

Individual Decision



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The attached report will be taken as Individual Portfolio Member Decision on:

Thursday, 16th July, 2020

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Individual Executive Member Decision

Appointment to Outside Bodies

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	16 July 2020
Portfolio Member:	Councillor Lynne Doherty
Date Portfolio Member agreed report:	
Forward Plan Ref:	ID3938

1. Purpose of the Report

1.1 To consider West Berkshire Council nominations to the following outside bodies:

- (1) Henwick Worthy JMC
- (2) South East Employers

2. Recommendation

2.1 To agree the appointment of representatives on the following outside bodies:

- (1) Henwick Worthy JMC
- (2) South East Employers

3. Implications

- 3.1 **Financial:** West Berkshire Council Members are not paid to attend Outside Body meetings but any costs associated with meeting attendance will be met from within existing Members Allowances budget, where the Outside Body does not pay these costs.
- 3.2 **Policy:** Appointments will be made in accordance with Part 13 Appendix J (Protocol for Council Representation on Outside Bodies) of the Council's Constitution.
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None

Appointment to Outside Bodies

3.7 **Other:** None

4. Consultation Responses

Members:

Leader of Council: Councillor Lynne Doherty

**Overview & Scrutiny
Management** Councillor Alan law

Commission Chairman:

Ward Members: None

Opposition Councillor Lee Dillon

Spokesperson:

Local Stakeholders: Mark Palmer (South East Employers)

Officers Consulted: Tess Ethelston, Olivia Lewis, Paul Hendry,

Trade Union: Not consulted

5. Other options considered

5.1 Not to appoint representatives.

6. Introduction/Background

6.1 The Council is required to appoint representatives to a range of Outside Bodies. From time to time, the authority is required to revisit these appointments for a variety of reasons.

6.2 Appointments will be made in accordance with Appendix J to Part 13 of the Constitution (Protocol for Council Representatives on Outside Bodies).

7. Henwick Worthy Joint Management Committee

7.1 Henwick Worthy JMC meets to discuss issues of policy relating to the Henwick Worthy sports facility.

7.2 The Council is entitled to appoint three representatives and two substitutes to this meeting. Councillor Steve Ardagh-Walter and Adrian Abbs have already been appointed to the Committee. In order to ensure the Committee is quorate and can make decisions it is recommended that the Council avoids having the same representatives appointed by both Thatcham Town Council and West Berkshire District Council.

7.3 Councillor Jeff Beck has expressed an interest in being appointed to the Committee and Councillor Howard Woollaston has agreed to be appointed as a substitute. This would still leave a vacancy for a substitute.

8. South East Employers

8.1 As Councillor Jo Stewart is now the Portfolio Holder for Internal Governance which covers the HR function it is proposed that she replaces Councillor Howard Woollaston as the Council's representative on this organisation. The Council's other representatives on this group are Councillor Garth Simpson (full Member) and Councillors Jeff Brooks and Owen Jeffery (substitutes).

9. Proposals

9.1 That the Council appoints representatives to the organisations as set out in the paragraphs above.

9.2 Background Papers:

Information on the organisations can be obtained from Moira Fraser

Subject to Call-In:

Yes: No:

Wards affected:

All

Officer details:

Name: Moira Fraser
Job Title: Democratic and Electoral Services Manager
Tel No: 01635 519045
E-mail Address: moira.fraser@westberks.gov.uk

10. Appendices

10.1 Appendix A – Data Protection Impact Assessment

10.2 Appendix B – Equalities Impact Assessment

10.3 Appendix C – Supporting Information

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Strategic Support
Team:	Democratic Services
Lead Officer:	Moira Fraser
Title of Project/System:	Appointments to Outside Bodies
Date of Assessment:	3 March 2020

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “data revealing 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”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To make appointments to Outside Bodies
Summary of relevant legislation:	Appendix J to Part 13 of the Constitution (Protocol for Council Representatives on Outside Bodies)
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Linda Pye
Date of assessment:	3 March 2020

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	No
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To appoint Members to Outside Bodies
Objectives:	To make appointments
Outcomes:	
Benefits:	To ensure that West Berkshire Council has a Member presence on the Outside Bodies

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	None	
Disability	None	

Gender Reassignment	None	
Marriage and Civil Partnership	None	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Linda Pye

Date: 3 March 2020

Appointment to Outside Bodies

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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