

# Individual Decision

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

**Thursday, 14th March, 2019**

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<b>Ref:</b>	<b>Title</b>	<b>Portfolio Member</b>	<b>Page No.</b>
ID3693	<b>Outside Bodies - Amendment</b>	Councillor Graham Jones	3 - 12



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## Individual Executive Member Decision

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### Outside Bodies - Amendment

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<b>Committee considering report:</b>	Individual Executive Member Decision
<b>Date ID to be signed:</b>	14 March 2019
<b>Portfolio Member:</b>	Councillor Graham Jones
<b>Date Portfolio Member agreed report:</b>	31 January 2019
<b>Forward Plan Ref:</b>	ID3693

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#### 1. Purpose of the Report

1.1 To consider West Berkshire Council nomination to the following outside body:

- **West Berkshire Fostering Panel**

#### 2. Recommendation

2.1 To agree the Council's representative on the following outside body:

- **West Berkshire Fostering Panel**

#### 3. Implications

- 3.1 **Financial:** West Berkshire Council Members are not paid to attend Outside Body meetings. However, 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
- 3.7 **Other:** None

#### 4. Consultation Responses

**Members:**

**Leader of Council:** Councillor Graham Jones

**Overview & Scrutiny Management** Councillor Alan Law

**Commission Chairman:**

**Ward Members:** Not applicable

**Opposition Spokesperson:** Councillor Lee Dillon

**Local Stakeholders:** Foster Panel organisers have confirmed that they require a WBC Member representative.

**Officers Consulted:** Tess Ethelston, Olivia Lewis and Helen Benn

**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. The bulk of these appointments were made via an Individual Decision in June 2015 and the appointments were aligned to the Council's electoral cycle. 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. West Berkshire Fostering Panel

7.1 Councillor Rick Jones was appointed to the Panel on the 11 June 2015. Councillor Jones was subsequently appointed to the Council's Executive and currently holds the Portfolio for Health and Wellbeing, Leisure and Culture. The Foster Panel meets on a monthly basis and each meeting does require a reasonable amount of preparation time for all attendees. Councillor Jones has regrettably found that, given the time constraints arising from his portfolio, he does not have the time that is needed to prepare fully for the meetings. He has therefore reluctantly had to resign his position on the outside body.

7.2 The Fostering Panel consists of a range of in-house and external professionals and members of the public. The Panel considers applications for the approval of new foster carers, extension to temporary approvals and full approvals for "connected person" ("family and friends" carers), foster carer annual reviews and other matters requiring scrutiny e.g. issues of concern.

7.3 The Panel meets on a monthly basis usually on the second Thursday of the month. Meetings usually start at 9.45am and end between 1.30pm and 3.00pm. During the remainder of the Municipal Year the Panel will meet again on the 14 March 2019 and the 11th April 2019. It is envisaged that if the new appointee is re-elected that they will also be asked to attend the 09 May 2019 meeting which will fall after the 02

May 2019 election but within the interregnum arising between the election and new appointments to Outside Bodies. Following the May 2019 election the Council will appoint new representatives to all of its Outside Bodies.

- 7.4 The following Member has expressed an interest in being nominated as substitute to this Outside Body until May 2019: Councillor Graham Pask. We will notify the Leader of the Council of any further nominations that come forward as a result of this report being published.

## 8. Proposal

- 8.1 That the Leader appoints the representative to the organisation as set out in the paragraphs above.

8.2

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### Background Papers:

Outside Body Form

### Subject to Call-In:

Yes:  No:

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### Wards affected:

All

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### Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim(s):

- P&S – Protect and support those who need it**
- HQL – Maintain a high quality of life within our communities**
- MEC – Become an even more effective Council**

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- P&S1 – Good at safeguarding children and vulnerable adults**
- MEC1 – Become an even more effective Council**

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### Officer details:

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

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## Appendices

- 8.3 Appendix A – Data Protection Impact Assessment
- 8.4 Appendix B – Equalities Impact Assessment

## Appendix A

### 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](mailto:dp@westberks.gov.uk)

Directorate:	Resources
Service:	Strategic Support
Team:	Democratic and Electoral Services
Lead Officer:	Moira Fraser
Title of Project/System:	Outside Body Appointments
Date of Assessment:	29 January 2019

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

	Yes	No
Will you be processing SENSITIVE or “special category” personal data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be processing data on a large scale?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will your project or system have a “social media” dimension?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will any decisions be automated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using any novel, or technologically advanced systems or processes?	<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.

## Appendix B

### 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.

<b>What is the proposed decision that you are asking the Leader to make:</b>	To appoint one of our 52 elected members to an Outside Body (West Berkshire Foster Panel)
<b>Summary of relevant legislation:</b>	The Panel is constituted in accordance with the requirements of the Fostering Services Regulations 2011 and the National Minimum Standards for Fostering Services. Appointments will be made in accordance with Part 13 Appendix J (Protocol for Council Representation on Outside Bodies) of the Council's Constitution
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No
<b>Name of assessor:</b>	Moira Fraser
<b>Date of assessment:</b>	29 January 2019

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

<b>1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To appoint candidate to an outside body
<b>Objectives:</b>	To appoint a suitable candidate to an outside body
<b>Outcomes:</b>	To have the Council represented on the Outside Body in line with its requirements
<b>Benefits:</b>	Good decision making

**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		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
<b>Further Comments relating to the item:</b>		
Any person appointed to the panel will need to take cognisance of the rights of any protected groups in making decisions about foster placements.		

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

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](#).

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	No
<b>Owner of Stage Two assessment:</b>	N/a

<b>Timescale for Stage Two assessment:</b>	N/a
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**Name: Moira Fraser**

**Date: 29 January 2019**

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

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