

Minutes of a meeting of the Governance and Audit Committee held on Thursday, 23 January 2020 in Committee Room 4 - City Hall, Bradford

Commenced 10.00 am
Concluded 11.05 am

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
Johnson Thornton	Pollard	Stubbs

Councillor Johnson in the Chair

36. DISCLOSURES OF INTEREST

In the interest of transparency all those who were Members of the West Yorkshire Pension Fund Disclosed an interest.

Action: City Solicitor

37. MINUTES

Resolved-

That the minutes of the meeting held on 28 November 2019 be signed as a correct record.

38. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

39. EXCLUSION OF THE PUBLIC

The Committee was asked to consider if the item relating to the minutes of the meeting of the West Yorkshire Pension Fund Investment Advisory Panel meeting held on 7 November 2019 should be considered in the absence of the public and,

if so, to approve the following recommendation:

Resolved –

That the public be excluded from the meeting during the consideration of the items relating to minutes of the West Yorkshire Pension Fund Investment Advisory Panel meeting held on 7 November 2019 because the information to be considered is exempt information within paragraph 3 (Financial or Business Affairs) of Schedule 12A of the Local Government Act 1972. It was also considered that it was in the public interest to exclude public access to this item.

Action: City Solicitor

40. MINUTES OF WEST YORKSHIRE PENSION FUND (WYPF) INVESTMENT ADVISORY PANEL HELD ON 7 NOVEMBER 2019

The Council's Financial Regulations requires the minutes of meetings of the WYPF be submitted to this Committee.

In accordance with this requirement, the Director of West Yorkshire Pension Fund submitted **Not for Publication Document "W"** which reported on the minutes of the meeting of the WYPF Investment Advisory Panel held on 7 November 2019.

Resolved –

That the minutes of the West Yorkshire Pension Fund Investment Advisory Panel held on 7 November 2019 were considered.

41. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) - LEVEL OF USE (QUARTERLY REVIEW)

Previous Reference: Minute 10 (2019/20)

The City Solicitor submitted **Document "X"** which provided information relating to:

- The number of authorised and approved covert surveillance operations undertaken by the Councils investigative officers for the periods 1st July 2019 to 30th September 2019 and 1st October 2019 to 31st December 2019.
- The Council arrangements for the use of its CCTV equipment by the Police or Department of Work and Pensions (DWP). The use of the Councils CCTV equipment must be lawfully authorised.
- The Councils use of covert surveillance in order to prevent or detect crime

and the authorised use of its CCTV equipment e.g. by officers of the Police or Department of Work and Pensions (DWP) could only be authorised as a last resort and where it was necessary and proportionate to do so.

It was reported that the returns for Quarter 3 (1 July 2019 to 30 September 2019) and Quarter 4 (1 October 2019 to 31 December 2019) were set out at paragraph 2.4 of the report. A nil return was shown for all relevant departments which indicated that the enforcement services investigators were able to obtain evidence without the need for covert surveillance. Where not applicable appeared the criminal offences investigated by the service did not fall within the definition of serious criminal offence under RIPA 2000 namely carrying a penalty of more than six months imprisonment and thus covert surveillance of such none serious crimes could not be authorised under RIPA.

Members were informed that the Council owned a substantial CCTV system which assisted in the prevention and detection of crime within the City Centre and was occasionally used by the Police or Department for Work and Pensions when they provided evidence to the Council's CCTV manager that the use was necessary and proportionate to detect or prevent crime. Paragraph 2.5 showed the use of the Council's CCTV system for covert surveillance by the Police and DWP for Quarters 3 and 4.

It was reported that no covert surveillance had been used by the Council in the last five years, other means of overt surveillance were used to obtain the evidence required and that covert surveillance would only be used as a last resort.

Members were informed that arrangements had now been made for a 2019/20 annual training update to be presented to relevant Council officers which would take place on 20th February 2020.

It was reported that all local authorities were required to report back to the Office of the surveillance commissioner annually on the level of use of covert surveillance which would be undertaken by the Councils RIPA Coordinator.

In response to a Members question it was reported that it was up to an enforcement department to decide whether an application for covert surveillance was needed and whether, it was necessary and proportionate and where there was no other way of obtaining the evidence required but this must be authorised by the City Solicitor and approved by the Magistrates Court.

Members were informed that if there was a sign saying cameras were being used then that was not classed as covert surveillance. Monitoring fly tipping hotspots could be undertaken without the need for RIPA authorisation and approval.

Resolved-

- (1) That the contents of the report be noted.**
- (2) That the Council's continued compliance with RIPA be noted.**

Action: City Solicitor

42. ANNUAL GOVERNANCE STATEMENT 2018-19 REVIEW

Previous Reference: Minute 5 (2019/20)

The Annual Governance Statement (AGS) was formally reviewed and approved by the Committee at its meeting on 28th June 2019. The Committee subsequently authorised the Leader of the Council and the Chief Executive to sign the document on behalf of the Council for inclusion with the Statement of Accounts for 2018-19.

The Statement reported that the Governance and Audit Committee would be kept informed of progress in addressing weaknesses and areas of concern.

The Director of Finance submitted **Document “Y”** which updated Members on the progress and improvements being made in addressing those significant governance concerns reported in the Council’s Annual Governance Statement 2018-19.

The Internal Audit Manager informed the Committee that he would provide the information sought by Members in relation to the points raised and in particular on the update on the Governance Challenge - Safeguarding Vulnerable Children.

Resolved-

That the Committee –

- **Reviewed the information contained in the report and the progress made in addressing the significant governance challenges.**
- **Endorses the further actions planned.**
- **Alerts officers and Members to any emerging governance concerns requiring review during the 2019-20 process.**

Action: Director of Finance

43. COUNCIL RISK MANAGEMENT STRATEGY

The Director of Finance submitted **Document “Z”** which detailed a revised Risk Management Strategy (Appendix A) for approval by the Committee. The Strategy was approved by the Executive on the 7th January 2020.

It was reported that the Council’s first Risk Strategy was approved in 2003. However other than a revision in 2015 the Strategy had remained unchanged. It was the case that a number of improvements had been developed with the public reporting of the risk register and clearer accountability for risks within the Council.

It was therefore believed to be appropriate to consolidate these changes with the adoption of a new Risk Strategy for the Council.

There was a short discussion on the importance of Climate Change being specifically referenced within the Council's Risk Strategy so that the Council's approach to Climate Change Risk was clearly identified.

In response to a Members question as to what measures had been put in Place and what lessons had been learnt in relation to the recent cyber attack that affected the Council's IT systems, it was reported that a review was being undertaken which would be reported to the Corporate Management Team.

Resolved-

- (1) That it be recommended that the Executive be requested to note that the adoption of a new Risk Management Strategy for the Council (Appendix A to Document "Z") be approved subject to the addition of Climate Change risks.**
- (2) That the Committee noted that the Director of Finance was undertaking a review on the recent cyber attack that affected the Council's IT systems which would be reported to the Corporate Management Team.**

Action: Director of Finance

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Governance and Audit Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER