



Notice of Non-key Executive Decision

Subject Heading:	Research Governance Policy and Procedure
Cabinet Member:	<i>Councillor Jason Frost</i> - Cabinet Member for Health and Adult Care Services
SLT Lead:	<i>Jane West</i> – Chief Operating Officer
Report Author and contact details:	<i>Jodie Gutteridge</i> – Service Improvement Officer jodie.gutteridge@havering.gov.uk 01708 432076
Policy context:	<p>The Research Governance Policy (and associated procedure) is a <i>new</i> policy that provides a governance framework for conducting, supporting and granting access to research, whilst protecting the safety and wellbeing of all involved.</p> <p>The Policy outlines that all researchers should comply with the Data Protection Act 2018 / General Data Protection Regulations (GDPR) and the Freedom of Information Act 2000. The Policy also references the Council's duties under Section 149 of the Equality Act 2010 and its expectation that all research considers the protected characteristics.</p>
Financial summary:	The Research Governance Policy and Procedure does not have any financial impact on the Council beyond the use of existing resources to consider research proposals; however if the research led to non-compliance with GDPR and/or the leaking of personal and sensitive information, there is the potential for a financial impact on the Council.

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Relevant OSC:	This is an overarching Policy so would be overseen by Overview & Scrutiny Board.
Is this decision exempt from being called-in?	No.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

It is recommended that the Cabinet Member for Health and Adult Care Services, also Chair of the Health and Wellbeing Board, agrees the Research Governance Policy and associated procedure including the Terms of Reference for the Research Governance Panel (shown at Appendix 5 of the policy).

AUTHORITY UNDER WHICH DECISION IS MADE

This is a Lead Member decision to be made by Councillor Jason Frost.

Constitution Part 3 Para 2.5 (g) To agree minor matters and urgent or routine policy matters

STATEMENT OF THE REASONS FOR THE DECISION

London Borough of Havering considers research to be a valuable tool for learning, user engagement and service improvement. In conducting, supporting and granting access to research the Council has a duty of care towards its staff, service users and carers.

The Research Governance Policy and Procedure is a new Policy and has been written to clearly set out the research governance framework for conducting, supporting and granting access to research with staff, service users and carers, whilst protecting the safety and wellbeing of all involved.

There is no Financial cost to the Council, nor does it significantly affect more than two wards.

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OTHER OPTIONS CONSIDERED AND REJECTED

The alternative to implementing the Research Governance Policy and Procedure would be to continue with the current process, whereby research requests are considered within the services on an ad hoc basis, and in consultation with the Havering Social Care Academy for Social Work and Social Care research. This option has been considered and rejected due to the need for a more formal decision making process; however the policy states that there may still be times when it is necessary to consult with the Academy and the Principal Social Worker will report any concerns to the Research Governance Panel.

PRE-DECISION CONSULTATION


The Policy has been viewed by key senior managers within the Council for comments. Business Partners for HR, Finance, Legal and the Corporate Diversity Advisor have also seen and commented on the Policy before it was submitted to SLT.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Jane West

Designation: Chief Operating Officer

Signature:



Date: 19/09/2018

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

There will be a number of considerations when exercising judgment about individual research projects some of which will engage the provisions of the Data Protection legislation and legal advice may be needed on a case by case basis. However, the Policy enables these issues to be addressed appropriately.

FINANCIAL IMPLICATIONS AND RISKS

The Research Governance Policy and Procedure does not have any financial impact on the Council beyond the use of existing resources to consider research proposals; however if the research led to non-compliance with GDPR and/or the leaking of personal and sensitive information, there is the potential for a financial impact on the Council.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The Research Governance Policy and Procedure include the need for researcher to hold a valid DBS check if required. It is the responsibility of the researcher to ensure that they have a DBS check for the research they are proposing and submit it to the Council. All external researchers who are requesting one-to-one contact with vulnerable service users must be able to prove that they each hold current clearance from the DBS before the Council will be able to approve.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An Equality Impact Assessment (EIA) is not needed as it is an expectation of the Council that all research complies with the Equality Act 2010 and that researchers consider the protected characteristics. Key documentation that all researchers must complete, namely a research

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proposal and risk assessment, request that the researcher sets out how they will ensure that equalities issues are addressed as part of their project. This decision was made in consultation with the Corporate Diversity Advisor.

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed



Name: Councillor Jason Frost

Cabinet Portfolio held: Cabinet Member for Health and Adult Care Services

CMT Member title: Jane West - Chief Operating Officer

Head of Service title: Sandy Hamberger – AD Policy, Performance and Communities

Other manager title: Lucy Goodfellow – Policy & Performance Business Partner (CAH)

Date: 24th September 2018

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 14/10/2018

Signed S. J. R. [Signature]