

Minutes of a meeting of the Governance and Audit Committee held on Thursday, 21 January 2021 in Remote Meeting

Commenced 10.00 am
Concluded 12.20 pm

Present – Councillors

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

Councillor Johnson in the Chair

21. DISCLOSURES OF INTEREST

In the interests of transparency Councillor Stubbs disclosed an interest in Minute 27 as he lived in the Ward.

22. MINUTES

Resolved-

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

Action: City Solicitor

23. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

24. COUNCIL MEETINGS CORONAVIRUS GOVERNANCE REVIEW - ORDINARY MEETINGS OF FULL COUNCIL

The City Solicitor submitted **Document “U”** which reported 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 reviewed the delivery of the ordinary meeting of Council and was being considered by the Governance and Audit Committee due to its role in overseeing the governance framework of the Council.

Members comments included:

- If electronic voting arrangements failed, either affirmation by the Council meeting without objection or a roll call should take place.
- Could a spread sheet of how votes were cast be shown on the screen?
- With electronic voting, the Lord Mayor should read the numbers for, against and abstain on the matter. .
- Would there be another Council meeting before Annual Council?
- In relation to 3.2 (f) of the report were there any proposals to change the deadline for receiving supplementary questions and restoring the normal rules regarding debate of recommendations of Executive etc?
- Could political groups be consulted to ascertain if they wished to have an ordinary meeting of Council in March?

Assurances were given that the electronic voting issue and the announcement of how results were cast had been resolved.

It was reported that the next Council was a budget meeting and recorded votes would be undertaken as a roll call.

In response to a Member’s question it was reported that publication of a spread sheet would not be feasible; a summary of how votes were cast could be shared by the Governance Officer.

There was a short discussion on how a request for a meeting of Council could be called by Members.

The Chair informed Members that dates of Council Meetings for 2021/22 were being considered by Executive at its next meeting; there would be a normal cycle of Council meetings next municipal year.

It was highlighted by the Chair that further discussions could take place after the next Council meeting to consider what other improvements could be made to make Council meetings more efficient.

Members were informed that an ordinary meeting of Council could be held in March before the pre-election period started on 25 March.

Resolved-

- (1) **That the assurances given to the Committee relating to the electronic voting arrangements at Council meetings including the arrangement for announcing how votes had been cast be endorsed.**
- (2) **That no further changes are made to the amended Interim Standing Orders applying to the Council's Constitution for delivering ordinary meetings of Council at the current time.**
- (3) **That political groups be consulted on whether an additional meeting of Council is held this municipal year before the Annual meeting of Council in May 2021.**
- (4) **That views/comments made by this Committee be considered by the Working Group in due course.**

Action: City Solicitor

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

The City Solicitor submitted **Document "V"** which reported 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.

Resolved-

- (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 meetings in a timely manner.

Action: City Solicitor

26. INFORMATION GOVERNANCE PERFORMANCE AND ACTIVITY REPORT

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

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

In response to a Members question it was reported that extra processes were in place in response to data breaches.

Resolved-

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

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

The City Solicitor submitted **Document “X”** which reported that the Council had 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. The report summarised the relevant background issues, proposed draft Terms of Reference and was intended to initiate the CGR process.

Members were informed that paragraph 2.2 of the report should read 457 valid signatures.

Members made the following comments:

- Needed to ensure that Terms of Reference were similar to the Shipley and Bingley proposals.
- How was the appetite for a local council defined? worrying a local council could be established with such a low rate of people requesting it.
- Members of the public needed to be informed about precept and how it worked, how much it was likely to be as well as the fact that it was not capped.
- Precept was paid by everyone yet only a few people made a decision for many of them; consultation needed to present all the facts; complete information needed to be provided..
- All consultation methods needed to be looked at.

It was reported that responses from residents gave the answer of what residents wanted as well as the number of validated signatures required. The information on precepts would be included in the consultation.

Resolved-

- (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 the 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.**

Action: City Solicitor

28. ANNUAL GOVERNANCE STATEMENT 2019-20 REVIEW

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 2019-20.

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

Resolved-

That:

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

Action: Director of Finance

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

The Director of Finance submitted **Document “Z”** which brought 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.

In response to Members questions it was reported that External Audit would review whether business grants were delivered correctly.

Members were informed that there had not been a significant level of fraudulent activity taking place but that would be looked at in more detail in the future.

It was suggested that the eight schools that had not returned their Financial Value Standard self-assessment and should be chased for their completed return.

Resolved-

- (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.**

Action: Director of Finance

30. WEST YORKSHIRE DEVOLUTION

The report of the Chief Executive (**Document “AA”**) reported 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 was anticipated shortly. The report concerned the Protocol to be agreed by the Combined Authority and the Constituent Councils regarding the exercise of concurrent functions and statutory consents.

Resolved-

- (1) That the draft amended Protocol (Appendix “A” to Document “AA”) be endorsed.**
- (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.**

Action: City Solicitor

31. EXCLUSION OF THE PUBLIC

Resolved –

That the public be excluded from the meeting during the consideration of the item 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.

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

The Council's Financial Regulations required 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 "AB"** which reported on the minutes of the meeting of the WYPF Investment Advisory Panel held on 29 October 2020.

Resolved –

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

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