

Individual Decision



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

Wednesday, 18th November, 2020

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Individual Executive Member Decision

Appointments to Outside Bodies

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	12 November 2020
Portfolio Member:	Councillor Lynne Doherty
Forward Plan Ref:	ID3971

1. Purpose of the Report

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

(1) Henwick Worthy JMC

1.2 To note that the Greenham and Crookham Commons Commission will be appointing a new volunteer to this organisation. The Greenham and Crookham Commons Act 2002 requires that one of this Council's three nominations must be from the Greenham and Crookham Commons Volunteers

2. Recommendation

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

(1) Henwick Worthy JMC

2.2 To note that Laurence Parker has been appointed as a volunteer representative to the Greenham and Crookham Commons Commission.

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

Appointments 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: Councillor Keith Woodhams, Councillor Jeff Brooks

Opposition Spokesperson: Councillor Lee Dillon

Local Stakeholders: None, Greenham and Crookham Commons Commission

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

Trade Union: Not consulted

5. Other options considered

5.1 Not to make any changes to the list of appointees.

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 Committee. The current representatives are Councillors Steve Ardagh-Walter, Adrian Abbs and Jeff Beck. Councillor Howard Woollaston is a substitute on this Committee and there is still a vacancy for a substitute. 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 (TTC) and West Berkshire District Council (WBC).

7.3 Councillor Keith Woodhams who is one of the Ward Members and was one of the Thatcham Town Council representatives is stepping down as a TTC representative on this group and has expressed an interest in being appointed as a West Berkshire Councillor on the Committee instead. Councillor Adrian Abbs has agreed to become a substitute.

8. Greenham and Crookham Commons Commission

- 8.1 The body was established under the Greenham and Crookham Commons Act 2002 and is a statutory body whose duties are set out under Schedule 8 of the Act 2002. Constitution defined in the Act.
- 8.2 The Council appoints three Council representatives to this organisation. The Council's current representatives are Councillors Steve Ardagh-Walter, Billy Drummond and Mr Derek Emes from the Greenham and Crookham Commons Volunteers. Mr Emes has indicated that after many years of service he will be stepping down from this role after the AGM on the 26 November 2020. The Council would like to thank Mr Emes for the part he played in pulling together the Management Plan, the Commission's website, and for his contributions at the Conservation Management Committee meetings. The volunteers are obliged to appoint someone from their number to be one of WBC's representatives and they have informed the Council that Laurence Parker has been nominated to represent them on the body.

9. Proposals

- 9.1 That the Council makes the changes to the membership of the Henwick Worthy Joint Management Committee as set out above to ensure that the Council is fully represented in this organisation.
- 9.2 That the Council noted the change in membership of the Greenham and Crookham Commons Commission.

9.3 Background Papers:

Information on the organisations can be obtained from Moira Fraser

Subject to Call-In:

Yes: No:

Wards affected:

Thatcham West and the surrounding area

Officer details:

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10. Appendices

- 10.1 Appendix A – Data Protection Impact Assessment
- 10.2 Appendix B – Equalities Impact Assessment

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:	28 September 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:	Moira Fraser
Date of assessment:	28 September 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: Moira Fraser

Date: 28 September 2020