

## Minutes of a meeting of the Governance and Audit Committee held on Thursday, 27 January 2022 in Ernest Saville Room - City Hall, Bradford

---

Commenced 10.30 am  
Concluded 11.35 am

### Present – Councillors

| LABOUR         | CONSERVATIVE | LIBERAL DEMOCRAT |
|----------------|--------------|------------------|
| Tait<br>Godwin | Pollard      | Reid             |

### Councillor Tait in the Chair

#### 38. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

#### 39. MINUTES

Resolved-

That the minutes of the meeting held on 25 November 2021 be signed as a correct record.

#### 40. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

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

The City Solicitor submitted **Document “W”** which provided information relating to:

- The number of authorised and approved covert surveillance operations (Nil return) undertaken by the Councils criminal investigation teams for the first two quarters of 2021.

- The arrangements for training to be presented to officers of the Council in 2022.
- Investigatory Powers Commissioners Office guidance June 2021 which required a review of the Councils RIPA policy.
- The use of the Councils CCTV equipment by the Police or Department of Work and Pensions (DWP) for covert surveillance.
- A summary of the responses from Departments to the RIPA questionnaire issued by the Councils RIPA Coordinator and Monitoring Officer in December 2021.

It was reported that the returns for Quarter 1 (1<sup>st</sup> January to 31<sup>st</sup> March 2021), Quarter 2 (1<sup>st</sup> April to 30<sup>th</sup> June 2021), Quarter 3 (1<sup>st</sup> July to 30<sup>th</sup> September 2021) and Quarter 4 (1<sup>st</sup> October to 31<sup>st</sup> December 2021) was a nil return which indicated that the enforcement team's criminal investigators were able to obtain evidence without the need for covert surveillance. Where not applicable appeared (N/A) the criminal offences investigated by the service did not fall within the definition of a serious criminal offence defined under RIPA 2000 namely carrying a penalty of more than six months' imprisonment. Covert surveillance of such none serious crimes could not be authorised under RIPA.

Members were informed that the responses to the December 2021 questionnaire to officers indicated that they were sufficiently aware of the regulatory regime to avoid unauthorised covert surveillance.

Clarification was sought on covert surveillance which could be undertaken under the Human Rights Act 1998.

In response to a Members question it was reported that future reports would include information on any applications made under the Human Rights Act 1998.

The Chair and Members of the Committee thanked the RIPA Coordinator and Monitoring Officer who would be retiring in the near future and wished him all the best for the future.

#### **Resolved-**

- (1) That the contents of the report be noted.**
- (2) That the Councils continued compliance with RIPA (Regulation of Investigatory Powers Act) as coordinated and monitored by the Councils RIPA Coordinator and Monitoring Officer and the Senior Responsible Officer be noted.**

- (3) That the RIPA training arranged be noted.
- (4) That the Investigatory Powers Commissioners Office advice regarding the Human Rights Act 1998 process as implemented by the RIPA Coordinator and Monitoring Officer be noted.

**Action: City Solicitor**

## **ANNUAL GOVERNANCE STATEMENT 2020-21 REVIEW**

The Director of Finance and IT submitted **Document “X”** which provided an update on the progress and improvements being made in addressing those significant governance concerns reported in the Council’s Annual Governance Statement 2020-2021.

The Annual Governance Statement was formally reviewed and approved by the Governance and Audit Committee at its meeting on the 23<sup>rd</sup> September 2021.

Members sought further clarification on various aspects of the Annual Governance Statement.

It was acknowledged that other developments in relation to Children’s Services had taken place since the report was written. Members had a discussion on the impact of the recent findings from the Bradford Council’s Children’s Services Commissioner.

### **Resolved-**

- (1) That the information contained in Document “X” and the progress made in addressing the significant governance and in some cases increasing governance challenges be reviewed.
- (2) That the further actions planned and detailed in Document “X” be endorsed.
- (3) That officers and Members be alerted to any emerging governance concerns requiring review during the 2021-22 process.

**Action: Director of Finance and IT**

## **6. APPOINTMENT OF EXTERNAL AUDITORS FOR STATUTORY FINANCIAL STATEMENTS**

Members are reminded that the Council previously took a decision to opt into the national Local Government Association led approach (via the Public Sector Audit Appointments Ltd) for the procurement of local authority external auditors for the 5-year period April 2018 through to March 2023.

The council now needed to consider the options available for the appointment of the external auditor for the 2023/24 statement of accounts, with a need to appoint an auditor by the end of December 2022.

In September 2021, the Public Sector Audit Appointments Ltd (PSAA) wrote to local authorities to issue a formal invitation to opt into the national sector-led approach for the 5-year period from April 2023.

The Director of Finance and IT submitted **Document “Y”** which therefor set out the options available to the council for the appointment of an external auditor.

**Resolved-**

**That the Committee recommends option 3 (opt into the national auditor appointment scheme) to Council as the preferred option and that the recommendation be included within the reports to Budget Council in February 2022.**

**Action: Chris Chapman**

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