

Committee(s): Epping Forest Consultative Epping Forest and Commons – for decision	Date(s): 21102020 16112020
Subject: Epping Forest Consultation Policy SEF 24/20b	Public
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N
Report of: Director of Open Spaces	For Decision
Report author: Jo Hurst – Business Manager Epping Forest	

Summary

Epping Forest has a large and active group of beneficiaries, consisting of residents, Forest users, clubs, groups et al who may need to be consulted on matters of Forest management policy where issues affect them.

The Epping Forest Consultation Policy explains the routes for such consultation and how beneficiaries may involve themselves.

This policy recognises and embraces the increasing power of electronic communication and social media as well as the need to comply with the General Data Protection Regulation (GDPR). It includes the Epping Forest Consultative Committee as a principle route of consultation, set up since the Statement of Community Involvement, which this policy replaces.

Recommendation

Members are asked to:

- Note the report
- Approve the adoption of the Epping Forest Consultation Policy as a replacement to the Epping Forest Statement of Community Involvement 2011

Main Report

Background

1. English law has in recent decades recognized a common law duty to consult as an aspect of the duty of fairness. It was the subject of a comprehensive treatment by the Supreme Court in *R. Moseley v. London Borough of Haringey*, [2014]
2. The Epping Forest Statement of Community Involvement (SCI) was adopted in 2011 and outlined in detail when and how Epping Forest would consult with individuals and groups.
3. The SCI has been a crucial and important document over the last ten years but with recent changes to consultative processes and data management legislation this is an ideal time for it to be revised.

Current Position

4. In the almost ten years since the SCI was drawn up there have been significant changes to both our consultation community, and our methods of communicating with them. The introduction of the General Data Protection Regulation (GDPR) has also required change in the way we store, maintain and use information.
5. Social Media, particularly Twitter and Facebook has increased in power and popularity and has become the primary route for informing our community of changes, issues or events that may impact them.
6. The Epping Forest Consultative Committee met for the first time in 2018, with sixteen groups (with a further member later co-opted) representing a wide range of Forest users meeting three times a year with Members, Verderers and Officers.
7. Inovem, a state-of-the-art consultation and reporting platform, which is particularly effective for long and complex consultations has been adopted. For smaller, simpler consultations the use of Survey Monkey or similar has also proved to be popular and effective.
8. The Epping Forest Management Strategy and Business Plan includes targets and outputs for communications and Governance which, in order to be effective, require an update to the SCI to a more simple and flexible Consultation Policy.
9. A key change in the Consultation Policy to the SCI is to allow consultees to be responsible for their own data, and the information being shown or sent to them. This not only allows improved compliance with GDPR and greater control and transparency for consultees, but also simplifies and reduces the administrative burden at Epping Forest.
10. The Epping Forest Consultation Policy reflects the above changes and allows for much greater flexibility in method, scope and timing of consultations, whilst not

excluding the ability and requirement for large-scale wide-ranging consultation as established in the SCI.

Options

11. Continue with the SCI unchanged. This fails to recognise the changing environment of consultation, both internally and externally and it's requirement to maintain contact data for a large number of individuals and groups can be administratively burdensome as well as contrary to the opt-in principles of GDPR **This option is not recommended.**
12. Adopt the new Epping Forest Consultation Policy which reflects changes experienced since the establishment of the SCI and brings greater flexibility to Consultation at Epping Forest. **This option is recommended.**

Proposals

13. The Epping Forest Consultation Policy is at Appendix 1.
14. The Policy outlines the three main routes for Consultation, being the Epping Forest Consultative Committee, use of digital consultation platforms or correspondence with Verderers.
15. The overarching principles of GDPR are for 'data subjects' (any individual who can be identified through that data) to have opt-in control over how their data is managed and used.
16. The Policy replaces the requirement for Epping Forest to maintain a large, fixed list of Consultees, instead stressing the importance of individuals and groups to utilise the routes outlined as fits them best, with those individuals and groups able to maintain and manage their own contact data and preferences.
17. The Policy acknowledges and adopts the use of social media platforms, such as Twitter and Facebook as the chief 'noticeboard' for alerts and news relating to Epping Forest – including invitations to engage in consultation processes.

Corporate & Strategic Implications

18. The Consultation Policy supports the City of London Corporate Plan 2018-23, particularly outcomes within "Contribute to a flourishing society" and "Shape outstanding environments".
19. Update to Epping Forest Consultation policy is necessary to support a number of threads of the Epping Forest Management Strategy and Business Plan 2020-2030 from site based specific changes, to broader aspects of policy and management.

Implications

20. Adoption of the Epping Forest Consultation Policy allows easier compliance with GDPR as individuals and groups are responsible for their own data and contact preferences.
21. No HR, property or other implications are foreseen.
22. **Charity** - Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

Epping Forest Consultative Committee

23. Consultative Committee considered the report on 21 October 2020 and were reassured that this policy did not represent a reduction of consultation activities at Epping Forest. There were no further questions or comments.

Conclusion

24. The Epping Forest Consultation Policy has been formulated to represent a simpler more flexible replacement to the previous SCI, now almost ten years old.
25. The Policy reflects many changes, including the establishment of the Epping Forest Consultative Committee, current expectations of data management and control as well as the rise in the use of social media for messaging.

Appendices

- Appendix 1 – Epping Forest Consultation Policy

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