

10. Governance

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Related party transactions and hospitality

- 10.1** In order to demonstrate accountability, transparency and impartiality to local taxpayers, the North London Waste Authority (NLWA) (the Authority) reports on any related party transactions of officers and members in the Authority's statutory accounts each year.
- 10.2** In addition, staff must declare any relevant interests and any offers of gifts or hospitality so that they can be recorded and made available to anyone who asks, and in order to prove impartiality in NLWA's business.
- 10.3** Officers record both the number of offers of gifts and hospitality accepted, and the number refused. In 2020-21 there were no offers of gifts and hospitality. This compares to 2019-20 when six offers of gifts and hospitality were accepted and three were refused.
- 10.4** During 2020-21 there were no declarations of interest, which was the same as in 2019-20.

Data protection

- 10.5** NLWA has a responsibility to protect any personal data which it processes in the course of its operations. This would include, for example, collecting feedback about events from residents or taking photographs of people recycling. In January 2020, NLWA renewed its registration as a data controller with the Information Commissioner's Office (ICO).

- 10.6** NLWA has a responsibility to comply with all relevant aspects of the Data Protection Act 2018 and the UK General Data Protection Regulation (and the General Data Protection Regulation up until 1 January 2021), including releasing details of any personal data held about an individual if they request it (a data subject access request). The Authority did not receive any data subject access requests for personal information held during the financial year 2020-21.
- 10.7** During 2020-21, the Authority continued to deliver a range of activity in order to ensure compliance with the Retained Regulation (EU) 2016/679 (UK GDPR) and the Data Protection Act 2018 (DPA 2018), including:
- 10.7.1** improved organisational systems for data security, in particular:
- 10.7.1.1** a new online information request and subject access request handling system, which brings improved personal data security; and
 - 10.7.1.2** a new online photography database which includes alerts to allow communications officers to more easily maintain compliance with retention requirements.

- 10.7.2** training members of staff on the requirements of GDPR and implications for the Authority; and
- 10.7.3** NLWA intends to continue in-house training for members of staff who deal with data protection issues on a day-to-day basis. The Data Protection Officer has overall responsibility for ensuring compliance with the GDPR, working with the Head of Legal and Governance, and reporting directly to the Authority's Senior Management Team.

IMPACT

Robust methods for ensuring compliance with GDPR and Data Protection legislation.

Freedom of Information and Environmental Information Regulations

- 10.8** NLWA receives a range of enquiries about its operations, as well as practical enquiries such as what can and cannot be recycled, and why. The Authority also receives questions about the NLHPP. A new information request handling system, as referenced in paragraph 9.7, has been implemented.
- 10.9** NLWA responds to these requests as appropriate, with the aim of delivering an efficient response process and providing the information requested in the format requested. The Authority usually responds to requests for information under the Environmental Information Regulations (EiR) because of the subject matter of the Authority's work. In 2020-21, 37 requests for information were received, which is nine more than the previous year.

10.10 Table 7 below compares the number of information requests received in 2020-21 compared to the previous three years. Table 7 also shows the proportion of requests responded to within the 20 working days' statutory deadline. Whilst extensions to respond to requests can be made, the Authority aims to respond within 20 working days.

10.11 There were no appeals against refusal to release information and no complaints were made to the ICO regarding requests for information made to the Authority.

	Within 20 days	More than 20 days	Total
2018-19	28	6	34
2019-20	27	1	28
2020-21	22	15	37

Table 5: Number of EiR requests received and answered

Information Transparency Code

10.12 NLWA continues to publish information in accordance with the Information Transparency Code 2015 (Code) on its website at nlwa.gov.uk/governance-andaccountability/transparency-and-supplier-payments. This information includes details of all payments to suppliers for invoices greater than £500. The website also includes the NLWA's Standing Orders and information on land and building assets that the Authority uses to deliver services. Information on senior employee salary details is also available in the annual statements of accounts to which there is a link on the webpage.

Equality objective

10.13 A single equality objective has been set in compliance with the Equality Act 2010 (Specific Duties) Regulations 2011 (the 2011 Regulations). As the Authority has a single waste disposal function, officers have determined that a single equality objective is appropriate. The objective is then broken down so that it reflects the broad categories of activity across the Authority, with measurable outcomes for each category of activity. The Authority will ensure that due regard is had to the Public Sector Equality Duty (PSED) set out in section 149 Equality Act 2010 - the elimination of discrimination, harassment and victimisation, the advancement of equality of opportunity and the fostering of good relations between people who share a relevant protected characteristic and those who do not - in the delivery of the objective and measurable outcomes.



10.14 The objective is:

Equality objective	We will aim to ensure that we provide a waste disposal service that is fair, open to all and promotes equality of opportunity.
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The measurable outcomes are:

Authority's activity	Measurable outcomes
Waste disposal procurement and contract management	Ensuring that any contractors are able to comply with the duty, understand their obligations, and meet the duty in practice.
Communications and partnership working with boroughs	Ensuring that all printed communications are available online – so that the size of the document is scalable. Working towards ensuring that all imagery used in online communications and websites includes image titles that are understandable when used by screen readers and that videos include subtitles where possible. Ensuring that NLWA communications are accessible to all. Ensuring that an equalities section is included in the annual communications strategy
Waste prevention outreach and campaign work	Ensuring accessibility of activities and events to people with the relevant protected characteristic and encouraging participation from under-represented groups.
Reuse and Recycling Centres (RRCs), visitor centres and other public facing services	Ensuring accessibility of sites and that reasonable adjustment is made for disabilities.
North London Heat and Power Project (NLHPP)	Ensuring that buildings constructed for the NLHPP are accessible to people with disabilities. ²

² Further detail is included in paragraph 9.16.

- 10.15** The Equalities Act 2010 (Specific Duties and Public Authorities) Regulations 2017/353 (2017 Regulations) imposes reporting requirements on public authorities specified in schedule 2 and consolidates the gender pay reporting requirements with the obligations under the 2011 Regulations. The Authority does not employ members of staff directly. All Authority staff members (currently 26 FTE) are employed by London Borough of Camden (LB Camden) and are seconded to NLWA. The requirements of the 2017 Regulations relating to employee data is to be met by LB Camden as the employer.
- 10.16** The equality objective was reviewed in 2017-18 and is reviewed every four years as required by the 2011 Regulations; the next review is due in 2021-22. The following activities or actions have contributed towards meeting the equality objective:
- 10.16.1** contracts started in the last year by the Authority have contained suitable equality obligations on contractors not to discriminate in relation to the provision of services to the public and to employment practices in relation to their staff; where appropriate, procurement procedures include a check of tenderers' equality policies;
 - 10.16.2** waste prevention work continued to reach a wide range of audiences though the year. As all face-to-face outreach work had to be cancelled due to COVID-19, NLWA moved its waste prevention programme, as much as possible, online. A range of online platforms were used to aid visibility and access with information also sent to local libraries;
 - 10.16.3** Although the launch of NLWA's grants programme for community groups working on waste prevention initiatives was delayed, and groups were given longer to submit their application than usual, the Authority was able to distribute funding to some excellent projects working with diverse audiences. This included awarding grants to 'Feast with Us' and 'Food Hall' – two food redistribution charities looking to make a difference to their local communities;
 - 10.16.4** All printed communications are made available online so that the size of the document is scalable and all imagery used in online communications and websites includes image titles that are understandable when used by screen readers.
 - 10.16.5** NLWA's Communications team continues to ensure that online and printed communications material is fully accessible.
 - 10.16.6** Accessibility requirements were incorporated into the master plan for the North London Heat and Power Project (NLHPP) and the individual designs for the resource recovery facility (RRF), EcoPark House, and the energy recovery facility (ERF). By way of example, this includes:
 - 10.16.6.1** Distributed accessible parking spaces across the NLHPP site (at the southern entrance, adjacent to EcoPark house, within the central car park, and adjacent to the ERF office entrance at the north).

- 10.16.6.2** Seating incorporated into the accessible pedestrian route from EcoPark House towards the ERF visitor areas.
- 10.16.6.3** Covered walkways incorporated into the accessible pedestrian route from EcoPark House towards the ERF visitor areas.
- 10.16.6.4** Accessible signage and way-finding principles have been incorporated into the site-wide, way-finding strategy.
- 10.16.6.5** Level access routes have been incorporated between the central car park and the primary building entrances for EcoPark House and the RRF.
- 10.16.6.6** Lift access both in the Resource Recovery Facility (RRF) offices, the RRF Crows' Nest, EcoPark House, and the ERF offices and visitor platform.
- 10.16.6.7** Automatic opening doors to the main building entrances to enable wheelchair users to enter without discrimination.
- 10.16.6.8** Internal people-occupied spaces have been designed to allow for minimum clear areas for wheelchair manoeuvring.
- 10.16.6.9** All fire stairs have been designed with a refuge on each floor.
- 10.16.6.10** Internal door layouts have been designed to allow for approach clearances for less mobile people.
- 10.16.6.11** Accessible toilets have been provided in every building, and accessible showers and changing areas have been provided where required.
- 10.16.6.12** Material specification has accounted for requirements with colour contrast strips, non-slip requirements, lighting, and acoustics.
- 10.16.6.13** An Equalities Act compliance review has been undertaken for EcoPark House and RRF, recording design decisions for any future contractor to develop further.

Public procurement

- 10.17** From 18 October 2018, the use of electronic procurement became mandatory under regulation 22 of the 2015 Regulations. The Authority's Contract Standing Orders further require the electronic submission of tenders from October 2018. The Authority is compliant with this requirement and all procurements are carried out using an e-procurement system that meets the requirements in the 2015 Regulations.

Brexit

10.18 The Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, signed on 24 January 2020, provided a transition period for the UK's departure from the European Union. The transition period ended on 31 December 2020. As of 1 January 2021, existing EU Treaties, EU free movement rights and the general principles of EU law now no longer apply in relation to the UK. EU regulations only continue to apply in UK domestic law (by virtue of the European Union (Withdrawal) Act 2018) to the extent that they are not modified or revoked by regulations under that Act. In relation to procurement, the Public Contracts Regulations 2015, being UK legislation, continue to apply as before. Prior to the end of the transition period, the regulations were amended by the Public Procurement (Amendment etc) (EU Exit) Regulations 2020 (PPR 2020) to remove references to the European Union. The PPR 2020 also removed the requirement to publish OJEU notices. Instead, contracting authorities are required publish procurement notices on Find a Tender, the UK e-notification service. The Authority is using Find a Tender for new procurement.

COVID-19

10.19 The Coronavirus Act 2020 granted the UK government emergency powers to handle the COVID-19 pandemic, including, under schedule 22, the power to issue directions relating to events, gathering and premises. Subsequent regulations, made using powers in the Public Health (Control of Diseases) Act 1984, imposed on UK citizens a national lockdown and the wearing of face coverings. The Cabinet Office published "Procurement Policy Note – Responding to COVID-19", which set out information and associated guidance on the public procurement regulations in response to the pandemic. The Policy Note allowed for greater flexibility in procurement, including the use of direct award and accelerated procedures. NLWA has deployed a range of measures to ensure compliance with the legislation including observing the need for its workers to work from home during the pandemic, carrying out COVID-19 risk assessments, home-working risk assessments, and updating its health and safety procedures to allow use of its offices as lockdown eased. Further, in compliance with Crown Commercial Services guidance, adjustments were made to various service contracts for the office to reflect the low level of occupancy.

10.20 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, came into force on 4 April 2020, in response to the COVID-19 pandemic. These regulations allow local authorities much greater flexibility in relation to how they hold their meetings, including use of electronic, digital or virtual locations. Local authorities were also granted the freedom to make any standing orders or rules regarding their remote meetings to deal with arrangements for voting, member and public access to documents including by publication on their websites, and remote access of the public and press to the meeting to enable them to attend or participate by electronic means. NLWA has held five Authority and six Programme Committee meetings remotely as permitted by these regulations. It has also relied on the regulations to move the date of the 2020 AGM from June to September.

Risk

10.21 In order to protect the public interest, the Authority needs to identify, assess and manage risk. NLWA has a high-level risk register which is reviewed by the Authority each year. The Authority's arrangements for managing risk are reviewed each year by the Members Finance Working Group (MFWG) and were reported to the 25 June 2020 meeting of the Authority. A number of updates were made as a result. Since the last review in February 2019, officers also considered the impact of the COVID-19 pandemic on its services and on delivery of the NLHPP. The reports can be viewed on the Authority's website at nlwa.gov.uk/ourauthority/our-meetings.

