

## Agenda for a meeting of the Governance and Audit Committee to be held remotely on Thursday, 21 January 2021 at 10.00 am

### Members of the Committee – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
Johnson Thornton Watson	Pollard	Stubbs

### Alternates:

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
Godwin M Slater Azam		Reid

### Notes:

- Please note that, under the current circumstances only Members and Alternates on the Committee will receive paper copies of the agenda, however the agenda and reports can be viewed on the Council's agenda and minutes website five clear working days in advance of the meeting.
- **The meeting will be held remotely, Members and officers in advance of the meeting will be sent via email, instructions and a link on how to join the meeting remotely.**
- A webcast of the meeting will be available to view live on the Council's website at <https://bradford.public-i.tv/core/portal/home> and later as a recording.
- Approximately 30 minutes before the start time of the meeting the Governance Officer will set up the electronic conference arrangements initially in private and bring into the conference facility the Members and officers so that any issues can be raised before the start of the meeting. The officers presenting the reports at the meeting will have been advised by the Governance Officer of their participation and will be brought into the electronic meeting at the appropriate time. Members should be on their own when attending remotely and ensure that any confidential papers are not visible via the technology used.
- Any Councillors or members of the public who wish to make a contribution at the meeting are asked to email [fatima.butt@bradford.gov.uk](mailto:fatima.butt@bradford.gov.uk) by **10.30 am on Tuesday 19 January 2021** and request to do so. In advance of the meeting those requesting to participate will be advised if their proposed contribution can be facilitated and those participants that can be will be provided with details how to electronically access the meeting. Councillors and members of the public with queries regarding making representations to the meeting please email Fatima Butt.

### From:

Parveen Akhtar  
City Solicitor  
Agenda Contact: Fatima Butt  
Phone: 01274 432227  
E-Mail: [fatima.butt@bradford.gov.uk](mailto: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. MINUTES**

**Recommended –**

**That the minutes of the meeting held on 26 November 2020 be signed as a correct record.**

(Fatima Butt – 01274 432227)

#### 4. 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 Strategic 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

#### 5. COUNCIL MEETINGS CORONAVIRUS GOVERNANCE REVIEW - ORDINARY MEETINGS OF FULL COUNCIL 1 - 8

The City Solicitor will submit **Document “U”** which reports that information had been presented to this Committee on 20 August, 17 September and 22 October 2020 presenting an overview of delivering meetings in the democratic decision making structure since the beginning of the Coronavirus period. Government regulations and guidance meant that meetings could not be held physically in a meeting room and the introduction of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 permitted meetings to take place remotely.

On 8 December 2020 the first ordinary meeting of full Council was held under arrangements proposed by this Committee. The report reviews the delivery of the ordinary meeting of Council and is being considered by the Governance and Audit Committee due to its role in overseeing the governance framework of the Council.

#### **Recommended-**

**That the Committee is asked to advise whether changes should be made to the Interim Standing Orders in the Council’s Constitution for delivering ordinary meetings of Council, if there should be any further ordinary meetings of Council before the Annual Meeting of Council in 2021, and if so consult with the Lord Mayor and Leader of the Council after consultation on the proposals with the political group leaders and group whips of the three largest groups.**

(Adrian Tumber – 07970 412150)

**6. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA 2000) - LEVEL OF USE (QUARTERLY RECORDS)**

9 - 16

The City Solicitor will submit **Document “V”** which reports on:-

- (a) The number of authorised and approved covert surveillance operations undertaken by the Councils criminal investigation teams for the first 3 quarters of the municipal year.
- (b) The outcome and actions from the remote inspection by the Information Commissioners Office in August 2020.
- (c) The Councils use of covert surveillance techniques in order to prevent or detect serious crime.
- (d) The use of the Councils CCTV equipment by the Police or Department of Work and Pensions (DWP) for covert surveillance.
- (e) Confirmation of the necessity and proportionality of the use of such covert investigative techniques.

**Recommended-**

- (1) That the contents of the report be noted.**
- (2) That the Councils continued compliance with RIPA be noted.**
- (3) That the outcome and actions arising from the IPCO (Investigatory Powers Commissioners Office) inspection report be noted.**
- (4) That the questionnaire relating to the use of covert surveillance issued to all Strategic and Assistant Directors be issued annually and the returns to the questionnaire be submitted to the Councils RICMO (RIPA Coordinator and Monitoring Officer) before the end of December each year so that the information could be presented to the January Governance and Audit Committee meetings in a timely manner.**

(Richard Winter – 07582 103592)

**7. INFORMATION GOVERNANCE PERFORMANCE AND ACTIVITY REPORT**

17 - 40

Information is a valuable asset to the Council and managing it well is essential to support both service delivery and efficiency and the Council needs to be confident that all legal obligations are being fulfilled and that expectations around privacy and security of information are being met.

The Director of Finance and IT will submit **Document “W”** which presents the information governance performance and activity outcomes to provide assurance that the Council’s information governance arrangements are effective.

**Recommended-**

**That the Committee notes the performance information contained within Document “W”.**

(Tracey Banfield – 01274 434794)

**8. TERMS OF REFERENCE FOR A COMMUNITY GOVERNANCE REVIEW FOR A NEW LOCAL COUNCIL IN THE WINDHILL AND WROSE WARD**

41 - 50

The City Solicitor will submit **Document “X”** which reports that the Council has received a valid petition requesting a Community Governance Review (CGR) for a proposed new Local Council within the Windhill and Wrose ward.

The Committee must now make arrangements for the CGR, and as a first step must agree its terms of reference. This report summarises the relevant background issues, proposes draft Terms of Reference and is intended to initiate the CGR process.

**Recommended-**

- (1) That the Terms of Reference highlighted in Appendix 1 for a Community Governance Review for a proposed new local council in Windhill and Bolton Woods be approved subject to any amendments required by the Committee.**
- (2) That the Committee authorise officers to conduct the Community Governance Review in accordance with the Local Government and Public Involvement in Health Act 2007 and the statutory guidance which relates to it.**
- (3) That the Shipley Area Committee be consulted on the Windhill and Bolton Woods Community Governance Review.**

(Damian Fisher – 01274 437062)

**9. ANNUAL GOVERNANCE STATEMENT 2019-20 REVIEW**

51 - 64

The Director of Finance will submit **Document “Y”** which updates members on the progress and improvements being made in addressing those significant governance concerns reported in the Council’s Annual Governance Statement 2019-20.

The report also outlines proposals for the completion of the 2020-21 Annual Governance Statement.

**Recommended-**

**That:**

- **the information contained in Document “Y” and the progress made in addressing the significant governance challenges be reviewed.**
- **the further actions planned be endorsed.**
- **officers and Members be alerted to any emerging governance concerns requiring review during the 2020-21 process.**

(Chris Chapman – 01274 433656)

**10. INTERNAL AUDIT PLAN 2020/21 - MONITORING REPORT AS AT 30 NOVEMBER 2020**

65 - 84

The Director of Finance will submit **Document “Z”** brings to the attention of members of the Governance and Audit Committee any significant issues arising from the audit work undertaken to date and to inform them about the progress made up to 30 November 2020, against the Internal Audit Plan, which was approved by the Committee on 25 June 2020.

**Recommended-**

- (1) That the anticipated coverage and changes of Internal Audit work during the year be endorsed.**
- (2) That Internal Audit be required to monitor the control environment, risk management and governance arrangements and continues to assess areas of control weakness and the ability of management to deliver improvements to the control environment when required.**

(Mark St Romaine – 01274 432888)

The report of the Chief Executive (**Document “AA**) reports that on 11 March 2020, the Chancellor announced a “minded to” Mayoral Devolution Deal for the West Yorkshire area. A report submitted to Executive on 24 March outlined the details of the devolution deal, its benefits for Bradford District, its people and its businesses and set out the required next steps.

The proposed changes to the governance arrangements required for implementation of the deal were reported to Executive on 19 May.

Subsequently, decisions were made which:

- endorsed the “minded to” deal on behalf of Bradford District
- approved a statutory review to be undertaken jointly with the other West Yorkshire Councils and the Combined Authority
- provided for a draft Governance scheme to be consulted on in June and July 2020
- agreed to submit a summary of the responses to the Secretary of State for Communities
- agreed in principle to the draft Order to establish a mayoral combined authority
- delegated authority to the Managing Director of the Combined Authority, in consultation with the Leader and Chief Executive of CBMDC and the other Constituent Councils and the Chair of the Combined Authority, to finalise and consent to the final draft of the Order.

Approval of the statutory instrument to establish the mayoral combined authority is anticipated shortly. The report concerns the Protocol to be agreed by the Combined Authority and the Constituent Councils regarding the exercise of concurrent functions and statutory consents.

#### **Recommended-**

- (1) That the Committee considers and comments on the content of the Protocol and the proposed exercise by the MCA (Mayoral Combined Authority) of concurrent functions and the seeking of statutory consents.**
- (2) That authority is delegated to the City Solicitor in consultation with the Chair to comment on any further version of the Protocol received.**
- (3) That the Committee’s and/ or City Solicitor’s/Chair’s views be forwarded to the meeting of the Executive on 2 March when it is proposed that the Protocol will be considered.**

(Michael Bowness - 07582 103658)

12. **EXCLUSION OF THE PUBLIC**

**Recommended –**

**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 29 October 2020 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 is also considered that it is in the public interest to exclude public access to this item.**

13. **MINUTES OF WEST YORKSHIRE PENSION FUND (WYPF) INVESTMENT ADVISORY PANEL HELD ON 29 OCTOBER 2020**

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 will submit **Not for Publication Document "AB"** which reports on the minutes of the meeting of the WYPF Investment Advisory Panel held on 29 October 2020.

**Recommended –**

**That the minutes of the West Yorkshire Pension Fund Investment Advisory Panel held on 29 October 2020 be considered.**

(Rodney Barton – 01274 432317)