



PRIVATIZATION COMMISSION

Enhancing Kenya's Productive Capacity

Privatization Commission
Business Continuity Policy

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1 Purpose

This Business Continuity Policy demonstrates Privatization Commission's commitment to safeguarding the continuity of its operations. Privatization Commission management has committed to implementing a comprehensive business continuity management program across all its physical and operational Information assets that are critical to the provision of services in accordance with Operational, Contractual and Regulatory requirements.

It will identify and manage Business Continuity risks to its critical assets and maintain a robust resilience posture in alignment with its Business Continuity goals and in order to meet stakeholders (clients, authorities, and business partners) expectations and preserve Privatization Commission's brand image and reputation.

2 Business Continuity Objectives

The objectives of this policy are as follows:

- To identify and manage critical services to ensure minimum levels of services are available even during crisis;
- To increase effective recovery after an interruption and to minimize downtime;
- To save lives;
- To ensure regulatory and stakeholder compliance;
- To implement effective communication throughout the organization during a crisis;

3 Scope

This policy governs all services, information systems and processes necessary in the execution of Privatization's Commission's mandate as set out under The Privatization Act, 2005.

It applies to:

- All Privatization Commission staff, partners, suppliers and contractors.
- Employees, representatives and agents from other organisations who directly or indirectly support Privatization Commission's operations including auditors and other external consultants.
- All Privatization Commission divisions, departments and sections, the office buildings, sites and data centres without exception.

4 Key Reference Terms

- **Business continuity:** This is a state of continued, uninterrupted operation of a business.
- **Business continuity management policy:** The whole business approach for ensuring that specified operations can be maintained or recovered in a timely fashion in the event of a disruption. This incorporates business impact analyses, recovery strategies, business continuity plans, evacuation programmes, testing programmes, training and awareness programmes, communication and crisis management programmes.
- **Business impact analysis:** The dynamic risk assessment process for identifying critical operations and services, key internal and external dependencies and appropriate resilience levels.
- **Recovery strategy:** Describes the recovery objectives and priorities that are based on the business impact analysis. The targets for service levels that Privatization Commission would seek to deliver in the event of disruption and the framework for ultimately resuming business operations are key components of the recovery strategy.
- **Crisis:** An event, occurrence or perception that threatens the operations, staff, stakeholders, brand, reputation or strategic business goals of the organization.

- **Disaster:** is a sudden, unplanned catastrophic event that compromises the organization's ability to provide critical functions, processes or services for some unacceptable period of time.
- **Business Continuity plans:** are comprehensive, documented plan of action that sets out procedures and establishes the processes and systems necessary to continue or restore the operation of an organization in the event of a disruption.
- **Disaster Recovery plans:** These are comprehensive, documented plans of actions that sets out procedures and establishes the processes of restoring critical IT and Technical applications that support the business functions.
- **Exercising:** This is the process through which business continuity plans and disaster recovery plans are tested and rehearsed in a controlled environment.

5 Roles and Responsibilities

5.1 The Commission

The role of the Commission with respect to Business Continuity is to provide an oversight role with an emphasis on;

- Monitoring the adequacy of Privatization Commission's Business Continuity recovery procedures through regular internal audit reviews and reporting.
- Exercising the overall approval of the Business Continuity Governance and recovery programs.

5.2 Executive Director/CEO/Crisis Management Team Leader

The Executive Director/CEO is the programme sponsor and overall Executive owner of the Business continuity programme. He will provide strategic leadership to the programme. The project sponsor will be in charge of:

- Strategic direction of the Business Continuity Management System
- Sign off the Business Continuity Management documentation
- Chairing the Crisis Management Team as the Crisis Management Team Leader
- Coordinating the activities of the Crisis Management Team

5.3 Senior management/ Management Risk & Business Continuity Committee

PC's senior management consists of CEO/ED and the HODs. The core departments within PC are Transactions, Finance and Administration (which incorporates ICT, accounts, HR & Admin and procurement), internal audit, risk management, legal and corporate affairs. These individuals have the primary responsibility of operating PC in a manner that is consistent within the parameters established by the commission. The MRBCC has been given the mandate of overseeing the Business Continuity activities on behalf of senior management. The MRBCC's primary goals and objectives are to: -

- Ensure the forms and templates are distributed to all process owners.
- Completed core function and business continuity plans are collated into a master document, which is kept in the Risk & Compliance Department.
- Set the Scope, Roles and Responsibilities for BCM.
- Ensure that the Business Continuity Management Policy for the Commission is Approved, Communicated and Reviewed.
- Identify and address legal and regulatory requirements and contractual continuity obligations
- Provide direction and support for the implementation of BCMS.
- Promote business continuity education, training and awareness throughout the organization.
- Approve test / exercise plans.

- In the event that changes are required to the BCMS policies, provide approval and support for implementation of changes, as required.
- Manage costs associated with business continuity.

5.4 Business Continuity Manager

The Risk and Compliance Manager is nominated as the Business Continuity Manager with appropriate seniority and authority for Business Continuity policy implementation on behalf of Privatization Commission. He/she will:

- Ensure the sustainability, effectiveness and adequacy of the Business Continuity Management programme.
- Report Business Continuity Management activities and programmes
- Refer and consult with the Executive Director/CEO on strategic direction with respect to business continuity management
- Promote participation of the departments in the programme and offer guidance in implementing and administering a sound business continuity programme

5.5 Business Continuity Champions

The Business Continuity Champions will be fully responsible for implementing the business continuity management program and will fully be involved in identifying, assessment and managing business continuity risks and ensuring the Business Continuity procedures are implemented. At a minimum the champions should meet the following requirements:

- Knowledge and understanding of processes within their respective departments
- Ability to adequately identify key risks for their respective departments

- Project management skills to develop and facilitate a response in advance which they will execute should the need arise.
- Leading departmental recovery in case of a crisis.
- The BC Champions will be members of the CMT.

5.7 All Privatization Commission Employees

All Privatization Commission staff will be aware of their BCM responsibilities and obligations, understand the evacuation procedures and participate in at least one annual emergency evacuation, understand incident notification and escalation procedures and know what to do following an incident.

5.8 Internal audit Department

The internal audit function plays an important role in monitoring Business Continuity Management framework but does NOT have primary responsibility for its implementation or maintenance. The internal audit functions role is to carry out independent review of the Business Continuity Management Framework and plans at least on an annual basis and report to the Commission.

6 Enforcement

It is mandatory that all those who work for Privatization Commission, whether as employees, contractors, consultants or suppliers, adhere to this policy, and sub-policies, standards, guidelines or procedures derived from it.

Violation of this policy may result in disciplinary action, which may include termination for employees and temporaries; a termination of employment relations in the case of contractors or consultants; or dismissal for interns and volunteers.

Additionally, individuals are subject to loss of Privatization Commission Information Resources access privileges, civil, and criminal prosecution.

7 Exceptions

Where systems, procedures or processes are not able to meet the requirements of this policy and an appropriate business justification exists, an exception should be raised for review and approval according to the exceptions procedure.