

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 27 June 2017 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor H A E Turbyfield
Councillor T A Spencer

and Councillors:

R E Allen, P W Awford, Mrs K J Berry, R A Bird, Mrs G F Blackwell, G J Bocking, K J Cromwell, D M M Davies, M Dean, R D East, A J Evans, D T Foyle, R Furolo, Mrs P A Godwin, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, B C J Hesketh, Mrs S E Hillier-Richardson, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, V D Smith, Mrs P E Stokes, P D Surman, M G Sztymiak, R J E Vines, M J Williams and P N Workman

CL.23 APOLOGIES FOR ABSENCE

- 23.1 Apologies for absence were received from Councillors Mrs J E Day, J H Evetts, R E Garnham, Mrs H C McLain, A S Reece and D J Waters.

CL.24 DECLARATIONS OF INTEREST

- 24.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.
- 24.2 There were no declarations of interest made on this occasion.

CL.25 MINUTES

- 25.1 The Minutes of the meetings held on 9 and 16 May 2017, copies of which had been circulated, were approved as correct records and signed by the Mayor.

CL.26 ANNOUNCEMENTS

- 26.1 The Mayor extended his deepest sympathies, and those of the Council, to the Leader following the sad loss of his sister.
- 26.2 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 26.3 The Mayor welcomed Mr Matt Lennard and Dr Claire Mould to the meeting. They were in attendance to provide a presentation at Item 7 of the Agenda – Voluntary and Community Sector (VCS) Alliance Presentation.

CL.27 ITEMS FROM MEMBERS OF THE PUBLIC

- 27.1 There were no items from members of the public on this occasion.

CL.28 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

28.1 There were no Member questions on this occasion.

CL.29 VOLUNTARY AND COMMUNITY SECTOR (VCS) ALLIANCE PRESENTATION

29.1 The Mayor invited Mr Matt Lennard and Dr Claire Mould of the Voluntary and Community Sector (VCS) Alliance to make their presentation to the Council.

29.2 The presentation covered the following main points:

- Alliance and the VCS – independent voice for the VCS community in the County. Could be challenging at times due to the diverse nature of the 4,000 organisations which included 2,500 registered charities and 1,500 informal community groups. The VCS was an independent advocate for the sector with the sole aim of providing a voice for the voluntary and community sector in Gloucestershire – the organisation included 12 Trustees; four Board Directors; and three staff members. The Alliance worked well in effectively establishing a relationship between the voluntary and community sector and the County Council, the Local Enterprise Partnership and the Gloucestershire Clinical Commissioning Group. In terms of staff, the Head of Operations and the Project Coordinator were paid for by Gloucestershire County Council and the Health and Wellbeing Officer was paid for by the Gloucestershire Clinical Commissioning Group.
- Our Function – through advocacy and representation – this meant attendance at meetings throughout the County and acting as a conduit for the voluntary and community sector; through information provision - using newsletters, local regional and national bulletins; and targeted consultation; and through partnership building – this was the hardest part of the Alliance's function with one of the consistent themes being to 'work better together to survive and thrive'.
- Forums - there were quarterly forums which VCS members attended to listen to people that commissioned services e.g. health and wellbeing; stronger, safer communities; children and young people; and art and culture.
- Future Work – the Office of the Police and Crime Commissioner had recently joined which was great news for the VCS in terms of relationships. This had provided an engagement officer, the Police and Crime Plan and sought to link up projects like the Aston Project. The Alliance was also looking at better engagement with District Councils and it was working with a team at Tewkesbury Borough Council to create a model for this.
- Benefits of Engaging the VCS in Enabling Active Communities – VCS could help reach those who experienced the greatest health inequalities with particular emphasis on engagement with those people who were less frequently heard. The VCS could also often have an impact well beyond what statutory services could achieve alone as it understood specific local needs, had high levels of trust and engagement with local communities and had the ability to work across multiple services. The VCS was not just about providing services as it was expertise that was needed and tapping into that could have just as much impact. There was often misunderstanding of what the VCS could provide as it was not only about volunteers but also about people that were at the top of their chosen field, with an absolute understanding of their particular area of expertise, and that type of knowledge should not be underestimated.

29.3 The Mayor thanked the VCS representatives for their informative presentation and indicated that he regularly received emails from them about funding lists which he

passed onto smaller groups within his locality; he felt this was a reminder that there was some funding out there which was a great help. He invited questions from Members.

- 29.4 During the discussion which ensued, a Member questioned where the funding for the VCS Alliance came from and how the District Councils could be sure that the expertise was valid and that there were no conflicts of interest. In response, the VCS Operations Manager advised that he and the Project Coordinator were paid for by Gloucestershire County Council and the Health and Wellbeing Officer was paid for by the Gloucestershire Clinical Commissioning Group. In addition, Dr Mould advised that the Alliance had a very low cost base which was helpful; however, it should also be borne in mind that it could not operate with a “slush” fund so any additional money, after salaries were paid, was fed back into the service. In terms of expertise, it was not possible to ‘vet’ everyone specifically but there were some organisations which had a particular remit and were considered experts in their field e.g. there was a quality kite mark system in place for social prescribing so anyone the GPs referred to had to have attained that. As a general rule, the VCS Alliance could say whether an organisation had an interest in a particular area and that organisation would then go to the relevant forum; once all parties were in a room together it would be down to the individuals to discuss and see if any information they shared was helpful. In terms of how the VCS worked in practice, the VCS Operations Manager explained that it worked closely with the teams at Tewkesbury Borough Council, both via the Communities Forum and on other County-wide groups on which the VCS was represented. Part of the reason that the VCS was starting to build its relationship with Tewkesbury Borough Council first was that those links were already in place with the Community Development Team and it was considered that this would offer the best platform from which to launch a closer relationship with the Districts.
- 29.5 The VCS Chair, Dr Mould, explained that the Alliance was not a new initiative and she had chaired it since its inception six years ago. In terms of the information being provided to the Council through the current presentation, she explained that the idea was to share the exciting things that were already happening. No other Districts hosted Forums as yet so Tewkesbury really was leading the way and the idea was that the model would be taken to the other Districts in the County so that relationships could be improved across the board. The Chief Executive explained that the VCS included a large number of organisations which worked to support the community and were highly valued. Some worked without much contact with anyone except those they served; whereas others worked a lot more with the Council - the Alliance represented all of those organisations and helped to get their work known across the County. He felt the Alliance offered the Council a great way to improve its relationships with those organisations that worked ‘on the ground’ within the communities and he was of the view that Tewkesbury Borough should be pleased that it had been chosen as the first District Council to work with the VCS in this way.
- 29.6 In response to a Member’s request for an example of the achievements made by the VCS Alliance, the Council was advised that the Alliance had been instrumental in getting millions of pounds of funding into the County from growth deal funding – the funding had been secured as the bid had shown independent and clear examples of how the VCS would make a social impact with the funding. The ‘Building Better Opportunities’ initiative had been set up and the project was going really well. On a more local basis, the VCS Operations Manager explained that he sat on a drug and alcohol briefing group for the County Council; recently the contract had been renewed but there had been no one local organisation that was large enough to bid for it; instead the VCS groups had collectively bid for the tender and, whilst the bid had not been successful, the VCS groups had formed a sub-group which was still influencing the project.

- 29.7 The Mayor offered his thanks for an extremely interesting and informative presentation and, accordingly, it was

RESOLVED That the presentation from the Voluntary and Community Sector (VCS) Alliance be **NOTED**.

CL.30 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

Preparation for the General Data Protection Regulation

- 30.1 At its meeting on 7 June 2017, the Executive Committee had considered a report which detailed the preparations required for compliance with the General Data Protection Regulation that was due to be implemented on 25 May 2018. The Executive Committee had recommended to Council that ongoing funding for the Business Administration Manager post be included in the base budget for 2018/19 and future years.
- 30.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 17-30.
- 30.3 The recommendation was proposed by the Vice-Chair of the Executive Committee. He informed Members that the Regulation significantly increased the data protection obligations on the Council and its requirements were extensive and complex. He explained the risks associated with non-compliance, which included reputational and financial, the latter involving fines that could be as much as €20 million. Members were encouraged to support the recommendation to establish a Business Administration Manager's post who would work with the Senior Information Risk Owner and the Data Controller and all teams to implement the requirements of the General Data Protection Regulation and maintain compliance post the implementation date of May 2018.
- 30.4 During the discussion which ensued, a Member questioned whether the Regulation was linked to the European Union (EU). In response, the Chief Executive explained that this was an EU Regulation but the United Kingdom (UK) government had already indicated that it intended to adopt the same standard, regardless of Britain's exit from the EU, and this had been confirmed by the Information Commissioner's Office. The Regulation had a serious impact on all organisations that stored, handled and received personal data and, as well as ensuring it was in compliance, the Council would need to help others to comply e.g. Parish Councils. Another Member questioned whether the Regulation would have an impact on individuals i.e. when Councillors kept personal data on their files. In response, the Chief Executive advised that if information was held by individuals the legislation did not apply; however, as Councillors, they may have the information for one of three reasons: in their role as a Councillor; for Ward purposes; or for personal information. When handling the Council's data they were covered by the Council as a whole and therefore there was a duty to manage it properly. The Ward information was a Councillor's own personal responsibility and he encouraged Members to register themselves with the Information Commissioner's Office as a Ward Councillor. In order to ensure Councillors were kept fully apprised of the legislation as it developed, seminars would be provided in due course. The purpose of the recommendation today was to gain the financial support for the new post.
- 30.5 A Member noted that the job description for the new Business Administration Manager post indicated that there would be a large impact on the Council and she felt this would also apply to Parish and Town Councils; she questioned whether the

new post would be available for the Borough Council to 'sell' to Parishes. In response, the Chief Executive advised that the role would be quite busy looking after the Council's own business and it should be remembered that all organisations were responsible for their own data. The first thing was to ensure everyone was aware the new Regulations were coming as the fines for breaches would be very high and this was a priority for the Information Commissioner. The Council's priority was to protect the data it received and ensure it had the correct policies in place to deal with it. In terms of the action plan, he advised that it was based on the actions that the Information Commissioner had stated needed to be put into place. The Information Commissioner had a very good website which gave a lot of information including a video which explained the new legislation; the Chief Executive undertook to circulate a link to the website to all Members.

- 30.6 In response to a query regarding the difference between paper and electronic files, the Chief Executive advised that personal data was still personal data in whichever format it was held. It was possible to hold information for legitimate reasons but the data controller must know what was held and why and ensure that it was not held for longer than it was needed. Essentially there were four reasons why personal data could be kept: with consent; by reason of contract; statutory requirement to hold information in law; and for a task of a public nature. The Council's policies needed to ensure the information was managed correctly, was not dealt with inappropriately and was deleted when it was no longer needed. The Council must be compliant by May 2018 and this was an extremely detailed piece of work which needed a lot of resources. A Member was concerned about the Council-owned equipment and how she would remove data and, in response, the Chief Executive indicated that the data was the important thing rather than the equipment it was stored on. He felt sure Members would be able to delete the information that they had stored on such equipment but this would be considered as part of the policy development. Cloud storage was very important and storage in Europe would have to comply with the same Regulations. America did not comply with the same standards so organisations would have to be mindful of this when purchasing cloud storage; this was not something which was of concern to Tewkesbury Borough Council as its cloud-based storage was held in Europe.

- 30.7 Having considered the information provided, it was

RESOLVED That ongoing funding for the Business Administration Manager post be included in the base budget for 2018/19 and future years.

The meeting closed at 7:15 pm