

Title of Report:	Risk Management Terrorism Insurance	Item 4
Report to be considered by:	Governance and Audit Committee	
Date of Meeting:	19 November 2008	

Purpose of Report: To consider the implications associated with terrorism insurance.

Recommended Action: To consider recommending to the Executive that the Council purchase insurance cover for terrorism.

Reason for decision to be taken: To ensure that the Council's strategic objectives are met and that any associated risks with achieving them are identified and appropriately managed.

Key background documentation: Risk Management Strategy
Strategic Risk Register / Action Plan

The proposals will also help achieve the following Council Plan Outcomes:

- CPO7 - Safer and Stronger Communities**
- CPO14 - Effective People**
- CPO15 - Putting Customers First**

The proposals contained in this report will help to achieve the above Council Plan Themes and Outcomes by:
Improving governance procedures in West Berkshire Council.

Portfolio Member Details

Name & Telephone No.:	Councillor Laszlo Zverko - Tel 0771 2858197
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Date Portfolio Member agreed report:	

Contact Officer Details

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Implications

Policy:	None.
Financial:	None.
Personnel:	None.
Legal/Procurement:	None.
Property:	None.
Risk Management:	None.
Equalities Impact Assessment:	None.

Executive Summary and Report

1. Introduction

- 1.1 The purpose of this report is to provide Governance and Audit Committee with additional information on aspects of terrorism insurance following the last meeting of this committee on 29 September 2008.

2. Risk to the Council

- 2.1 Newbury is not a garrison town; however there are a large number of possible high-risk targets in the area such as Bayer Pharmaceuticals, Vodafone, AWE, and various MOD sites. The M4 Motorway and other major arterial roads also run through our area.
- 2.2 The 2008 / 2009 strategic risk register for West Berkshire Council considered the threat of terrorism to be low but with a high impact on council services, after taking in to account controls in place. (The Council's emergency plan and interagency working) the risk is reviewed on a quarterly basis with Corporate and Management Boards.
- 2.3 The Government have recently published a National Risk Register. Terrorist attacks on critical infrastructure are considered to be medium likelihood and impact. (A flu pandemic was rated the threat with the biggest impact).
- 2.4 There are some general concerns about terrorists living in community / transporting bombs or other devices through West Berkshire.

3. Insurance

- 3.1 West Berkshire Council does not currently insure against damage to property caused by terrorist acts and Members have previously made the decision not to insure against this contingency.
- 3.2 Four of the other five unitary authorities in Berkshire insure against terrorism as they consider their infrastructure warrants them having this cover. The remaining Council is considering insuring this risk. We understand that all London Boroughs have this type of cover.
- 3.3 Terrorism is defined in an insurance policy as:

“An act, including but not limited to the use of force or violence and/or the threat thereof, of any person or group(s) of persons, whether acting alone or on behalf of or in connection with any organisation(s) or government(s), committed for political, religious, ideological or similar purposes including the intention to influence any government and/or to put the public, or any section of the public in fear”.

- 3.4 Terrorism insurance to cover property is available for West Berkshire Council at an additional premium of approximately £45,000 / £50,000 per annum based on the full reinstatement value of all West Berkshire Council owned and insured properties. Insurers consider the following aspects when calculating the premium:
- Location / Post Code
 - Ethnicity mix within the area
 - Any Armed Services buildings in close proximity to council property
 - Flight paths
- 3.5 There is no single loss limit to any claim on the policy (other than individual sums insured for each property) and this would apply to terrorist acts if cover was taken out. The current level of deductible (excess) of £250,000 would apply to each incident.
- 3.6 West Berkshire Council is not able to pre-select individual properties to insure against terrorism (Market Street Offices for instance), it is all West Berkshire Council properties or no cover at all.
- 3.7 Employees / Members who are killed or injured whilst at work due to terrorist action are covered by a personal accident policy / the terms and conditions of employment. There is a scale of benefits depending on the extent of the injury on the personal accident policy.
- 3.8 The personal accident policy has a limit of £10 million any one occurrence.
- 3.9 There is cover under the Employers Liability policy should an employee or member be injured or killed by terrorist action through the negligence of West Berkshire Council. Legal liability would have to be proved.
- 4. Recommendation**
- 4.1 That the Committee considers recommending to the Executive that Terrorism cover be put in place.

Appendices

There are no Appendices to this report.

Consultees

Local Stakeholders: N/A

Officers Consulted: Assurance Manager

Trade Union: None

Title of Report:	Service Risk Register - Housing and Performance	Item 5
Report to be considered by:	Governance and Audit Committee	
Date of Meeting:	19 Novemeber 2008	

Purpose of Report: To allow the Committee to review the risk register.

Recommended Action: Make any recommendations regarding risks and actions relating to the risk register for Housing and Performance.

Reason for decision to be taken: At the request of Members.

Key background documentation: None.

The proposals will also help achieve the following Council Plan Outcomes:

- CPO13 - Value for Money
- CPO14 - Effective People

The proposals contained in this report will help to achieve the above Council Plan Themes and Outcomes by:

Portfolio Member Details	
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Date Portfolio Member agreed report:	Not consulted

Contact Officer Details	
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Implications

Policy:	None
Financial:	None
Personnel:	None
Legal:	None
Property:	None
Risk Management:	None
Equalities Impact Assessment:	None

Executive Summary

1. Introduction

- 1.1 This report is made at the request of the Committee to allow the Committee to review the Risk Register and Action plan for the Housing and Performance Service.

2. Proposals

- 2.1 Review the Service Risk Register and Action Plan.

3. Conclusion

- 3.1 Make any recommendations in relation to the Housing and Performance Risk Register and the Risk Management system of the Council.

Executive Report

1. Introduction

1.1 The role of the Governance and Audit Committee encompasses the review of the Risk Management system of the Council. The relevant terms of reference for the Committee are:

- Review the effectiveness of the Council's Risk Management arrangements, the control environment and associated Anti Fraud and Corruption arrangements
- Seek assurance that action is being taken on risk related issues identified by auditors and inspectors
- Be satisfied that the Council's assurance statements (currently produced annually by all Heads of Service) and the Annual Governance Statement properly reflect the risk environment and any actions required to improve it.

1.2 The Committee has, at a previous meeting reviewed the Risk Register for Planning and Trading Standards. Following the review of the Annual Governance Statement at the June meeting of the Committee Members asked to have the opportunity to review the Risk Register for Housing and Performance with the Head of Service

2. Purpose of the Risk Register

2.1 The main aim of the service risk register is to allow the Head of Service to identify and assess risks to the delivery of service objectives.

2.2 The Risk Register is structured in two sections. The first assesses generic risks that apply across the service. The second looks at risks to specific objectives or discrete elements of the service.

2.3 Where net risk scores remain red, after consideration of relevant controls / mitigation, actions are required to reduce the level of risk.

2.4 By assessing the risks to service delivery and identifying any required actions to reduce risk the Head of Service should be improving the ability to deliver services effectively.

3. Purpose of the review by the Committee

3.1 The review of the risk register by the Committee will allow the Head of Service to outline to the Committee the basis for judgements made about risks within the service. It will also allow the Committee obtain assurance that the Council's risk management system is robust. This in turn provides assurance of the robustness of the Annual Governance Statement for the Council.

3.2 A copy of the proforma Head of Service Assurance Statement is attached at Appendix A. The Risk Register for Housing and Performance is at Appendix B and the Action Plan is at Appendix C.

Appendices

Appendix A – Head of Service Assurance Statement
Appendix B – Risk Register for Housing and Performance
Appendix C - Action Plan for Housing and Performance

Consultees

Local Stakeholders: Not consulted
Officers Consulted: Not consulted
Trade Union: Not consulted

Appendix A

Annual Governance Statement – Head of Service Assurance Statement

The Accounts and Audit Regulations 2006 requires the Council to publish an Annual Governance Statement (AGS) (replacing the Statement of Internal Control from 1.4.07). The AGS is prepared annually by the “Governance Group” and is signed by the Leader and Chief Executive. In summary the AGS is a statement of assurance to the effect that:

- The Council has followed the 6 principles of Corporate Governance, outlined in the CIPFA / SOLACE publication “Delivering Good Governance in Local Government” and confirmed in the Council’s own Local Code of Corporate Governance
- the Council has an effective Internal Control Framework (ICF) in place
- the ICF has been reviewed in the preceding year. (It must be reviewed annually)
- that any weaknesses that have been identified in the ICF are being dealt with through an appropriate action plan.

Each Head of Service is responsible for delivering the objectives set out in their service plan. Heads of Service are responsible for identifying and managing the risks that may affect delivery of service objectives. This work includes monitoring the effectiveness of controls put in place to mitigate the risks and carrying out remedial action where controls are weak or not in place.

Each Head of Service is required to assist the preparation of the AGS for the Council by providing an assurance statement for the internal control framework within their service. Taken together the assurance statements from the Heads of Service will form a key part of the evidence that supports the signing of the AGS by the Leader and Chief Executive.

An outline recommended Statement of Assurance is attached.

Statement of Assurance forService

<p>1</p>	<p>Statutory obligations & Local Code of Corporate Governance</p> <p>The Head ofService has identified all principal statutory obligations and these are identified in theService Plan. The Service Plan clearly sets out how the statutory obligations will be delivered. The principles of Corporate Governance outlined in the Council’s Local Code of Corporate Governance have been consistently applied in the delivery ofServices. In particular all managers within the service are aware of and follow the Council’s Contracts Rules of Procedure and Financial Rules of Procedure.</p>	
<p>2</p>	<p>Service Risk Register</p> <p>The Head ofService has identified all risks that may affect the delivery of the service plan objectives. A formal annual review of the risk register was carried out, in conjunction with the Council’s Risk Manager. In addition the Service Management Team reviewed the register each quarter. A copy of the Risk Register is attached</p>	
<p>3</p>	<p>Internal Controls</p> <p>The Head of Service has identified controls that are designed to mitigate the risks identified in 2 above. The Head ofService has assigned responsibility for the effective operation of each control to a nominated officer. The Head ofService has, through the 1.2.1 process, obtained assurance and evidence from each nominated officer that the controls have been tested and are operating effectively.</p>	
<p>4</p>	<p>Control Weaknesses</p> <p>The Head ofService has identified risks that are considered to be significant (Red) and that do not at present have effective controls to mitigate the level of risk. The Head ofService has put in place action plans to provide effective controls going forwards where resources allow.</p> <p>The Head ofService has through 1.2.1’s and the Service Management Team, ensured continuous review of the progress of action plans. Where action plans have fallen behind schedule the Corporate Director has been informed.</p> <p>Where resources are not available to deliver the required controls the Corporate Director has been informed.</p>	

Statement of Assurance forService

<p>5</p>	<p>Major Projects</p> <p>All projects within the service have been undertaken in accordance with the Council's approved Project Management Methodology. A risk register and action plan has been prepared for all major projects. The Corporate Board has been kept up to date on all issues relating to the risks to the delivery of each project</p>	
<p>6</p>	<p>Overall Assurance from Head of Service</p> <p>In my opinion the internal control framework of theservice is soundly based. All significant risks to the service objectives have been identified and controls are in place to mitigate those risks. The exceptions to this are listed in the Action plan to the Service Risk Register which also outlines progress towards implementing outstanding controls.</p> <p>Signed byHead of.....Service</p> <p>Date</p>	
<p>7</p>	<p>Corporate Director Review</p> <p>I have reviewed the processes set out above and the Service Risk Register and Action Plan, copy attached, with the Head of on an ongoing basis during the year both at 1.2.1's and at Service Group Management Team meetings.</p> <p>I agree with the opinion of the Head ofService set out in 6 above.</p> <p>Where actions to remedy weaknesses have fallen behind schedule, or resources available to deliver effective controls are inadequate I have drawn this to the attention of Corporate Board and the relevant portfolio holder.</p> <p>Signed byCorporate Director</p> <p>Date.....</p>	
<p>8</p>	<p>Portfolio Holder Review</p> <p>I have reviewed the statements contained above and the copy of the Service Risk Register and Action Plan which is attached.</p> <p>Signed byPortfolio Holder</p> <p>Date</p>	

**Housing & Performance (QPP Service) Action Plan
Red Risks**

Appendix B

Owner	Housing & Performance
	5th May 2008

Risk No	Area of Concern / Risk Scenario	Existing Controls	CB Key Risks		Required Controls or Action	Responsibility of	Budget Constraint	Target Date
			Gross Risk Score	Net Risk Score				
1	Non-realisation of full income potential impact on achievement of LAA1 reward related target	Robust and thorough checking of financial data submitted to WBOs	12	9	Joint working with DWP Robust budget monitoring for training budgets	HoS		Apr-09
2	Supporting People Grant reduction impact on delivery of key services to vulnerable people specifically LD	Agree joint retraction plan with LD services SP Core Group to oversee development of Strategic Framework to manage impact	12	9	Agree retraction plan with LD for those services identified as ineligible under the revised grant conditions Re tendering of SP contracts jointly with Community Services <i>Strategic review of all SP services</i>	Hos	Yes	Apr-09
3	Lack of Temporary Accommodation leading to inability to meet statutory duty for homelessness	Close working with partner RSLs Capital allocation for property refurbishment	12	9	Development of final phase TA refurbishment programme Requires full support of property services to tender and oversee the work	HoS	Yes	Apr-09
	Extra Care Sheltered Housing development not delivered to meet MTFS assumption	Monitoring through the ECSH Programme Board	16	12	Project Board has been setup to monitor progress with lead officer identified to be involved Additional resource to be recruited into Housing Strategy to lead on the work Regular reporting through the TEB will monitor progress against MTFS assumptions	HoS		Dec-10

Operational Risk Register

Appendix C

Service Area	Housing & Performance
HOS	June Graves
Review Date	5th May 2008

Service Objective	Risk	Consequences	Gross Rating			Controls	Net Rating			Owner
			Likelihood	Impact	Score		Likelihood	Impact	Score	
Section A Generic Risks										
Retention of specialist skilled staff	Competitive job market Over dependency on key staff Limited opportunities to progress in specialist areas	Impact on delivery Low staff morale Loss of key skills/Knowledge Inability to provide consistency in service delivery	2	3	6	Workforce development Pay award Attendance at conferences and events Robust supervision and appraisal process Well developed and agreed PDPs Service and training plan	1	4	4	HOS/Corp Director
Ensure safety of staff working remotely	Not enough info about dangerous persons available Lone working Working out of hours	Violence Threats Abuse Stress	2	4	8	Lone Working policy Training/Procedures Alert on discrete IT systems Dangerous Persons Register	1	4	4	HOS/Corp Director
Staff are well supported in their roles	Working across boundaries internally/externally Major Emergencies Heavy workload Irregular 1-1s Lack of skills to support frontline staff	Service delivery impacted Ill health Loss of key staff	3	3	9	1-2-1s Management Team Meetings Development Days Supervision and appraisal training Specialist support to frontline workers	2	3	6	HOS/Corp Director
Information is shared securely and appropriately	Inappropriate info sharing Failure to share info and failure to share across agencies Technology does not support secure sharing of information	Legal action Financial impact on vulnerable people at risk Service users are made more vulnerable Poor management of providers Sensitive information is exposed	3	3	9	Induction training 1-2-1/supervision Storage procedures Appropriate archiving Caldicott guidelines Policies and procedures are in place Routine audits	2	3	6	HOS/Corp Director

Service Objective	Risk	Consequences	Gross Rating			Controls	Net Rating			Owner
			Likelihood	Impact	Score		Likelihood	Impact	Score	
Strong internal communication	Staff not attending key meetings Lack of cascade of key information Lack of leadership Members not fully aware of briefed Poor use of resource/duplication of effort	Low morale Service Quality Recruitment & retention Impact on job delivery Inappropriate actions taken Poor public perception	2	3	6	Management meetings CEO briefings Service plans Policy library Supervision Performance Mgmt Training programe Development Days Directorate communications group/plan Member bulletin/Reporter	1	2	2	HOS/Corp Director
Implementation of the MCA 2007/08	Limited resources Increased regulation Changes and conflicts in legislation Growth in the number of adult protection issues Lack of resources to meet training requirements	Impact on quality of service Impact on training requirements Litigation/Compensation claims Impact on liability to the Council	3	3	9	Liaison with legal Training Policy library revision Implementation group HoS lead Working Group CCMT/SMT briefings	2	3	6	HOS/Corp Director
Promote joint working with internal and external partners, developing partnership agreements i.e. LAA	Changes to PCT Structures Lack of engagement by external partners Lack of resources to develop and engage partners	Dilution of PCT input Changes in role & responsibilities Risk to existing communication & engagement on key issues Failure to achieve joint targets	3	3	9	Communication plan Robust governance structures Well defined stakeholder groups and TORs	2	2	4	HOS/Corp Director

Service Objective	Risk	Consequences	Gross Rating			Controls	Net Rating			Owner
			Likelihood	Impact	Score		Likelihood	Impact	Score	
Section B Specific Risks linked to Service Plan objectives										
Competative tendering of services managing the inflationary process and getting the best deal.	Competitive Market Forces Limited local resources Regulatory Regime Budgetary constraints	Failure to provide essential services Increase in costs Impact on resources Poor quality services	2	3	6	Regional liaison "Building Capacity" project Market Management Commissioning Strategy Quality Assurance Joint working with PCT Monitoring of contractors	1	3	3	Contract Management
Improve the quality of services across all sectors	Failure to ensure providers deliver quality services meeting the council's and service user's expectations Local knowledge not used well	Increased number of complaints Providers not meeting WBC standards Loss of capacity in the market Service users more vulnerable	3	3	9	Revision of the A&M process with greater focus on quality and closer working with complaints Robust contracts management Joint working across team to share info about providers	2	3	6	HoS
Provision of accurate and up to date management information and statutory reports	Knowledge and skills of specialist staff not available Poor quality data Unavailability of data in new IT system	Impact on service delivery and development Inability to meet statutory reporting deadlines Performance not well managed	3	4	12	Training for IA and data entry staff Clearly defined reporting framework Training programme delivered to the PVI	2	3	6	OP Manager and ICT
Staff to have appropriate, quality training	Lack of training availability Lack of engagement Lack of flexibility within software Pressure on training budgets	Staff not equipped with specialist skills required Poor performance	3	3	9	Communication Training plan SCT Managers Group Engagement in regional and sub regional groups Robust budget management	1	3	3	Training Manager
Non -realisation of full income potential impact on achievement of LAA1 reward related target	Non realisation of full income potential through lack of correct info Systems do not properly support income generation and collection	Non achievement of LAA target Reduction in Service Delivery Service Users do not realise their full income potential	4	3	12	Robust & thorough checking of financial data submitted to WBO's Cost analysis of delivering training to external partners Joint working with the DWP	3	3	9	HoS

Service Objective	Risk	Consequences	Gross Rating			Controls	Net Rating			Owner
			Likelihood	Impact	Score		Likelihood	Impact	Score	
Supporting People Grant reduction impact on delivery of key services to vulnerable people specifically LD	Services may need to be cut Pressure on Community Care revenue budgets Providers can't sustain their business	Vulnerable people left without housing related support services essential to the maintenance of independent living in the community Providers delivering reduced quality services Pressure on Community Services revenue budgets	4	3	12	Re tendering of SP contracts to realise economies of scale Agree joint retraction plan with LD for those services identified as ineligible under the revised grant conditions SP Core Group to oversee development of Strategic Framework to manage impact Strategic review of all services leading to re-tendering of services	3	3	9	
Extra Care Sheltered Housing scheme open by summer 2010	Extra Care Sheltered Housing development not delivered to meet MTFS assumption	Adult Social Care System Transformation Programme will fail to deliver on investment/disinvestment and service improvement objectives	4	4	16	Project Board set up to monitor progress - lead officers have been identified to be involved Regular reporting through the TEB will monitor progress against MTFS assumptions Additional resource to be recruited into Housing Strategy to lead on the work	3	4	12	
Lack of Temporary Accommodation leading to inability to meet statutory duty for homelessness	TA needs refurbishment to bring up to standard More people presenting than available TA	Cannot meet Statutory duty Housing PIs/CPA score	4	3	12	Closeworking with partner RSLs Develop specification for final phase of TA refurbishment, award tender and monitor work through to completion	3	3	9	

Title of Report:	Delegation of Authority to Head of Education	Item 6
Report to be considered by:	Council	
Date of Meeting:	11 December 2008	
Forward Plan Ref:	C1782	

Purpose of Report: To recommend that the scheme of Delegation be amended to permit the Head of Education Services to consult annually on admission arrangements.

Recommended Action: Governance and Audit Committee to consider the proposal and make a recommendation to Full Council.

Reason for decision to be taken: To comply with the requirements of the School Standards and Framework Act of 1998.

Key background documentation: None.

The proposals will also help achieve the following Council Plan Outcome:

CPO13 - Value for Money

The proposals contained in this report will help to achieve the above Council Plan Themes and Outcomes by:

Reducing the bureaucracy and delays in consulting on this element of the admission process.

Portfolio Member Details	
Name & Telephone No.:	Councillor Barbara Alexander – Tel (01635) 201320
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Date Portfolio Member agreed report:	
Contact Officer Details	
Name:	Moira Fraser
Job Title:	Democratic Services Manager
Tel. No.:	01635 519045
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Implications

Policy: If approved the Constitution (part 3 Scheme of Delegation) would need to be amended.

Financial: None.

Personnel: None.

Legal: Proposed change to the Constitution.

Property: None.

Risk Management: None.

Equalities Impact Assessment: Not required.

NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>

Executive Summary and Report

1. Introduction

- 1.1 The Constitution already delegates an extensive range of functions and powers to the Council's Head of Education as detailed at section 3.15 of the Constitution. However, there is no existing provision in the Scheme of Delegation to allow the Head of Education to consult annually on admission arrangements prior to determination as required by Section 89(2) of the SSFA (School Standards and Framework Act) 1998 and this report recommends that the Constitution is amended to allow this.

2. Proposals

- 2.1 In order to make the process more efficient it is proposed that the authority to consult annually on admission arrangements prior to determination is delegated to the Head of Education and is included in the list of delegations at section 3.15.1 of the Constitution.

3. Conclusion

- 3.1 Governance and Audit Committee are asked to support the recommendations and invite Full Council to ratify the recommendations.

Appendices

There are no Appendices to this report.

Consultees

Local Stakeholders: Not consulted.

Officers Consulted: Ian Pearson, Malcolm Berry, David Holling, Andy Day, Sarah Foster, Margaret Goldie, Shiraz Sheikh.

Trade Union: Not consulted.

Title of Report:	Amendment to the Individual Decision Making Protocol	Item 7
Report to be considered by:	Council	
Date of Meeting:	11 December 2008	
Forward Plan Ref:	C1783	

Purpose of Report: To consider extending the protocol for decision making by Individual Portfolio Member to include statutory consultations that the Council has to undertake.

Recommended Action: To extend the list of exemptions to 'key decisions' to include the relevant Portfolio Holder being able to approve statutory Council consultation documents.

Reason for decision to be taken: To expedite the decision making process.

Key background documentation: Protocol for Decision- Making by Individual Executive Members Appendix B to Part 14 (Codes and Protocols) West Berkshire Council Constitution.

The proposals will also help achieve the following Council Plan Outcome:
 CPO13 - Value for Money
 The proposals contained in this report will help to achieve the above Council Plan Themes and Outcomes by:
 Ensuring that the Council's decision making structures are efficient and effective at all times.

Portfolio Member Details	
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Date Portfolio Member agreed report:	

Contact Officer Details	
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Tel. No.:	01635 519045
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Implications

Policy: If approved Appendix B to Part 14 (Codes and Protocols) - Protocol for Decision -Making by Individual Executive Members.

Financial: None.

Personnel: None.

Legal: If approved West Berkshire Council's Constitution will require amending.

Property: None.

Risk Management: None.

Equalities Impact Assessment: Not required.

NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>

Executive Summary and Report

1. Introduction

1.1 At its Annual meeting on the 07 May 2002, the Council approved a protocol for decision-making by Individual Portfolio Members. The protocol was drafted on the basis that individual Portfolio Holders would not have the power to make 'key decisions'. 'Key decisions' are defined by the Government (Regulation 8 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2001) as:

- (i) Those which result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision is related.
- (ii) Those which are significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority.

It was felt that this protocol was too restrictive and over time a number of exceptions to the 'key decisions' have been agreed.

2. Proposals

2.1 Each year the Council is required to draft a range of statutory consultation documents and for statutory reasons these documents often require formal approval. While the list of current exemptions includes the Council's response to Government and other consultation documents a range of consultation documents (e.g. Consultation on the Home to School and College Transport Policy and the Place Survey) still require formal approval by the Executive as a whole.

2.2 It is therefore proposed to extend the list of exemptions to 'key decisions' (as set out in Appendix B part 14- Codes and Protocols Protocol for Decision-making by Individual Executive Members) to allow the relevant Portfolio Holder to approve statutory Consultation documents. As with all Individual Decisions the Portfolio Holder will ultimately decide whether it would be more appropriate for the decision to be considered by the Executive.

2.3 It should be noted that it is council policy to register all consultations administered / commissioned by WBC on *Consultation Finder* - westberks.gov.uk/consultation - so that there is a single point of reference - and catalogue - for all consultations undertaken by the Council.

3. Conclusion

3.1 Governance and Audit Committee are asked to support the recommendations and invite Full Council to ratify the recommendations.

Appendices

There are no Appendices to this report.

Consultees

Local Stakeholders: None.

Officers Consulted: Andy Day, David Holling, Sarah Foster, Jason Teal.

Trade Union: Not consulted.