

Agenda for a meeting of the Governance and Audit Committee to be held on Friday 17 April 2015 at 1100 in Committee Room 1, City Hall, Bradford

Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Eaton	L Smith (Ch)	J Sunderland
	M Slater (DCh)	
	Swallow	

Alternates:

<i>Conservative</i>	<i>Labour</i>	<i>Liberal Democrat</i>
Ellis	Akthar	Middleton
	K Hussain	
	Ikram	

Notes:

- This agenda can be made available in Braille, large print or audio format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- Light refreshments will be provided for Members of the Committee only.

From:

Dermot Pearson
 Assistant City Solicitor
 Agenda Contact: Fatima Butt
 Phone: 01274 432227
 E-Mail: Fatima.butt@bradford.gov.uk

To:



A. PROCEDURAL ITEMS

1. **ALTERNATE MEMBERS** (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. **DISCLOSURES OF INTEREST**

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

3. **INSPECTION OF REPORTS AND BACKGROUND PAPERS**

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Fatima Butt - 01274 432227)

B. BUSINESS ITEMS

4. MANAGEMENT CONTROLS IMPLEMENTED RELATING TO HOUSING BENEFIT SUBSIDY

Previous Reference: Minute 62 (2014/15)

The audit for the 2013/14 claim found examples of Housing Benefit cases where the claimants 'earned income' had been calculated incorrectly. The consequence of this being an overpayment of the subsidy the Government has paid to the Council.

Members are reminded that this Committee on the 20 February 2015 considered a report on the Certification of Claims and Returns 2013/14 and requested a report on the measures that have been put in place to ensure that 'earned income' is calculated correctly when assessing Housing Benefit subsidy.

In accordance with the above the Finance Director will submit **Document "AO"** which details the information requested by Members.

Recommended-

That the approach taken to the management checking of Housing Benefit claims that include earned income be noted.

(Martin Stubbs – 01274 432056)

5. PROTOCOL FOR FILMING AND RECORDING OF MEETINGS

On the 6th August 2014, the Local Government Secretary Eric Pickles published a guide for local people and the press explaining how they can attend and report their local council meetings. The new guidance explicitly states that councils should allow the public to film council meetings.

The Assistant City Solicitor will submit **Document "AP"** which proposes the adoption of a draft protocol to give further advice to the public on the arrangements put in place by this Council for the fair exercise of these rights at meetings of Council, Council Committees, sub-committees, Panels and at meetings of the Executive.

Recommended-

That the Committee recommends to Council the adoption of a draft Protocol For Filming and Recording of Council Meetings as contained in Appendix 1 to Document "AP"; or as otherwise amended.

(Frank Suadwa – 01274 432183)

6. **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – POLICY, USE AND ENFORCEMENT ACTIVITY – ANNUAL REVIEW**

Previous Reference: Minute 74 (2013/14)

The City Solicitor will submit **Document “AQ”** which provides information on:

- The Legal Framework and how the Councils officers can deploy covert surveillance techniques authorised under RIPA to investigate serious crime.
- The role of the Councils Senior Responsible Officer, the Council RIPA Coordinator and monitoring officer and the annual review and internal audit March 2015.
- The Councils use and outcomes of the use of authorised and approved covert surveillance operations for the last 3 years.
- The Councils continued compliance with RIPA, use of CCTV, body cameras and covert internet Investigations.
- The 2015/16 annual training programmes for officers.
- Contribution to the Councils priorities and recommendations.

Recommended-

- (1) **That the duties placed on the Council under the Human Rights Act 1998 be considered in the context of this report.**
- (2) **That the Council’s continued compliance with RIPA and the OSC (Office of the Surveillance Commissioner) inspection in July 2013 and the completed implementation of the RIPA training programme be noted.**
- (3) **That the 2015 WYLAW (West Yorkshire Law) programme of training of Officers (in order to continue to raise awareness) and enforcement officers under RIPA be noted.**
- (4) **That the authorisation of covert surveillance techniques under Human Rights Act 1998 open to a local authority in exceptional circumstances i.e. when the offending falls beneath the serious offence threshold or in a disciplinary context be disapproved.**

(Richard Winter – 01274 431073)

7. **AUDIT STRATEGY MEMORANDUM**

The External Auditor will report on the Audit Strategy Memorandum (**Document “AR”**) which sets out the plan for the external audit of City of Bradford Metropolitan District Council for 2014/15.

The report describes the External Audit approach to the audit opinion on the accounts and the value for money conclusion; includes the assessment of significant risks of material misstatement in the accounts and for the value for money conclusion and outlines the proposed testing strategy to address the identified risks.

Recommended –

That the Audit Strategy Memorandum for the City of Bradford Metropolitan District Council for 2014/15 be considered.

(Steve Appleton – 01274 431995)

8. EXTERNAL AUDIT PROGRESS REPORT FOR THE 2014/15 AUDITS OF CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL AND WEST YORKSHIRE PENSION FUND

The External Auditor will submit **Document “AS”** which updates the Committee on progress with the 2014/15 audits and highlights key emerging national issues which may be of interest to the Committee.

Recommended-

That the Governance and Audit Committee considers

- **the external audit progress report and briefing; and**
- **the request for a response (by 30 June) to questions about arrangements to prevent and detect fraud and to comply with applicable law and regulations**

(Steve Appleton – 01274 431995)

9. REVIEW OF CONSTITUTION

The Assistant City Solicitor will submit **Document “AT”** which provides Members with details of proposed amendments to the Constitution for recommendation to Council to be implemented at the commencement of the municipal year 2015/16.

The report details proposals for certain decision making relating to community governance reviews to be delegated to this Committee.

Recommended –

That the Committee recommend to Council the amendment to Article 9 of the Constitution set out at paragraph 3.8 of Document “AT”.

(Dermot Pearson – 01274 432496)

10. CONTRACT STANDING ORDERS

The report of the City Solicitor (**Document “AU”**) provides members with details of the annual review of Contracts Standing Orders sections of the Council’s Constitution and makes recommendations for their amendment.

Recommended -

- (1) **That the Governance and Audit Committee consider the proposed amendments to Contracts Standing Orders listed in Appendix 1 to Document “AU” and consider which, if any, should be recommended to Council for adoption and implementation.**
- (2) **That the City Solicitor reports any recommendations to Council and ensures the agreed amendments are implemented.**
- (3) **That the City Solicitor be granted delegated authority to make consequential amendments to the Constitution as a result of the recommendations approved by Full Council.**

(Roy Barraclough – 01274 432670)

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THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER