and shall provide training on policies relating to data protection.

**INFORMATION ASSET OWNERS** – Service managers have been nominated as Information Asset Owners for the information held within their service areas and are responsible for ensuring that their services area can demonstrate compliance with current Data Protection Legislation.

**STAFF** – all staff are responsible for ensuring that the Personal Data they handle is processed in accordance with this Policy and current Data Protection Legislation.

**MEMBERS** - all members are responsible for ensuring that the Personal Data they handle is processed in accordance with this Policy and current Data Protection Legislation.

### Demonstrating Compliance

- 3.3 The Council must be able to demonstrate to its customer, supplier, staff, members and the Information Commissioner that it is compliant with current Data Protection Legislation.
- 3.4 Examples of how the Council will do this:
- holding a list of processing and keep it up to date (kept by the SIRO)
  - minimising the Personal Data collected (Information Asset Owners)
  - having and complying with its retention schedules (Information Asset Owners)
  - being open and transparent and tell people what we are doing with their data (SIRO)
  - checking any Processors are Data Protection Legislation compliant and have written processing agreements (Information Asset Owners) having written data sharing agreements in place (Information Asset Owners)
  - carrying out privacy by design and privacy impact assessments where necessary (Information Asset Owners)



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# Data Protection Policy

- ensuring it has appropriate technical and organisational security (SIRO)
- regularly review and update its policies and procedures (SIRO)

3.5 The Council will pay the fee due to the Information Commissioner on an annual basis. (SIRO)

## SECTION 4 – ORGANISATIONAL SECURITY

### Security

4.1 The Council will implement appropriate technical and organisational measures to ensure a level of security appropriate to the risks arising from the processing of Personal Data.

4.2 Security shall be applied to all stages of processing to prevent unauthorised access, disclosure (internal or external), loss, damage (accidental or deliberate), or unauthorised alteration.

4.3 Examples of security measures are:

- Personal Data must not be left on display or unsecured when unattended
- System entry passwords shall be kept secure and be changed regularly and not shared
- All emails and documents must be classified in accordance with the Government's Document Classification scheme. [Government Security Classifications- Guidance](#)

4.4 The SIRO will undertake a regular review of security measures and an audit shall be made of the way Personal Data is managed. This will include an assessment of the methods of handling Personal Data and processing carried out by a third party on behalf of the Council or jointly with other local authorities shall be subject to a written contract, which stipulates compliance with the data protection principles.

### Privacy by design

4.5 Privacy by design means that privacy and data protection is a key consideration in the early stages of any project and throughout its lifecycle.

4.6 Where the Council changes the way it processes Personal Data or purchases a new or upgrades an IT system that processes large amounts of Personal Data, the Council will carry out a Privacy Impact Assessment in accordance with the current Data Protection Legislation and Information Commissioner guidance and ensure that privacy by design is built in the processing.



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- 4.7 Examples of when privacy by design should be considered:
- building, developing or purchasing a new IT systems for storing or accessing Personal Data;
  - developing policy, procedures or strategies that have privacy implications;
  - embarking on a data sharing initiative; or
  - using Personal Data for new purposes.
- 4.8 The Privacy Impact Assessment form is available [here](#).
- 4.9 Copies of the Privacy Impact Assessments carried out will be held by the SIRO and available for inspection by the Data Protection Officer.

### Storing Personal Data

- 4.10 The fifth data protection principle requires that Personal Data should not be kept longer than necessary for the purpose for which it is processed. It is the responsibility of the Information Asset Owner to ensure that Personal Data is used and stored properly to prevent any unauthorised access and ensure that a retention schedule is in place for the Personal Data used within their service area and ensure staff comply with that retention schedule.
- 4.11 Personal Data should:
- be stored in locked desks or filing cabinets
  - be securely protected on computers using industry standards authentication methodologies and limited access
  - not be visible on screens by unauthorised persons (including other members of staff)
  - not be taken out of the Council offices or stored externally unless such use or storage is necessary and authorised by a line manager or Information Asset Owner.
  - only be kept for as long as is necessary and disposed of securely when it is no longer needed. It should be reviewed regularly and deleted promptly when no longer needed
- 4.12 Special Categories of Data should be kept secure and subject to very limited access.
- 4.13 Duplicate records should be kept to a minimum to reduce the risk of unauthorised access or loss and to avoid anomalies in Personal Data being kept longer than is necessary.
- 4.14 Portable storage devices such as handheld devices, mobile phones and laptops must be encrypted; they should not be left unattended and should be locked away when not in use.



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## Protective Marking

- 4.15 The protective marking scheme supplied by the Government Protective Marking Scheme (GPMS) provides a framework for users to share and protect information.

[This is detailed in the Council's Information Security Policy.](#)

## SECTION 5 – HANDLING PERSONAL DATA

### Collecting Personal Data/information

- 5.1 The Council will only collect Personal Data that is necessary to carry out the purpose for which it was collected. Staff will not collect Personal Data on the grounds that it might come in useful. Extra care will be taken when collecting or using Special Categories of Data and will only be collected where absolutely necessary.
- 5.2 When collecting Personal Data the Information Asset Owner will ensure that the person is told what will be done with their Personal Data at the time it is collected. This must be conveyed in a concise, transparent, intelligible, easily accessible way, and use clear and plain language.
- 5.3 The Council will provide individuals with all the following privacy information:
- The contact details of the Council
  - The contact details of the Council's SpoC.
  - The contact details of the Council's Data Protection Officer
  - The purposes of the processing
  - The lawful basis for the processing
  - The legitimate interests for the processing (if applicable).
  - The categories of Data Subjects and Personal Data obtained
  - The recipients or categories of recipients of the Personal Data
  - Details of the use of profiling
  - The categories of transfers of the Personal Data to any third countries or international organisations (if applicable)
  - Where possible, a general description of the Council's technical and organisational security measures
  - The retention periods for the Personal Data.
  - The rights available to individuals in respect of the processing.



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- The right to withdraw consent (if applicable).
- The right to lodge a complaint with the ICO.
- The source of the Personal Data (if the Personal Data is not obtained from the individual it relates to)
- The details of whether individuals are under a statutory or contractual obligation to provide the Personal Data (if applicable, and if the Personal Data is collected from the individual it relates to).
- The details of the existence of automated decision-making, including profiling (if applicable).

5.4 All staff will inform their line manager or Information Asset Owner if Personal Data is collected or used in a new or different way so that this can be added to the list of processing held by the SIRO.

### Using Personal Data

5.5 When processing Personal Data, the first data protection principle requires that it must be done lawfully and in a fair and transparent manner. Personal Data is considered to be lawfully processed if one of the following conditions apply:

- The Data Subject has given their consent to the processing
- The processing is necessary for:
  - the performance of a contract to which the Data Subject is a party
  - the compliance with any legal obligation of the Council as a Data Controller
  - the protection the vital interests of the Data Subject. This means a life or death situation
  - the exercise of a function conferred on the Council by law
  - for the exercise of any other function of a public nature exercised in the public interest by the Council
  - for the purposes of legitimate interests of the Council subject to the legitimate rights and freedoms of the Data Subject. Please note, the condition cannot apply to processing carried out by the Council in the performance of its tasks

5.6 When processing Special Categories of Data a further processing condition set out in the Data Protection Legislation is required.

5.7 The second data protection principle requires that Personal Data should only be used for the purpose(s) for which it is collected and not for any incompatible purpose. If it is to be used for any other purpose then the individual concerned must be informed and there must be a legal basis for processing the Personal Data for the other purpose.



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### Disclosing Personal Data

- 5.8 Before disclosing Personal Data staff must ensure that they are speaking to the Data Subject or that they have the Subject's consent to release it to a third party acting on their behalf. If the person is present with the third party and staff are satisfied that it is the correct person and they provide verbal consent, a record of the circumstances of the situation shall be kept at the time of releasing the information. In any other circumstance written consent of the Data Subject is required.
- 5.9 In some cases staff may be asked to provide information by law. It is the responsibility of staff to ensure that there is a sound basis for releasing that Personal Data. Personal Data must not be disclosed until staff are satisfied it is lawful to do so. The Data Protection Legislation may give the person the right to ask for the information but staff may not be under a legal obligation to release that information. Do not disclose any Personal Data until you are satisfied it is lawful to do so.
- 5.10 Disclosure may be necessary to protect the vital interests of the Data Subject for example to prevent serious harm, or in a life or death situation. Do not disclose any Personal Data until satisfied it is lawful to do so.
- 5.11 Obtain legal advice if you are unsure.

### Disclosing Personal Data to Members

- 5.12 Before releasing information to elected Members, staff need to ascertain for what purpose the Member is requesting the information. Elected Members have up to 3 roles:

#### 1. Acting as a Member

Members have the same rights of access to Personal Data as staff when acting in this role. Staff should ensure that Members need the Personal Data to carry out their official duties and when releasing the information should specify the purpose(s) for which the Personal Data may be used or disclosed.

#### 2. Acting on behalf of local residents

Staff do not, generally, need to obtain the individuals consent to disclose their Personal Data to a Member if:

- The Member represents the ward in which the individual lives; and
- The Member makes it clear that they are representing the individual when requesting the Personal Data; and



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The information is necessary to respond to the individual's complaint or requests

Otherwise, Members must obtain consent from the Data Subject before any Personal Data is released.

### 3. Acting for political purposes

Personal Data should not be released for political purposes without the individual's consent. Exceptions to this:

Personal Data which the Council is required by law to make public for that purpose.

Personal Data presented in a form which does not identify any living individuals, for example statistical information or Council tax band information and any other information that cannot be linked to the individual concerned, for example by comparing data to the electoral register.

### Disposal of Personal Data

5.13 Personal Data must be disposed of securely.

5.14 **Paper records** must be shredded. If an outside company is used they must be Data Protection compliant and a certificate of shredding must be obtained when the information is shredded.

5.15 **Electronic records** must be removed permanently. Just because it is not visible on the screen does not mean it is not still recoverable. Contact ICT for advice.

5.16 Information Asset Owners are responsible for ensuring staff follow their retention schedule when disposing of Personal Data.

### Dealing with Data Subject Requests

5.17 Individuals (Data Subjects) have rights over their Personal Data held by the Council on computer and paper records.

5.18 Data Subjects are entitled

- To know what information is being processed and why
- To have information about them erased (be forgotten)
- To object to direct marketing and automated decisions
- To be told about automated profiling
- To obtain information about decision making
- To data portability – consent or contract



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- To have information about them rectified – if inaccurate
- To the right to restrict or object to processing – inaccurate/unlawful
- To the right to withdraw consent

5.18 The Council shall respond to Data Subject request as soon as possible and at the latest within one month.

5.19 In certain circumstance the Council may charge a reasonable fee or refuse a Data Subject Request where it is manifestly unfounded, excessive or repetitive.

5.20 Data Subject request forms are available on the Council's [website](#).

## Data Protection breaches

5.21 Any **breach of security** leading to or which is likely to lead to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise processed must be reported to your line manager or the Information Asset Owner immediately and the process for breach reporting in the Information Security Policy followed.

5.22 The Information Security Form will be completed by the Information Asset Owner and sent to SIRO. The SIRO in consultation with the Data Protection Officer shall report breaches to the Information Commissioner within 72 hours in accordance with current Data Protection Legislation and any guidance issued by the Information Commissioner or Article 29 Working Party.

5.23 Copies of Incident Breach report forms will be held centrally by the SIRO.

## SECTION SIX – SHARING PERSONAL DATA AND PROCESSING OF PERSONAL DATA BY THIRD PARTIES

6.1 To share Personal Data and/or Special Categories of Data for another purpose it must be done lawfully.

### Internal one off requests for Personal Data

6.2 Staff requesting Personal Data must do so in writing and demonstrate that the Personal Data is necessary and that the sharing is lawful. Staff receiving requests must be satisfied that the sharing is lawful before any Personal Data can be released. A record of the Personal Data released, together with the legal basis for sharing, shall be kept by the Information Asset Owner to demonstrate compliance with the Data Protection Legislation.

### Regular or bulk transfers of Personal Data and Special Categories of Data

6.3 In many instances the Council shares data with other internal departments and external organisations on a regular basis. For instance, the Council shares Personal data with third party services providers, the Police or other councils as part of a joint initiative such as Domestic Violence and Homelessness.



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- 6.4 Although there may be a statutory requirement placed on the Council to transfer data, the Council is the Controller and is responsible for demonstrating compliance with Data Protection Legislation. It is the responsibility of the Information Asset Owners to ensure that appropriate data processing and/ or sharing agreements are in place.
- 6.5 The Council recommends all staff read the Information Commissioners Office advice and guidance to ensure they comply with legislation.
- 6.6 [Data sharing - code of practice and checklist.](#)

[Click here for the Council's template data sharing agreement and data processing agreement.](#)

If you require assistance please contact One Legal email: [legalservices@tewkesbury.gov.uk](mailto:legalservices@tewkesbury.gov.uk)

[For more detail regarding information security, see the Council's Information Security Policy.](#)

- 6.7 Information Asset Owners will be responsible for ensuring copies of the data sharing/processing agreement are sent to the SIRO and are regularly reviewed and kept up to date.

Copies of Data Sharing and Processing agreements will be held by the SIRO.

## SECTION SEVEN – SPECIFIC USES

### Processing of Criminal Convictions

- 7.1 Processing of Personal Data relating to criminal convictions and offences or related security measures based on Article 6(1) shall be carried out only under the control of official authority or when the processing is authorised by UK law providing for appropriate safeguards for the rights and freedoms of data subjects.

### Law enforcement processing

#### CCTV systems and Data

- 7.2 The Council [CCTV policy](#) states that any system operator (Service Manager) who has the responsibility for a CCTV scheme must have a scheme specific Code of Practice in place before it becomes operational or within 6 months of the approval of this Policy.
- 7.3 This Code of Practice will provide the guidance for complying with the requirements of the Data Protection Legislation in respect of the use and operation of these systems.



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- 7.4 The current [CCTV codes of practice](#) are available on the Councils website.

### **Direct Marketing**

- 7.5 The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR) deals with direct marketing.
- 7.6 Electronic communications mean any information sent between particular parties over a phone line or internet connection. This includes phone calls, faxes, text messages, video messages, emails and internet messaging. It does not include generally available information such as the content of web pages or broadcast programming.
- 7.7 Direct Marketing means the communication (by whatever means) of any advertising or marketing material which is directed to particular individuals.
- 7.8 Genuine market research does not count as direct marketing. However, if a survey includes any promotional material or collects details to use in future marketing campaigns, the survey is for direct marketing purposes and the rules apply.
- 7.9 PECR cover marketing by phone, fax, email, text or any other type of [‘electronic mail’](#).
- 7.10 There are different rules for live calls, automated calls, faxes, and electronic mail (this includes emails or texts).
- 7.11 PECR marketing provisions do not apply to other types of marketing, such as mailshots or online advertising. However, staff must always still comply with the Data Protection Legislation and if online advertising is proposed uses cookies or similar technologies, the provisions about [cookies](#) under PECR may apply.
- 7.12 Most of the rules in PECR only apply to unsolicited marketing messages. They do not restrict solicited marketing. - a solicited message is one that is actively requested. An unsolicited message is any message that has not been specifically requested. So even if the customer has consented to receiving marketing from the Council, it still counts as unsolicited marketing.
- 7.13 This does not make all unsolicited marketing unlawful. The Council can still send unsolicited marketing messages – as long as it is in compliance with PECR.



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- 7.14 For most Direct Marketing consent will be required. Consent must be knowingly and freely given, clear and specific. A clear records of what a person has consented to, and when and how consent was obtained must be retained. This will enable the Council to demonstrate compliance in the event of a complaint.
- 7.15 If the Council employs someone else to actually make the calls or send the messages, the Council is still responsible, as the Council is 'instigating' those calls or messages.
- 7.16 The rules on Direct Marketing to Individuals are stricter than those to businesses. <https://ico.org.uk/media/for-organisations/documents/1551/direct-marketing-checklist.pdf>
- 7.17 Any Direct Marketing made or sent by electronic means must be made or sent in accordance with PECR. Staff must check with the fax and or telephone preference service before making any Direct Marketing calls and not make calls to those numbers on the preference service.

### **Data Sharing for public service delivery, debt recovery and fraud investigations**

- 7.18 Information Asset Owners will be responsible for ensuring copies of the data sharing/processing agreement are sent to the SIRO and are regularly reviewed and kept up to date.

Copies of Data Sharing and Processing agreements will be held by the SIRO.

### **SECTION EIGHT – MONITORING AND REVIEW**

- 8.1 The Data Protection Officer will monitor this Policy on an annual basis.
- 8.2 The SIRO will review this Policy on a regular basis taking into account the advice of the Data Protection Officer.



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# Data Protection Policy

## DEFINITIONS

Controller	The person(s) who determines how and the manner in which Personal Data are or are to be processed (the Council).
Processor	The person who processes the data on behalf of the data controller.
Data Subject	The person who the Personal Data is about.
Personal Data	Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.
Special Categories of Data	Information relating to the racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation
Processing data	Includes collecting, recording, use, organising, structuring, storing, adaptation or alteration, retrieval, consultation, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction
Data Protection Legislation	(i) The General Data Protection Regulation (Regulation EU 2016/679), the Law Enforcement Directive (Directive EU 2016/680) The Privacy and Electronic Communications (EC Directive) Regulations 2003, Digital Economy Act 2017 and any applicable national implementing Laws as amended from time to time, (ii) The Data Protection Act 2018 subject to Royal Assent to the extent that it relates to Processing of Personal Data and privacy, (iii) all applicable Laws relating to Personal Data and privacy



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CHELTENHAM BOROUGH COUNCIL		
DATA CONTROLLER	DATA PROTECTION OFFICER	INFORMATION COMMISSIONER
<p><b>In Summary:</b></p> <ul style="list-style-type: none"> <li>Duty to comply with Data Protection legislation</li> </ul> <p><b>Key Obligations:</b></p> <ul style="list-style-type: none"> <li>Implement appropriate technical and organisational measures to ensure and demonstrate compliance e.g. data protection policies, safeguarding measures, retention and destruction policies and security measures</li> <li>Have contractual arrangements with data processors</li> <li>Maintain records of all categories of processing activities</li> <li>Co-operate with the ICO</li> <li>Carry out Impact Assessments</li> <li>Notify the ICO of breaches</li> <li>Notify the data subject if the breach is high risk to the rights and freedoms of the individual</li> </ul>	<p><b>In Summary:</b></p> <ul style="list-style-type: none"> <li>To monitor compliance by the Data Controller of Data Protection legislation</li> </ul> <p><b>Key Obligations:</b></p> <ul style="list-style-type: none"> <li>Inform and advise the Data Controller, specifically monitor compliance with the data protection policies (assign responsibilities, raise awareness, train and audit) and monitor compliance with the Data Protection legislation generally</li> <li>Draft contractual arrangements with data processors</li> <li>Co-operate with the ICO</li> <li>Advise on the carrying out Impact Assessments</li> <li>Contact point for the ICO on issues relating to processing</li> <li>Data subject may contact the DPO on issues relating to processing of their data or their rights</li> </ul>	<p><b>In Summary:</b></p> <ul style="list-style-type: none"> <li>To enforce compliance by the Data Controller of Data Protection legislation</li> </ul> <p><b>Key Obligations:</b></p> <ul style="list-style-type: none"> <li>Require the Data Controller to provide information to ensure compliance</li> <li>May carry out audits</li> <li>Has the right to access Data Controller premises</li> <li>May issue corrective measures ( e.g. warnings, reprimands, compliance orders), enforcement notices, fines</li> </ul>
Accountable Officer is Mark Sheldon as SIRO	DPO is Sara Freckleton	Information Commissioner
<p><b>Supported by:</b></p> <ul style="list-style-type: none"> <li>Single Point of Contact [ ]</li> <li>Information Asset Owners ( Service Managers):</li> <li>GDPR Champions</li> </ul>	<p><b>Supported by One Legal, mainly:</b></p> <ul style="list-style-type: none"> <li>Shirin Wotherspoon</li> <li>Sarah Halliwell</li> </ul>	

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## Cheltenham Borough Council Cabinet – 12 June 2018 Relocation of the Housing Options Service

<b>Accountable member</b>	<b>Councillor Peter Jeffries, Cabinet Member - Housing</b>
<b>Accountable officer</b>	<b>Martin Stacy, Lead Commissioner – Housing Services</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>Yes</b>
<b>Executive Summary</b>	<p>Cheltenham Borough Homes (CBH) took over the management of the council's Housing Options Service in December 2013, following approval by Cabinet (in June 2013) to transfer the service from the council to CBH. Throughout this period the Housing Options Service has been delivered from Cheltenham First Stop on the High Street in Cheltenham.</p> <p>Following the introduction of the Homelessness Reduction Act in April 2018, Additional Burdens Funding from the Ministry of Housing, Communities and Local Government (MHCLG) has been used to provide additional staffing within the Housing Options Team to support the requirement to provide additional duties/services to households who are homeless or threatened with homelessness. This increase in staff, in combination with an estimated increase in the number of households likely to present to the Housing Options Service in housing need, means that it is now necessary to move this service to larger, more suitable accommodation.</p> <p>The proposed move to the municipal offices will support these requirements, by better meeting the team's back office needs, whilst also providing a larger reception area and more interview room space to see households in housing need.</p>
<b>Recommendations</b>	<p><b>To approve the relocation of the Housing Option Service from Cheltenham First Stop, High Street to the Municipal Offices.</b></p> <p><b>To delegate authority to Lead Commissioner – Housing Services, in consultation with Cabinet Member – Housing to approve any further changes to these proposals, should this become necessary in order to meet future customer requirements.</b></p> <p><b>To note that the lease to CBH will be granted at a peppercorn rent.</b></p>

<b>Financial implications</b>	<p>There will be one-off costs required to refurbish the urban design room to create more interview room space in the council's reception area, plus IT costs and potential minor works to the back office where the Housing Options Team will be based. These costs are estimated to be around £35,000, and can be met from earmarked reserves.</p> <p>This arrangement will provide an annual saving to the General Fund of approximately £26,000/year (which is the cost of the current lease arrangements with CCP).</p> <p><b>Contact officer: Paul Jones</b></p> <p><b>Paul Jones @cheltenham.gov.uk, 01242 775154</b></p>
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<p><b>Legal implications</b></p>	<p>Under an agreement dated 29<sup>th</sup> November 2013 made between CBC and CBH, CBH were contracted to deliver housing options services. The Agreement obliges CBH to deliver the services from the Cheltenham First Stop and is required to give CBC 6 months' notice if it intends to end its occupation of these premises. CBH are required to obtain CBC's approval to a new location.</p> <p>Occupation at CBC's offices will require CBH to enter into a lease on terms to be agreed by the Head of Property Services. Under the Council's constitution, the decision to grant a lease where the annual rental or capital value does not exceed £250,000 is delegated to the Director responsible for property.</p> <p>The duty under S123 of the Local Government Act 1972 to obtain best consideration on a disposal does not apply to leases under 7 years. The Council does still need to consider its fiduciary duties to residents in deciding to let properties at less than best consideration. As CBC is changing the location of a service it is required to comply with the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. CBC must also comply with its own equality policy and conduct Equality Impact Assessments to assess the likely or actual effects of proposed changes in the service on persons who share a protected characteristic (as defined by the Act).</p> <p>The Authority has a duty under Section 3(2) of the Local Government Act 1999. This is a general duty which requires the Council to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. In deciding how to fulfil the duty there is a requirement to consult those persons referred to in the Act which includes representatives of council tax and non-domestic rates payers and persons who use or are likely to use the service. The Authority must also have regard to guidance on this duty issued by the Secretary of State. As part of the review of the location of the housing options service CBH have carried out consultation with users and stakeholders.</p> <p><b>Contact officer: Donna Ruck, Solicitor</b>  <b>donna.ruck@tewkesbury.gov.uk 01684 272696</b></p>
<p><b>HR implications (including learning and organisational development)</b></p>	<p>The Housing Options Service Team are employed by Cheltenham Borough Homes and any HR implications relating to the team and the relocation will need to be managed by the CBH HR Team.</p> <p>The report outlines that CBC customer services team will support by providing the first point of contact at the main reception and when appropriate and where possible will signpost to other services. The team have not supported this service area for a number of years and so will require training and support in order to support effectively.</p> <p><b>Contact officer: Julie McCarthy,</b>  <b>julie.mccarthy@cheltenham.gov.uk, 01242 264355</b></p>
<p><b>Key risks</b></p>	<p><b>As detailed within Appendix 1 of this report.</b></p>

<b>Corporate and community plan Implications</b>	This decision will support our community vision to help people and communities to thrive.
<b>Environmental and climate change implications</b>	None as a direct result of this report.
<b>Property/Asset Implications</b>	<p>Approval by planning committee will be required to configure and use the current Urban Design Room in the customer service area primarily for the use by the Housing Options Service. This additional space in the reception area will also support other Council Services as and when required. CBH will provide 2 self-serve computer points within the new reception area.</p> <p>Back office space will be required within the municipal offices for the relocation of the Housing Options Team. Current staffing levels require space for 11 desks with room for expansion as it is likely further grant funding will be available. These staff can be accommodated within the building, and we will work with CBH to identify the most suitable, available location. The commercial rental value of a room for 11 desks within the municipal offices is estimated to be approximately £12,000/year. The arrangements for the Housing Options service are covered within the financial implications section of this report.</p> <p>The council is likely to remain within the municipal offices in the medium to long term, so we must balance the desire for services such as Housing Options, which is a General Fund service, to be delivered from the municipal offices, against the broader priority of releasing surplus office space to let to prospective tenants on the open market.</p> <p>It is proposed that we will enter into a lease arrangement with Cheltenham Borough Homes for a period of 5 years, with a break option of 6 months by either party, giving notice in writing.</p> <p><b>Contact officer: Dominic Stead@cheltenham.gov.uk</b></p>

## **1. Background**

- 1.1** Cheltenham Borough Homes (CBH) took over the management of the Council's Housing Options Service in December 2013, following approval from Cabinet in June 2013 to transfer the service from the council to CBH. Prior to this, the service had been delivered from a number of locations (both in and out of town) including Whaddon Lodge before it was relocated to First Stop in 2006. Since then the Housing Options Service has continued to be delivered from Cheltenham First Stop on the High Street in Cheltenham. CBH have an annual licence with Caring for Communities and People (CCP) at a cost of approximately £26k/year, financed from the council's general fund.
- 1.2** At present, customers who are homeless in an emergency can access the service Monday to Friday from 9.00am to 5.00pm (from 10.00 am on Wednesdays). Customers who are not homeless straightaway are encouraged to contact by phone, email or by using the online portal in the first instance, where they can then be booked into a pre-arranged appointment. The Housing Options Service currently also offers a drop in service for general advice and enquiries on Monday, Tuesday, Thursday and Fridays between 10 and 12.30 p.m. All customers can access telephone advice from Monday to Friday 9.00am to 5.00pm (Wednesdays 10.00am to 5.00pm).
- 1.3** Under the proposed arrangements, customers will be able to access an improved level of service in the town centre from the Municipal Offices. The improved accommodation will offer a larger waiting area, more confidentiality and a more accessible service.
- 1.4** CBC customer services will support by providing the first point of contact at the main reception and when appropriate and where possible will signpost to other services. CBH plan to use the CBC reception technology to record visits, monitor waiting times and will use the business intelligence to inform service improvements.
- 1.5** CBH appreciates that the service needs to always be flexible and to adjust, according to uptake and demand. The service also needs to actively promote itself, encourage all methods of access and seek to increase the number of home visits.

## **2. Reasons for recommendations**

- 2.1** The council originally took the decision to accommodate the Housing Options Service within Cheltenham First Stop on the basis that these premises would accommodate a number of related agencies, thereby enabling the customer to see multiple agencies (if required) all under one roof. The agencies delivering services from CFS have changed over time. Currently, CCP's advice and inclusion service, along with CCP's advocacy services are accommodated within CFS. There are also other agencies that provide surgeries there, such as P3's community based support service.
- 2.2** The driver for change is largely due to the implementation of the Homeless Reduction Act which has created a greater demand for the service and has seen the Housing Options Team grow in terms of numbers. The current location with limited reception area and office space has been outgrown by the service. At the municipal offices, there are up to 2 pods that can be used in the reception area, plus there will be the availability of up to 4 interview rooms and a separate and larger customer reception area. The location is serviced well with major bus routes able to transport customers to the front of the building and charged for on and off street town centre parking is available close by.
- 2.3** The Housing Options service deals with some of the most vulnerable people in our society, frequently dealing with traumatic and highly sensitive issues. The service receives approximately 50 visits/week from households in housing need. Following the introduction of the Homelessness Reduction Act 2017 in April 2018, the number of homeless households approaching the service has increased by over 100% compared with the same period last year. Although this substantial increase is expected to be only short term, nevertheless it is anticipated that numbers will remain significantly higher than before the introduction of the Homelessness Reduction Act. Those accessing the service will receive more support through their application with contact increasing

from 1 hour to 2 hours. The new accommodation with increased interview rooms offering greater privacy are needed to support this new ongoing demand.

### **3. Alternative options considered**

- 3.1** Remain at Cheltenham First Stop. It is proposed that this is rejected for the following reasons: There is no access to the first floor (where the Housing Options team are located) for any staff member with a mobility issue or disability. There are relatively limited private or secure facilities for customers to interact with the service on the ground floor, and with the demand on Housing Options services increasing, meeting this demand within these relatively small confines is likely to become more challenging.
- 3.2** Continue to explore the option of moving into 340 High Street, in partnership with CCP. CBH have been in discussions with CCP over the potential use of 340 High Street as an alternative to the current premises. It is understood, however, that a substantial amount of building works will be required, taking a number of years to complete. In addition, there would be a rental requirement likely to be equal to, or potentially more than, the current licence cost of £26k/year, based on indicative square footage.
- 3.3** Find an alternative town centre location for the Housing Options team. CBH have investigated the current market to see whether there are available alternative town centre office locations for the Housing Options team. There are none available at present. It is also likely that the costs of basing the team in town centre premises on a commercial footing would exceed current costs for leasing CFS premises on a similar square footage.

### **4. Consultation and feedback**

- 4.1** Consultation has been undertaken with tenants at a Shaping Services meeting in January 2017, and by the Tenant Scrutiny Improvement Panel, also in January 2017. This was followed by a Customer survey at CFS in February 2017. Feedback from this consultation supported the relocation of the service to be administered from alternative accommodation in the town centre. Opportunities for greater privacy were welcomed, with more private interview space available at the municipal offices.
- 4.2** CBH have consulted with CCP, the owners of CFS and have advised of its desire to move the service to the municipal offices. There are clear benefits to CBH Housing Options Services continuing to work closely with CCP, and both organisations recognise this. CBH have therefore committed to agreeing protocol arrangements with CCP over future working practices, prior to CBH vacating CFS. This will ensure that as seamless a service as possible can continue to be provided to clients of both CCP's Advice & Inclusion Service and CBH's Housing Options Service. In addition, both services will continue to be based within the town centre, with only a short distance separating them.
- 4.3** Consultation has also been undertaken with the council's Customer Services Manager and Head of Revenues and Benefits over the practicalities of having a Housing Options presence within the municipal offices. The Customer Services Manager is keen for the council's Customer Services team to support CBH's Housing Options service, and will look at ways in which assistance can be provided prior to and during the implementation phases. A number of risks have been identified as a result of the proposed move, and these are detailed in the risk register at Appendix 1, along with actions that CBH's Housing Options Team have committed to implement prior to the proposed relocation.

### **5. Performance management –monitoring and review**

- 5.1** The timeline for implementation of these proposals for the Housing Options Team will be Autumn 2018, subject to planning consent and successful completion of approved building works. During this time CBH will undertake the following, with assistance where required from the council: Termination of licence with CCP (3 months' notice), Office logistics, IT (telephony, data links, network equipment etc.), promotion of services to partnering agencies and Health and Safety

considerations. A project team has already been formed between CBC and CBH that meets on a weekly basis to support the move.

- 5.2** Thereafter, there will continue to be close liaison between CBH's Housing Options Manager and the council's Customer Services Manager to ensure that any practical issues relating to the delivery of services from the municipal offices are resolved.
- 5.3** CBH will deal with any practical issues arising from ICT and/or One Legal concerning the discontinuation of services from CFS prior to implementation.
- 5.4** CBH will liaise with Property Services and other officers from within the council in order to locate any back office staff (i.e. up to one or two officers from the Housing Options team) in the most suitable available place within the municipal offices.
- 5.5** The implementation of this project will be overseen by the Lead Commissioner – Housing Services.

<b>Report author</b>	<b>Contact officers:</b>  <b>Martin Stacy, Lead Commissioner – Housing Services and Waste</b> <b><a href="mailto:martin.stacy@cheltenham.gov.uk">martin.stacy@cheltenham.gov.uk</a>,</b> <b>01242 264171</b>  Matt Ward, Head of Housing Services, Cheltenham Borough Homes <a href="mailto:Matt.ward@cbh.org">Matt.ward@cbh.org</a> 01242 387551
<b>Appendices</b>	1. Risk Assessment  2. Community Impact Assessment
<b>Background information</b>	None.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
HOS1	If the Housing Options service is delivered from the Municipal Offices, then the reception could experience an increased levels of challenging behaviour	Judy Hibbert	13.6.17	2	5	10	Reduce	<p>Customer Services Team to share protocol on dealing with challenging behaviour, for CBH to input into and follow.</p> <p>Housing Options Team are trained to focus on de-escalation techniques. These are rarely used as challenging behaviour is very infrequent. There is no expected increase in this kind of behaviour solely because the service is moving within the town.</p> <p>Design of area lends itself to an environment that supports de-escalation</p>	Ongoing	Paul Tuckey, CBH	
HOS2	If demand for customer services increases due to external factors (such as, Homelessness Reduction Act, and UC) then the reception area may not be able to cope with potential demand.	Judy Hibbert	15.09.17	3	2	6	Reduce	<p>The current urban design room will be converted into 2 extra interview rooms spaces to accommodate any additional demand on reception space.</p> <p>Greater emphasis will be placed on the Housing Options Team carrying out home visits on households who are threatened with homelessness.</p>	Ongoing	<p>Garrie Angove, CBC</p> <p>Paul Tuckey, CBH</p>	

								<p>More telephone appointments will be promoted as an alternative option for households with more routine enquiries.</p> <p>The Housing Options team will work closely with the CBC Customer Service team to ensure that should congestion arise in the reception area, it is kept to a minimum, with the potential to prioritise interviews through a triage/meet and greet system.</p>		<p>Paul Tuckey, CBH</p> <p>Paul Tuckey, CBH</p>	
HOS3	If homeless clients seek assistance shortly before the Municipal Office building is due to close, then there may be delays in closing the building at the usual time.	Judy Hibbert	13.6.17	2	3	6	Reduce	<p>All homeless clients arriving before 5pm will be assessed for their accommodation needs and housed accordingly.</p> <p>Normal duty time will close at 4pm, to ensure that Officers are available to deal with last minute</p>	Ongoing	<p>Paul Tuckey, CBH</p> <p>Paul Tuckey, CBH</p>	

								<p>emergencies as they arise prior to the building closing.</p> <p>Verbal applications will be taken in the case of emergencies so that focus can be made on securing accommodation, where appropriate.</p> <p>Back-up support from the wider Housing Options Team will be called upon where necessary to make appropriate calls so that the client's needs can be dealt with quickly.</p> <p>Should clients continue to be seen after 5pm, the main building will close and the client will be seen with two Housing Options staff in attendance. Exit will be through the committee suite doors.</p> <p>All presentations after 5 pm will continue to be dealt with under the normal out of hours service.</p>		<p>Paul Tuckey, CBH</p> <p>Paul Tuckey, CBH</p> <p>Paul Tuckey, CBH</p> <p>Paul Tuckey, CBH</p>	
HOS4	If the Housing Options team relocate their town centre presence	Jayne Gilpin	15.9.17	2	3	12	Reduce	Procedures will be agreed so that referral arrangements to Housing Options and CCP's Advice	July 2018 and ongoing	Paul Tuckey, CBH	



	from Cheltenham First Stop to the Municipal Offices, then there may be confusion from Customers Services staff over whether to send benefit enquiries to Housing Options or to signpost them to CCP's Advice and Inclusion service, based at Cheltenham First Stop.							and Inclusion service on benefits issues are understood by relevant Officers. In the event of any doubt by Reception staff, a member of the Housing Options team will assist.  As part of Housing Options exit strategy, all partners, including CBC, will be notified of all changes to the service. Once the service is established, customers and partners will know where to access the service from.	review	Paul Tuckey, CBH	
HOS5	If customers present accompanied by family members, including young children, then the experience for other customers may be negatively impacted with increased noise levels and insufficient waiting space in the reception area at the Municipal Offices.	Judy Hibbert	6.8.16	2	3	6	Reduce	Officers will interview and advise as efficiently and as effectively as possible. Should queues develop, then Housing Options staff will seek to manage customer expectations, and prioritise how advice is given, potentially offering alternative appointment times, if appropriate.  Conversion of urban design room to create more space/interview rooms.  Appointment times will be	Ongoing	Paul Tuckey, CBH  Garrie Angove, CBC	

								<p>utilised wherever possible. This will maximise opportunities for using the interview rooms, and reduce potential waiting times.</p> <p>Housing Options staff will have access to the CBC queuing system, to monitor waiting times to ensure that Housing Options customers are not waiting for any unreasonably period of time in the main reception area.</p>		<p>Paul Tuckey, CBH</p> <p>Paul Tuckey, CBH</p>	
HOS6	If the relocation of the Housing Options Service is not communicated effectively to relevant agencies and potential customers, then customers may fail to receive a timely service.	Martin Stacy	13.6.17	2	3	6	Reduce	A communications/marketing plan will be prepared by CBH and approved by Lead Commissioner – Housing Services prior to implementation.	July 2018 and ongoing	Paul Tuckey/Matt Ward, CBH	
HOS7	If the relevant approvals are not given for the proposed conversion of the urban design room into additional	Martin Stacy	17.5.18	3	2	6	Reduce	<p>Await confirmation of approval of works before CBH gives notice to CCP on the lease at Cheltenham First Stop.</p> <p>Review any new risks and</p>		Gary Angove	

	interview room space, then the proposed works will not be undertaken, leading to capacity issues for the reception area in terms of coping with additional demand.							for the project team to identify new actions to mitigate before proceeding with the relocation.			
HOS8	If the service remains as part of CBC's main office, when relocation from the Municipal Offices occurs, a financial & accommodation space pressure may arise in the long term (impacting on the saving identified) and arrangements required for a new reception space.	Martin Stacey	30.05.18	2	4	8	reduce	<p>As part of the council smart / agile working and OD programme more effective ways of accommodating staff and partner working are being investigated.</p> <p>The space and reception area requirements will be managed as part of the accommodation strategy, looking at publicly accessible spaces and partner working.</p>	ongoing	Martin Stacey	
<b>Explanatory notes</b> <b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) <b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) <b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close											

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## **Community impact assessments – for services, policies and projects**

### **What is a community impact assessment?**

A community impact assessment is an important part of our commitment to delivering better services for our communities. The form will help us find out what impact or consequences our functions, policies, procedures and projects have on our communities, as well as employees and potential employees.

By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of those groups of people who use (or don't / can't use) our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.

### **Background**

<b>Name of service / policy / project and date</b>	<b>Relocation of Housing Options office (CBH)</b>
<b>Lead officer</b>	<b>Martin Stacy Lead Commissioner – Housing Services</b>
<b>Other people involved in completing this form</b>	<b>Matt Ward (CBH)</b>

## Step 1 - About the service / policy / project

<b>What is the aim of the service / policy / project and what outcomes is it contributing to</b>	<p>The proposed relocation of the Housing Options service from Cheltenham First Stop to the Municipal Offices is in response to the introduction of the Homelessness Reduction Act 2017, which places additional duties on local authorities regarding the provision of homelessness advice and prevention services. These new duties require more staffing (funded from the MHCLG's Additional Burdens Funding) and the current office space does not lend itself to this. Nor does it lend itself well to managing the additional demand expected on the Housing Options Service as a result of the new statutory duties.</p> <p>The relocation of the Housing Options Team, and Service, to the Municipal Offices will help to ensure that the team can have more suitable back office space to better meet their requirements. It will also ensure that a good quality service can be provided to households in need, as the Municipal Offices will provide a larger waiting area and more confidentiality, particularly following the proposed conversion of the urban design room into two extra interview rooms.</p>
<b>Who are the primary customers of the service / policy / project and how do they / will they benefit</b>	Customers of the service are borough wide. The service sits within the Housing Services team at Cheltenham Borough Homes and serves both Council tenants and the general public: anyone who may need housing or homelessness advice.
<b>How and where is the service / policy / project implemented</b>	The service currently operates out of First Stop on the Lower High Street.
<b>What potential barriers might already exist to achieving these outcomes</b>	There may be operational challenges in managing the increase in demand for services from the Municipal Offices. These challenges have been captured as risks in the risk register (Appendix 1) with mitigating actions to support them.

## Step 2 – What do you know already about your existing / potential customers

<b>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information</b>	Consultation has been undertaken with tenants at a Shaping Services meeting in January 2017, and by the Tenant Scrutiny Improvement Panel, also in January 2017. This was followed by a Customer survey at Cheltenham First Stop in February 2017, over a 6 week period involving 286 customers. Feedback from this consultation supported the relocation of the service to be administered from alternative accommodation. Opportunities for greater privacy were welcomed, with more private interview space available at the municipal offices.
<b>What does it tell you about who uses your service / policy and those that don't?</b>	As above.

<p><b>What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?</b></p>	<p>A number of consultative activities have taken place including;</p> <ul style="list-style-type: none"> <li>• Shaping services meeting in January 2017.</li> <li>• Tenant Scrutiny Improvement Panel in January 2017.</li> <li>• Customer survey at First Stop in February 2017.</li> </ul> <p>These have been undertaken with a diverse group of tenants and applicants who possess a range of protected characteristics including: disability, age, sex, different race or belief, sexual orientation, gender reassignment, marriage or civil partnership, and pregnancy and maternity.</p> <p>The comments, suggestions and feedback are summarised below:</p> <p><b>Increased accessibility</b></p> <p>The consultation supported a strong presence in the town centre continuing for this service.</p> <p>Lift availability within the municipal offices will also improve accessibility. Suggestions to further increase accessibility to the service included;</p> <ul style="list-style-type: none"> <li>• consideration of home visits for some applicants and in particular those with mobility issues</li> <li>• consideration of phone appointments</li> <li>• enhanced on line accessibility</li> </ul> <p><b>Customer Service</b></p> <p>Concerns were raised by 64% of customers about the lack of private areas for sensitive or confidential conversations to take place in the main reception on the ground floor at First Stop. The availability of interview rooms at the muni, plus two further interview rooms following the proposed conversion of the urban design room, will help to alleviate these issues.</p>
<p><b>If not, who do you have plans to consult with about the service / policy / project?</b></p>	<p>n/a</p>

### Step 3 - Assessing community impact

How does your service / policy / project impact on different groups in the community?

#### Access & Privacy

Currently there is no access to the first floor (where the service is located) within First Stop for any customer or staff member with a mobility issue or disability. There will be more opportunities for privacy through the use of the municipal office's interview rooms, taking account also of the increased interview space that will be created following the proposed conversion of the current urban design room into two interview rooms (as detailed above). The municipal office also has a lift available in order to access the reception area and back office accommodation for staff.

#### Reasonable adjustments

Currently the ability to make reasonable adjustments for staff at First Stop is very difficult due to the location, size and layout of the office.

The availability of more space at the muni would allow for reasonable adjustments to be made more easily.

Group	What are you already doing to benefit this group	What are you doing that might disadvantage this group	What could you do differently to benefit this group	No impact on this group
People from black and minority ethnic groups				x
Gender				x
Gender Reassignment				x
Older people / children and young people				x
People with disabilities and mental health challenges	Any customer with a mobility disability can be more suitably accommodated at the Municipal Offices due to improved access			
Religion or belief				x
Lesbian, Gay and Bi-sexual people				x
Marriage and Civil Partnership				x



<b>Pregnancy &amp; Maternity</b>				X
<b>Other groups or communities</b>				X

#### Step 4 - what are the differences

<b>Are any groups affected in different ways to others as a result of the service / policy / project?</b>	No	Page 57
<b>Does your service / policy / project either directly or indirectly discriminate?</b>	No	
<b>If yes, what can be done to improve this?</b>	n/a	
<b>Are there any other ways in which the service / project can help support priority communities in Cheltenham?</b>	No	

#### Step 5 – taking things forward

<b>What are the key actions to be carried out and how will they be resourced and monitored?</b>	<p>Relocate Housing Options team, and service, to the Municipal Offices. This will include:</p> <ul style="list-style-type: none"> <li>• Conversion of the urban design room into additional interview space (2 rooms)</li> <li>• Termination of licence with CCP (3 months' notice)</li> <li>• Office logistics and IT works (telephony, data links, network equipment, etc.).</li> <li>• Taking into account any Health &amp; Safety considerations</li> <li>• Implementation of activities to mitigate against risks identified in Appendix 1 of the report to Cabinet, including the provision of an increased number of home visits, and encouraging increased telephone and on line contact when appropriate.</li> <li>• Promotion/awareness-raising of new location to customers and partner agencies, and preference for initial contact to be by phone or on line, which will enable more efficient customer handling and increased customer satisfaction with less waiting time. .</li> </ul>
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<b>Who will play a role in the decision-making process?</b>	Agreement in principle from Cabinet Member – Housing, followed by a Cabinet decision for Approval.
<b>What are your / the project's learning and development needs?</b>	None
<b>How will you capture these actions in your service / project planning?</b>	A project team has been set up to manage the relocation of the Housing Options Service from First Stop to the Municipal Offices. All relevant actions and risks have been identified by the group. The project team will remain in place until after implementation of the project.