
Contract Award for Leisure Management Contract

Committee considering report:	Executive
Date of Committee:	23 March 2023
Portfolio Member:	Councillor Howard Woollaston
Date Portfolio Member agreed report:	10 March 2023
Report Author:	Chris Pathmadeva, Category Manager – Communities and Wellbeing
Forward Plan Ref:	EX4221

1 Purpose of the Report

- 1.1 This paper seeks Executive approval to award the Leisure Management Contract following a tender process

2 Recommendations

- 2.1 The Executive resolves to:

(1) award the Leisure management contract to the successful bidder in consultation with the s151 Officer and the Portfolio holder for Housing, Leisure and Culture.

(2) delegate authority to the Service Lead Legal & Democratic Services in consultation with the Interim Executive Director (People) to;

(a) finalise the terms of the agreement as set out in the tender documents and to make any necessary drafting or other amendments (such amendments shall not be substantial or material) to the terms of the agreement necessary to produce a final agreement for execution and to enter into that agreement; and

b) finalise and enter into appropriate leases and/or licences required for the operator's occupancy of each facility managed by the operator under the leisure contract.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The fixed management fee, paid per annum, can be met from existing budgets. This fee is subject to CPI annually, the budget for this will be addressed through the budget build process
Human Resource:	TUPE will apply to this contract
Legal:	The procurement exercise has followed a rigorous process using the competitive procedure with negotiation in order to achieve a feasible, deliverable and most economically advantageous tender for the Council. This procedure and the manner in which it has been conducted is in compliance with the Public Contracts Regulations (PCR) 2015 and the Council Constitution. Throughout the process it has been made clear to bidders that there will be no substantive change to the contract terms which were advertised as part of the procurement documentation and on which there have been a great number of clarifications. Aside from those areas where the Council has agreed to make amendments during the clarification and negotiation phase (such amendments having been made available to all bidders at the respective stages of the process) and those to 'perfect' the contract with the winning bid information no further amendments will be accepted. Drafting control in respect of these permitted amendments will remain with the Council and a final contract will be issued for execution to the winning bidder should the Executive pass the resolutions
Risk Management:	Two final bids were received but one bid was not compliant with the Council's instructions for the final bids. As such, and following attempts to clarify the non-compliant final bid, the Council rejected that bid and excluded the bidder concerned from the process. Whilst there is a risk of challenge to such a decision this was balanced against the risks of accepting a non-compliant bid which could also lead to a procurement challenge.
Property:	The facilities within the leisure contract are held by the Council under differing ownership tenures. Four of the facilities are situated on school sites, and with the exception of the

	<p>Northcroft Leisure Centre, each of the other facilities are subject to joint use agreements.</p> <p>The tenures of each facility are as follows:-</p> <p><u>Northcroft Leisure Centre (LC) and Lido</u></p> <p>The Council has absolute freehold ownership of this site.</p> <p><u>Willink LC</u></p> <p>This facility is located on a school site for which the Council has absolute freehold ownership. There is a joint use agreement relating to the use of the facility by the school.</p> <p><u>Hungerford LC</u></p> <p>This facility is located on a school site for which the Council has freehold ownership. There is a joint use agreement relating to the use of the facility by the school.</p> <p><u>Kennet LC</u></p> <p>This facility is located on a school site for which the Council has freehold ownership. There is a joint use agreement relating to the use of the facility by the school.</p> <p><u>Newbury Sports Hub</u></p> <p>This facility is to be constructed by the Council and will located on land for which the Council will be granted a 40 year lease by the Newbury Rugby Club. There will be a joint use agreement relating to the joint use of the facility by the Rugby Club. Further details relating to the Sports Hub and its construction are set out in a separate report.</p> <p><u>Cotswold Sports Centre</u></p> <p>This facility is located on a site owned by Tilehurst Parish Council. The Council has a leasehold interest in the site and is currently holding over under protected business tenancies. Property Services are in negotiation with the Parish Council for the grant of new leases for the duration of the leisure contract but with an option to break in favour of the Council. The site is subject to a joint use agreement with the Parish Council.</p> <p><u>Lambourn Centre</u></p> <p>The Council is the freehold owner of the site. The Centre is subject to a joint use agreement with Lambourn Parish Council.</p>
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	<u>Downland Centre</u>			
	This facility is located on a school site for which the Council has no freehold or leasehold ownership.			
Policy:	N/A			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission's Guidance for Employers.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission's Guidance for Employers
Environmental Impact:	X			See section 5.9 of this report
Health Impact:	X			See section 5.9 of this report
ICT Impact:				N/A.
Digital Services Impact:				N/A

Council Strategy Priorities:				<p>Ensure sustainable services through innovation and partnerships</p> <p>Ensure our vulnerable children and adults achieve better outcomes</p>
Core Business:				BAU
Data Impact:				N/A
Consultation and Engagement:	<p>Soft market testing was undertaken by external consultants to ascertain interest in the Contract.</p> <p>Public consultation was undertaken with regards to specific projects (such as the Lido and Sports Hub)</p> <p>Howard Woollaston – Portfolio Holder</p> <p>Dawn Bond – Solicitor</p> <p>Sarah House – Chartered Legal Executive</p> <p>Lisa Potts – Finance Manager</p> <p>Procurement Board</p> <p>Bevan Brittan – external legal advice</p>			

4 Executive Summary

- 4.1 This report seeks approval from Executive to award a 10 year contract (with an option to extend for a further period of 5 years) relating to the provision of Leisure Management services across West Berkshire following a tender process conducted in accordance with the requirements of the Public Contracts Regulations 2015 as a Competitive Procedure with Negotiation process.
- 4.2 The preferred option for procurement was approved by Procurement Board via a Procurement Strategy approved in October 2021.
- 4.3 The Council are procuring an Operator Partner to manage, operate and maintain a number of existing leisure and community facilities. The Contract will commence on 1 July 2023 and have a maximum term of 15 years (10-years with a possible extension of a further 5 years).
- 4.4 The Facilities included in the contract are as follows:
- Northcroft Leisure Centre (LC) and Lido

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- Willink LC
- Hungerford LC
- Kennet LC
- Newbury Sports Hub
- Cotswold Sports Centre
- Lambourn Centre
- Downland Centre

- 4.5 Interest was received from seven operators which, following the multiple stage procurement process, resulted in six initial bids and eventually two final bids. The evaluation panel consisted of 2 officers from the Sport and Leisure Team and 2 staff from Strategic Leisure, an external consultancy firm employed by the Council to assist with the procurement process. The evaluation criteria was based on 60% Quality (including 10% Social Value) & 40% Price
- 4.6 The successful bidder scored 9,140 points out of 10,000 in the final scoring matrix.
- 4.6 Officers are therefore seeking approval from Executive to formally award the Contract to the successful bidder.

5 Supporting Information

Introduction

- 5.1 Following the submission and approval of the Procurement Strategy in October 2021 to Procurement Board, the Leisure Management Invitation to Tender was advertised on the Council's procurement portal and all relevant Government portals in April 2022.

Background

- 5.2 Strategic Leisure undertook soft market testing to determine interest in the contract. A key finding was that in the context of West Berkshire's ageing leisure building stock, the provision of capital investment by the Council was a critical factor in determining the attractiveness of the contract and the potential for increased revenue generation.
- 5.3 Like many industries, the leisure sector faces an unprecedented challenge from the energy and cost of living crisis, with current projections indicating large scale failure of services as a direct result of the situation. Leisure assets are by their nature energy-intensive buildings, with both cooling and heating costs, with the latter being exacerbated by the onset of the winter season.
- 5.4 Operators providing public services on behalf of Councils tend to operate on very small profit margins. They often do not have the level of reserves built up that are required for unforeseen circumstances such as the energy crisis. Figures from the National Leisure Recovery Fund show that providers used almost £125 million of reserves to sustain

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themselves through Covid, leaving them too depleted to last through this period of high energy prices

- 5.5 In other areas, local authorities have overseen the closure of their leisure facilities, some on a permanent basis and others over the winter period, whilst others are reviewing their options closely including reducing opening hours and staff reductions
- 5.6 The LGA wrote a letter to Chancellor of the Exchequer Jeremy Hunt and Secretary of State Michael Gove in January 2023 on the urgent support needed for public sport and leisure services. The LGA urged the Government to act swiftly with three key measures:
- Reclassify pools and leisure centres as energy intensive in the Energy Bills Discount Scheme so they can access the higher level of energy price discount.
 - Set out what tangible support it will provide to the wider sector – including gyms and sports facilities – to help navigate the energy crisis across 2023 so that service restrictions and facility closures can be minimised.
 - Set out a “plan for the growth” for the sector by aligning the proposed new Sports Strategy with the Spring Budget to unlock the potential of the sector to support the economic, health, and social wellbeing of the nation

Proposals

- 5.7 All bids received were evaluated in accordance with the published evaluation criteria. The quality criteria was assessed over 14 method statements based on the following topics:

- Health, wellbeing, programming and social value
- Staffing (structure, training and development)
- Marketing Media, Communications, Public Relations and customer experience
- Pricing for Activities
- Maintenance
- Environmental, waste and pest control management
- Management, performance management and reporting
- Health and safety management, Quality Assurance and Compliance with legislation and Industry Standards
- Catering, retail and vending
- IT, telephones and online booking system
- Management of car parks, outdoor areas, landscape and site furniture
- Mobilisation following appointment/Innovation and added value
- Newbury Sports Hub
- Capital investment (not scored)

- 5.8 The successful proposal scored the highest quality marks, achieving 51% out of the maximum 60% available. The submission outlined a particularly bespoke leisure offering for West Berkshire and provided an enormous amount of added value which was reflected in their evaluation scoring.

- 5.9 The successful bidder will facilitate access to a network of modern and sustainable facilities – with proposals to develop, modernise and enhance Northcroft alongside potential investment options for Kennet and Willink LCs.
- 5.10 The operator are fully committed to developing a partnership with the Council to successfully deliver the West Berkshire Leisure Operating Contract strategic outcomes, enhancing the reputation of the Council and the operator as a recognised “*physical activity and leisure brand*” across the District. The proposals submitted will deliver a market-leading service, through more effective partnerships and enhanced quality in facilities and programmes in support of the Council’s outcome requirements.
- 5.11 In respect of the quality aspects outlined above, the successful proposal offers the following value:

Health, wellbeing, programming and social value

A new Corporate Community Health and Wellbeing Framework in West Berkshire, aligned to meet the specific objectives of the West Berkshire Health and Wellbeing Strategy.

A number of Community Health & Wellbeing and Outreach programmes, including delivery for those from areas of higher need through reduced or free activity initiatives.

A number of excellent examples of programmes and delivery of outcomes, over and above what was included in the Council’s specification:

The successful bidder’s GP Referral scheme is a proposed solution for people with health conditions to increase physical activity levels and improve health.

The successful bidder will work in partnership with GP Social Prescribers to identify referrals who qualify for free facility activity passes. With a focus on key target groups, the successful bidder will develop the Social Prescribing scheme across West Berkshire, working with partners (e.g. West Berkshire H&W Board) to promote all activities through the EA card, local GPs surgeries etc with programmes available in the sites/ across the community.

Social Value - Utilising 4Global Social Value reporting and Single Customer View data, the successful bidder will effectively monitor the outcomes the partnership is delivering through sport, activity and health programmes. They will provide a focussed and strategic approach to the delivery of wider social value outcomes through:

- employment of a Social Value Champion (Health Development Manager) to work with the H&W and facility management teams to improve Social Value return across West Berkshire
- a focussed, strategic approach to delivery of wider social value for residents and colleagues

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- measurement through the 4Global Social Value Calculator tool, providing analysis of the successful bidder's operational impact
- a strategy to help local communities continue to recover from the impact of Covid by creating community hubs where people will want to live, work, undertake leisure/social activities
- a strategy to support improved economic equality, creating a vibrant economy and matching local skills provision with future job/career opportunities – through recruitment, apprenticeships and work placements
- delivery of community health and wellbeing initiatives, improving the health and wellbeing of residents through better access to facilities - an inclusive approach to physical and mental wellbeing and reduction in health inequalities
- a focus on fighting climate change in partnership with the Council

Staffing (structure, training and development)

Their staffing proposals will deliver a quality service by providing:

- sufficient, competent on-site and H&W teams focussed on delivering a quality service
- a workforce development strategy delivering social value and improved retention / succession
- competitive rates of pay and benefits (aligning hourly rates to the current National Living Wage which is increasing in April 2023) and welfare schemes including occupational health, free centre memberships, Cycle to Work scheme etc.
- a high-level performance and standards of customer service at all times
- a structure based on the scale of the Contract
- apprenticeship strategy focussed on developing 5 colleagues from local communities annually.

Marketing Media, Communications, Public Relations and customer experience

Their approach will enhance the current service and create a consistent approach to improve awareness and accessibility including provision of the following:

- focused approach to Marketing, PR and Customer Care to achieve a balance of community and commercial outcomes, supporting increases in participation and increased Social Value
- plans that reflect local trends, venue capacity, Health and Wellbeing strategies, targeted participation and social demographics of West Berkshire
- a robust system to handle complaints and comments which complies with Council policy
- a specific PR Plan which is aligned to the marketing plan and activity programme

Pricing for Activities

They will deliver:

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- a pricing strategy created through analysis and research of the local community market needs, whilst maximising commercial opportunities to provide an improved revenue position for the Council
- offer low cost / no cost activity through their facility and H&W programmes - for low-income individuals and families
- a pricing structure that considers protected bookings, all activity areas and provides a clear strategy for maximising revenue - memberships, swimming lessons, block bookings and casual usage across all user groups (adult, junior, senior, concessions)
- Innovative reporting methods to evidence the delivery of positive impact in West Berkshire through our programming and pricing approach

Maintenance

Within the existing contract with Parkwood Leisure, planned and reactive maintenance costs are shared with the leisure operator and hence the Council has subsequently held a budget to manage these responsibilities. To improve operational efficiency and response times within the new Contract, the successful bidder will be responsible for meeting the cost of all planned and reactive maintenance and equipment maintenance.

- the direct employment of a dedicated, full-time Maintenance Manager
- technology-based asset management systems and maintenance fund allocation to operations throughout the contract term ensuring the facilities consistently retain their 'fresh' appearance
- all servicing, repairs undertaken by in-house staff or via valued subcontractors – local SMEs and national
- a focus on low-carbon, sustainable operational delivery
- site specific, detailed cleaning schedules to include daily, weekly, monthly and annual cleaning
- provision of specific cleaning equipment for all facilities

Environmental, waste and pest control management

Through their environmental strategy and systems the successful bidder will bring a series of benefits incorporating their carbon reduction plans, techniques and environmental commitments, including:

- a clear, actionable strategy to maximising energy conservation; working with their partner organisations and engagement with colleagues (bringing cultural change)
- measurement and monitoring of emissions and building of business cases for opportunities derived from their Energy Action Plans and support from specialist partners
- facility specific Energy Engagement Plan (EEP) – a manual to promote, drive and educate colleagues with the techniques to reduce consumption

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- expertise of in-house resources; field-based Regional Technical Manager who will play a major role in establishing procedures, training of the Maintenance Engineer and Carbon Reduction Co-ordinators
- user engagement – particularly the increased number of users attracted; persuading them to use more sustainable forms of transport, re-cycle more and reduced carbon footprint
- An innovative Carbon Reduction Delivery Plan - designed to ensure activity meets key Council targets
- working with their waste partner to introduce their 'Dashboard customer hub' to review/assess waste performance – targeting 100% landfill diversion within the contract

Catering, retail and vending

Their approach to catering will provide:

- high quality in-house operated F&B service at Northcroft, with an new café development serving the leisure centre and Lido, with menus catering for customers and park visitors
- corporate activity days / events / meetings at Northcroft Lido with buffet/corporate hospitality menus
- a clear plan for F&B facilities and services across the Contract, including vending and water fountains
- professional approach to the management of F&B services achieving 5/5 food hygiene certification
- free Wi-Fi for added value and the comfort of connectivity for bookings / socialising
- increased marketing/advertisement opportunities of café/events through social media/website
- providing lunches for children's holiday activities, hospitality and events catering
- healthy options to include nutrition bars, fresh fruits etc
- catering for vegetarians, vegans, persons with specific dietary needs, especially gluten and dairy free, ensuring strict compliance with the UK Food Information Amendment ('Natasha's Law' effective since 1st October 2021)

Newbury Sports Hub

The new contract also includes for the full year operation of Newbury Sports Hub based on a projected opening in January 2024. Within their proposals they commit to:

- developing strong partnerships with stakeholder clubs to develop a programme of community activity, events, etc., fully utilising the facilities on offer
- increasing outdoor attendances
- a colleague structure focussed on increasing participation and collaborative working with partner clubs – including development of a volunteer pool for match days and events
- sports pathways through a football development programme in partnership with Newbury FC.

Risks

- 5.12 As outlined earlier in the report, the impact of utility costs in this contract has been significant. To put this into context, at the commencement of the tender exercise operators were given utility tariffs by the Council to price their consumption against and bids were received on this basis at the initial stage. However following the war in Ukraine and the subsequent surge in utility costs, the Council asked tenderers to apply their own utility tariffs for the contract.
- 5.13 Should utility rates drop, the Council will be in a position to invoke utility benchmarking at the end of year 1 of the Contract and an updated management fee will then apply from the start of year 2. It should be noted that the reverse applies should utility rates continue to increase and furthermore, the Council removed a cap on annual utility benchmarking. Officers envisage this improves the Council position so as not to cap any expected decrease in costs over the life of this particular Contract.
- 5.14 The Council will be seeking a flexible partnership approach to risk sharing in the event of a future pandemic and to operate the service scope within parameters which are affordable to the Council.
- 5.15 The significant increase in participation is linked to the delivery of capital projects, particularly at Northcroft LC (dryside) to be completed in years 1 and 2 of the new Contract. The Council will work in close partnership with the new operator to deliver the planned investment programme.
- 5.16 Ultimately the leisure operator carries the risk of meeting the income targets they have set within their proposal and for the delivery of sustainable leisure facilities over the Contract period.

Finance

- 5.17 The annual management fee is a payment from the Council to the successful bidder, subject to CPI in April of each year (NB – CPI is applied at the anniversary of the Contract each year however the CPI figure for that particular April is used). There are a number of levers the Council can pull to adjust this figure to a more favourable position. In particular, fuel benchmarking can be invoked by either party on an annual basis. Should, as current forecasts predict, energy prices decrease then the benchmarking procedure will allow for the management fee to be revised accordingly
- 5.18 Within the current existing contractual payment arrangements the Council are paying both the management fee and support costs with Parkwood Leisure operating at zero profit. The monthly costs to the Council varies but averages at around £40,000 per month.
- 5.19 The new contract fee represents a significant reduction in costs and risk to the Council whilst providing a range of new and enhanced services and transferring additional responsibilities to the operator as detailed below.

New Responsibilities

To improve operational efficiency the following changes of responsibility have been enacted within the new contract:

a) West Berkshire Card

The Council have been responsible for cost of the administration of the West Berkshire Card (£27k) however within the new contract the Leisure Operator will be responsible for both the administration and the cost of the West Berkshire Card

b) Maintenance Responsibilities

Within the existing contract with Parkwood Leisure, planned and reactive maintenance costs are shared with the leisure operator and hence the Council has subsequently held a budget to manage these responsibilities (£100k). To improve operational efficiency and response times within the new Contract, the Leisure Operator will be responsible for meeting the cost of all planned and reactive maintenance and equipment maintenance.

c) Outreach Services

The new Contract contains a new dedicated Health and Wellbeing team focused on outcomes for activity development that are dedicated to the provision of outreach services and improving the health and wellbeing of residents. This means that services will take place in a range of community settings including village halls, local parks etc targeting residents who are inactive and building their confidence to participate regularly in physical activity.

d) Lido

The management fee for the new Contract also includes for the operational costs of the new lido, interactive play facilities and slides. Within the current Contract, the lido only operated for an average of 11 weeks per year whilst in the new Contract the lido is operational for six months each year (April to September).

e) Newbury Sports Hub

The new Contract also includes the full year operation of Newbury Sports Hub based on a projected opening in January 2024. The successful bidder's offer includes a football development post and a substantial football development programme whilst it will also secure a home venue for Newbury FC for participation in league and cup competitions who have continued to express their commitment to locating at the Sports Hub.

6 Other options considered

- 6.1 Extension with the incumbent operator Parkwood Leisure – the current contract has been extended to the maximum allowed under the current terms.

- 6.2 Officers utilised the Sport England facilities planning model tool to determine if the scale and location of West Berkshire's leisure centres were appropriate for the existing population and projected population growth up to 2036. The outcome of this was that the existing leisure centres are appropriately located to serve the needs of the population and the scale of provision was also appropriate. However the age of the existing stock was highlighted as an issue which could affect future demand. The planned capital investments are designed to help alleviate this issue. In the future the report advised that rationalising the service could provide benefits with the opening of a new leisure centre which could cover the catchment area of more than one of West Berkshire's existing centres. The issue of identifying a location for a new leisure centre is highlighted for future consideration in the leisure strategy 2022-32.
- 6.3 Closure of services – leisure centres are community hubs and participants utilise the services for social and health reasons. For older people, the social aspect is often of particular value and this was highlighted in the public consultation underpinning the leisure strategy. Additionally, leisure centres are homes for local sports clubs and the only venues where schools can meet their curriculum obligations to teach children to swim 25metres and Key Stage 2. Any closure should be considered in the context of an Equality Impact Assessment.
- 6.4 Bring service back in house – this would require a major restructure of the leisure team and result in a considerable increase in costs for core services such as HR, Payroll, ICT as more than c200 staff would be joining the Council.

7 Conclusion

7.1 The Executive resolves to:

- (1) award the Leisure management contract to the successful bidder in consultation with the s151 Officer and the Portfolio holder for Housing, Leisure and Culture
- (2) delegate authority to the Service Lead Legal & Democratic Services in consultation with the Interim Executive Director (People) to;
 - (a) finalise the terms of the agreement as set out in the tender documents and to make any necessary drafting or other amendments (such amendments shall not be substantial or material) to the terms of the agreement necessary to produce a final agreement for execution and to enter into that agreement; and
 - b) finalise and enter into appropriate leases and/or licences required for the operator's occupancy of each facility managed by the operator under the leisure contract

8 Appendices

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Data Protection Impact Assessment

Background Papers:

Evaluation Report compiled by external consultants, Strategic Leisure

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: ALL

Officer details:

Name: Chris Pathmadeva
Job Title: Category Manager – Communities & Wellbeing
Tel No: 01635 503607
E-mail: chris.pathmadeva1@westberks.gov.uk

Appendix A

Equality Impact Assessment (EqIA) - Stage One

What is the proposed decision that you are asking the Executive to make:	Contract Award for the provision of Leisure management services for the period from July 2023 to June 2033
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's priorities for improvement? <ul style="list-style-type: none"> • Ensure our vulnerable children and adults achieve better outcomes • Support everyone to reach their full potential • Support businesses to start develop and thrive in West Berkshire • Develop local infrastructure including housing to support and grow the local economy Maintain a green district • Ensure sustainable services through innovation and partnerships 	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name of Budget Holder:	Jim Sweeting
Name of Service/Directorate:	Communities and Wellbeing / People
Name of assessor:	Chris Pathmadeva
Date of assessment:	14 February 2023
Version and release date (if applicable):	

Is this a ?		Is this policy, strategy, function or service ... ?	
Policy	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	New or proposed	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input type="checkbox"/>	Already exists and is being reviewed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Function	Yes <input type="checkbox"/> No <input type="checkbox"/>	Is changing	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Service	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	The primary objective of the procurement was to operate a financially sustainable sport and leisure service which meets the relevant strategic objectives of the Leisure Strategy 2022-32
Objectives:	Removing the barriers to participation in physical activity
Outcomes:	Create a more physically active and healthy community
Benefits:	Improvements in mental and physical health and increased sense of community cohesion

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?		
Group Affected	What might be the effect?	Information to support this
Age	Positive	The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission's Guidance for Employers
Disability	Positive	The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission's Guidance for Employers
Gender Reassignment	N/A	
Marriage and Civil Partnership	N/A	
Pregnancy and Maternity	N/A	
Race	Positive	The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission's Guidance for Employers
Religion or Belief	Positive	The contract requires adherence to Equality Act 2010 and The Equality and

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		Human Rights Commission's Guidance for Employers
Sex	Positive	The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission's Guidance for Employers
Sexual Orientation	N/A	
Further Comments:		

(3) Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Clauses within the contract address the requirement to adhere with equality legislation (Schedule 19) and promote equal opportunities	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Clauses within the contract address the requirement to adhere with equality legislation (Schedule 19) and promote equal opportunities	

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 EqIA 2.

If an EqIA 2 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 EqIA guidance and template – <http://intranet/index.aspx?articleid=32255>.

(4) Identify next steps as appropriate:	
EqIA Stage 2 required	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Owner of EqIA Stage Two:	
Timescale for EqIA Stage Two:	

Name: Chris Pathmadeva

Date: 13 February 2023

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.

Appendix B

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:	People
Service:	Communities and Wellbeing
Team:	Leisure
Lead Officer:	Paul Martindill
Title of Project/System:	Leisure management contract
Date of Assessment:	14 February 2023

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><i>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”</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Yes	No
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?		
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"/>
Note – this could include biometrics, "internet of things" connectivity or anything that is currently not widely utilised		

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.