

**COUNCIL  
27 APRIL 2005**

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**AMENDMENT TO STRUCTURE OF DECISION REPORTS  
(Constitution Review Group)**

**1 INTRODUCTION**

- 1.1 The Constitution Review Group, at its meeting on 6 April considered proposals from officers on the need to adapt the Council's Committee and Executive Decision Report templates to reflect changes in legislation and progress in other policy areas.
- 1.2 The benefits of the proposals will be to:
- (i) Provide more immediate identification of the purpose and benefit of policy decisions at the outset of reports and connect those decisions explicitly with potentially affected stakeholder groups for the benefit of senior officers, elected members and the public where they will have access to the Executive Decision reports;
  - (ii) Improve the efficiency, effectiveness and quality of decision making to underpin Section 4 of part 5.4 of the Constitution;
  - (iii) Ensure that the Council is compliant with applicable statutory and mandatory requirements including the Disability Discrimination Act 1995, Crime & Disorder Act 1998, Race Relations Amendment Act 2000, Race Equality Scheme, CPA Improvement Plan, "All of Us – Strategy to Promote Community Cohesion in Bracknell Forest".

**2 RECOMMENDATIONS**

- 2.1 That the Executive Decision Report Template, as set out in Part 5.4 of the Constitution be amended to reflect the changes proposed in this report
- 2.2 That the changes to headings in the Committee Decision Report Template as described in the body of the report be approved; and
- 2.3 That where a report proposes a change in policy, an Equality Impact Assessment Record Sheet shall be completed by the report author and attached to the report.
- 2.4 That the proposed changes be introduced with effect from the Annual Council meeting on 11 May 2005.

### **3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

#### Borough Solicitor

- 3.1 Nothing to add to the report.

#### Borough Treasurer

- 3.2 There are no financial implications as a result of this report.

#### Access Implications

- 3.3 Refer to comments in the main body of the report.

### **4 SUPPORTING INFORMATION**

- 4.1 The Constitution Review Group received a report explaining the changes that were proposed to the report templates. The proposed changes are summarised below.

#### Changing Heading: “Access Implications” to “Impact Assessment”

- 4.2 The change will require officers to consider the impact of proposed decisions beyond purely physical implications and instead provide broader evidence of consideration of impact on other groups (whether internal and external to the organisation), aligning decision making with the requirements of legislation dealing with equalities and community safety. A completed Equality Impact Assessment record to evidence such consideration will support each report proposing a change of policy.

#### Alignment with Medium Term Objectives

- 4.3 Where a report relates to one of the Council’s medium term objectives, reference to this will be made in the “Supporting Information” or, where appropriate in Executive reports, the “Reasons for Recommendations”. The CPA process makes it a requirement to demonstrate a clear contribution of a decision with the overall direction of Council policy and resourcing as expressed through the MTO.

#### Changing Ownership

- 4.4 It is proposed that the assessment of a decision’s impact should be made by the officers proposing them, such that ownership and understanding of impact is mainstreamed within the service. It is no longer feasible for the Access Officer to provide comment on broader equalities issues and within the precepts of the legislation, understanding and ownership of fair access issues must be mainstreamed if decision making is to be fully accountable.

#### **Statutory Drivers**

- 4.5 There are a number of statutory requirements upon the Council which have led to the proposals coming forward at this time. These were set out in detail in the officer report and summarised below.

### ***The Constitution***

- 4.6 The Forward Plan and Executive Work Programme is required to show for any forthcoming Executive decisions, details of principal groups consulted, the method of consultation and any representations received. The proposals will reinforce and add-value to this statutory requirement.
- 4.7 If the new format report prompts earlier consideration of the Community Cohesion impact of forthcoming decision, it would also go some way to addressing the suggestions made by the Public Scrutiny Commission to improve contextual information set out in Executive reports.

### ***Crime and Disorder Act 1998***

- 4.8 Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to consider the Community Safety implications of its decisions. This requirement will be addressed within the impact assessment paragraph.

### ***Best Value Performance Indicator 2***

- 4.9 BVPI 2 requires the Council to report progress against the *Equality Standard for Local Government* which seeks to broaden accountability for decision making by encouraging self-assessment of policies and decisions which affect service delivery for compliance against applicable equalities legislation. The Council is currently at Level 1 of the Standard. Support for the recommendations will contribute to the attainment of Level 2.

### ***Race Relations Amendment Act 2000 & Disability Discrimination Act 1995***

- 4.10 The need to identify potentially affected groups and evidence consideration of an assessment of impact on those groups is a duty under the *Race Relations Amendment Act 2000* (RRA) and a requirement of the *Disability Discrimination Act 1995* (DDA).

### ***Mandatory Drivers***

#### ***KPMG – Management Letter***

- 4.11 The Management Letter from KPMG (the Council's appointed auditors) suggests further strengthening of the connection between resource allocation and the overall direction of the Council. This would underpin existing progress made by amendments to Service Plans, Quarterly Operations Reports and Corporate Performance Overview Reports.

#### ***CPA Improvement Plan***

- 4.12 The Council has agreed with the Audit Commission that a commitment will be made to re-assess the allocation of resources appropriate to needs. Furthermore, initial CPA assessment of the Ambition line of enquiry indicates that decisions must be able to demonstrate user focus

### ***Community Cohesion Strategy***

- 4.13 As a result of the *CPA Improvement Plan*, the *Community Cohesion Strategy* has identified the need for explicit assessment of the impact of decision making on stakeholder groups. The strategy and implementation plan which have been the focus of public consultation, has received Executive approval and contains an action in its implementation plan to secure the changes outlined in the body of this report.

#### Supporting Papers

Annex 1 – Proposed Committee Report Template

Annex 2 – Proposed Executive Report Template

#### Background Papers

“All of Us” – A Strategy to Promote Community Cohesion in Bracknell Forest, BFBC

Race Equality Scheme, BFBC

Equality Standard for Local Government, Employers Organisation for Local Government

Best Value Performance Indicators, Office of the Deputy Prime Minister

#### Contact for further information

Gill Steward, Director of Corporate Services and Resources

[gill.steward@bracknell-forest.gov.uk](mailto:gill.steward@bracknell-forest.gov.uk)

#### Doc. Ref

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*Proposed Template for a Committee Decision Report*

(ITEM 6(ii))

[NAME OF COMMITTEE/SUB COMMITTEE] COMMITTEE](Capitals)  
 [DATE MONTH YEAR, eg 1 MAY 1998]

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[TITLE OF REPORT in capitals]  
 (Director of [insert title])

**1 INTRODUCTION**

- 1.1 [The introduction should clearly describe the issue for decision, preferably in about 5-10 lines.]

**(iv) RECOMMENDATIONS**

- iv.1 That [insert recommendation]

- 2.2 That [insert recommendation, if further paragraphs are required number 2.3, 2.4 etc]

**(v) ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**Borough Solicitor

- v.1 [The report author must consult the Borough Solicitor, or his representative, over the wording.]

Borough Treasurer

- v.2 [The report author must consult the Borough Treasurer, or his representative, over the wording.]

Impact Assessment

- v.3 [The report author must evidence consideration of impact on groups affected by the proposal. Consult your departmental Community Cohesion Working Group member over the wording or the Access Officer. Where a change of policy is proposed the report author must also attach an Equality Impact Assessment Record]

Other Officers

- 3.4 [You should outline whether there are implications for other departments. If other officers are involved further headings should be included and appropriately titled, eg "Borough Human Resources Manager". In each case, the appropriate officer, or representative, should be consulted over the wording.]

***Proposed Template for a Committee Decision Report*****(vi) SUPPORTING INFORMATION**

[Where appropriate the report author should refer to the Department's Service Plan to connect the decision with Corporate and departmental objectives.]

Sub-Heading (if appropriate)

- 4.1 [Include any other relevant information to assist members in their decision making and number subsequent paragraphs 4.2, 4.3, etc.]

[The following are to be included at the end of each report.]

Background Papers

*[List all documents used to a material extent in the preparation of the report]*

Contact for further information

*[Name – Direct Dial Telephone Number and email address]*

Doc. Ref

*[Insert name of document, folder etc]*

*Proposed Template for an Executive Decision Report*

(ITEM 6(ii))

[TO: (Capitals)]  
[DATE MONTH YEAR, eg 1 MAY 1998]

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[TITLE OF REPORT in capitals]  
(Director of [insert title])

**1 PURPOSE OF DECISION**

- 1.1 *[The introduction should clearly describe the issue for decision, preferably in about 5-10 lines.]*

**2 RECOMMENDATIONS**

- 2.1 That [insert recommendation]
- 2.2 That [insert recommendation, if further paragraphs are required number 2.3, 2.4 etc]

**3 REASONS FOR RECOMMENDATIONS**

- 3.1 [The reasons for the recommendations must be clearly stated and numbered 3.1, 3.2 etc. Where appropriate the report author should refer to the Department's Service Plan to connect the decision with Corporate and departmental objectives.]

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 [Provide details of alternative options considered.]

**5 SUPPORTING INFORMATION**

Sub-Heading (if appropriate)

- 5.1 [Include any other relevant information and number subsequent paragraphs 5.2, 5.3, etc. There is no need to repeat the recommendations or reasons. In some cases a number of bullet points may adequately supplement the information set out above in the reasons for the recommendations.]

***Proposed Template for an Executive Decision Report***

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 [The report author must consult the Borough Solicitor, or his representative, over the wording.]

### Borough Treasurer

- 6.2 [The report author must consult the Borough Treasurer, or his representative, over the wording.]

### Impact Assessment

- 6.3 [The report author must evidence consideration of impact on groups affected by the proposal. Consult your departmental Community Cohesion Working Group member over the wording, or the Access Officer. Where a change of policy is proposed the report author must also attach an Equality Impact Assessment Record]

### Other Officers

- 6.4 [You should outline whether there are implications for other departments. If other officers are involved further headings should be included and appropriately titled, eg “Borough Human Resources Manager”. In each case, the appropriate officer, or representative, should be consulted over the wording.]

## **7 CONSULTATION**

### Principal Groups Consulted

- 7.4 [List the groups consulted, if any.]

### Method of Consultation

- 7.5 [Detail the method of consultation]

### Representations Received

- 7.6 [Summarise the main points emerging from the consultation exercise – bullet points may be sufficient.]

*[The following are to be included at the end of each report.]*

### Background Papers

[List all documents used to a material extent in the preparation of the report]

### Contact for further information

[Name, Department – Direct Dial Telephone Number]

[e-mail address]

### Doc. Ref

[Insert name of document, folder etc]