

MINUTES OF THE GOVERNANCE COMMITTEE

16 October 2024 at 7pm

Present:

Councillor K. Franks (Chair)

Councillors I. Fuller, S. Rajesh, J. Sosin, M. Steel, and S. Young

Also in attendance –

Parish Councillors K. Bentley, K. Golla, and P. Jackson

Independent Person –

Mrs C Gosling

Mr P Jeremiah

Mr D Lamb

Ms P Mills

1. Apologies for Absence

No apologies for absence were received for the meeting.

2. Minutes

The minutes of the meeting on 6th March 2024 were confirmed as a correct record.

3. Declarations of Interest

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

The Monitoring Officer also clarified that, where members of the Governance Committee simply had knowledge of a standards complaint or were a witness to an incident, there was no need for them to declare an interest or withdraw from the committee when considering the Monitoring Officer update report which was simply for noting. If the Committee was discussing a complaint about a member, the position would be different. In relation to reports for noting concerning gifts and hospitality declarations where a councillor who was on the committee had made such a declaration, there would similarly be no need for them to withdraw from an item for noting and the minutes would note this advice accordingly.

4. Public Question Time

No questions or statements were received from members of the public.

5. Chair's Announcements

The Chair welcomed members to the first Governance Committee meeting since May as the June 2024 meeting had been cancelled due to the General Election.

6. Monitoring Officer Report

The Committee received an update on standards complaints since May 2024. Members were informed that there had been twenty-six complaints received since May 2024, most alleging a failure to register an interest or disrespect. It was advised that seventeen complaints were from the same complainants and eleven complaints had been received in a 24-hour period. The Monitoring Officer also informed that twenty-two of the complaints had been completed and four complaints were currently held in abeyance pending police consideration. It was noted that out of the completed complaints, nine complaints had been considered invalid, five had been concluded as 'no further actions', and eight had been given 'other actions' where they were dealt with informally such as reminders of the councillor's compliance with the Code of Conduct including updating their register of interest forms.

Members were also advised that there would be a parish-tier training session planned which would give them further advice on how what steps they could take to avoid complaints that they had breached the Code of Conduct. It was advised that there were certain things that councillors could do to ensure compliance with the Code, such as ensuring that their register of interests was up to date.

(Mrs C Gosling entered at 7.06pm)

RESOLVED that the current statistical information as to complaints made were noted and agreed for the report to be published on the Council's website.

(7.05pm to 7.08pm)

7. Information Governance Update

The Committee received an annual update on the Council's approach to the assurance and management of information from the Council's Data Protection Officer.

With respect to statutory requests, it was advised that the Council received up to 1000 each year, with 934 processed in 2023/24. It was advised that these requests were mostly from journalists, researchers, and residents. Members were informed that the Information Governance Team responded to 93% of the requests within the statutory timescales compared to 90% in 2022/23. They were also informed that one of the information requests was referred to the Information Commissioner's Officer (ICO) however the Council's decision was upheld. It was also advised that Digital Services have developed a new system for statutory requests.

Regarding data breaches, the Committee were advised that these had increased to 38 incidents in 2023/24 compared to 35 in 2022/23. It was reported that the breaches were mainly from employees inputting email addresses in the wrong fields or that they were emailed to the wrong recipient. There had also been one security breach and two other incidents including errors in online forms and reports. It was advised that there were no cases relating to data breaches referred to the ICO in 2023/24.

The Committee learned that a campaign had been run in April to provide employees with more awareness of the dangers of phishing. Staff were sent a phishing email containing a tax rebate offer and it was another positive learning experience for the Council.

In relation to training and awareness, it was reported that the Council had achieved a 92% completion rate for training and that there were some positive actions with regards to those being chased. Officers advised that they strive for the numbers of completed training to be as high as possible. The Committee were also advised that the next version of Cyber Security Awareness training would be rolled out to the organisation soon.

Officers also advised that the Council had stepped up efforts with regards to cyber security. It was noted that security officers were employed externally and that an action plan had been completed. With regards to data retention, members were advised that it had been agreed with management team that emails older than seven years would be automatically deleted. It was advised that this would be facilitated by 1st February 2025. It was hoped that staff and members would be discouraged to use Outlook for storage.

In response to the questions and comments from members, it was advised that;

- Digital Services would be facilitating the deletion of emails automatically from Outlook accounts and that if staff and members would like to save their emails, they would be able to save these into their OneDrive accounts. It was also advised that staff and members of the Council would be notified a number of times before 1st February 2025.
- Regarding training for members on saving their emails, officers advised that they would consider how to disseminate awareness of the deletion of emails.
- With regard to dealing with breaches from external contractors, it was advised that officers had several ways of resolving an issue including dealing with it from the initial contract. It was ensured that each party were aware of their responsibilities.
- The ICO could issue extensive fines for those who had not responded to Freedom of Information requests.
- With regards to training, it was advised that mandatory cyber awareness training was rolled out to the organisation annually. Digital Services also offered planned exercises to smaller teams. In terms of those who clicked on the link from the phishing simulator, officers advised that they would also be issued mandatory training.

RESOLVED that the information governance update be noted.

(7.08pm to 7.25pm)

8. Senior Responsible Officer's report in relation to the Council's RIPA arrangements

The Committee considered a report updating them on the Council's Regulation of Investigatory Powers Act (RIPA) arrangements. Members were advised that RIPA related to covert powers given to local authorities for specific and limited purposes such as CCTV surveillance. It was reported that the threshold for RIPA had been raised in cases where this might need to be used, for example in relation to benefits fraud.

Members were advised that that the Council had not needed any RIPA approvals for the last year but ensured that staff were properly trained to remain ready should the arrangements be needed. They were also informed that inspections by the Investigatory Powers Commissioner's Office (IPCO) were undertaken every three years with the most recent inspection conducted last year by way of a written response. It was reported that the inspectors were satisfied with the arrangements. Officers also advised that the Council had acquired a new RIPA coordinator and new Authorising Officers, who were noted to be experts in field and were working with other local authorities as well. Members noted that RIPA policies would continue to be reviewed together with any ongoing actions through the RIPA officer working group.

In response to query on what circumstances RIPA could be used for, it was advised that these arrangements could only be used for activities that carry a sentence of 6 months of imprisonment. Members were also informed that the Council had not experienced those levels as of yet. However, there were cases where officers had conducted non-RIPA surveillance. In order to obtain a RIPA, the Committee advised that this would be initiated by an individual investigating officer who would then speak to the manager. The Authorising Officers would also be notified, and the legal team would then be involved in making the court application.

RESOLVED that the report to be noted.

(7.25pm to 7.32pm)

9. Complaints to the Local Government and Social Care Ombudsman – Annual Review

The Committee received an annual review of the complaints sent to the Local Government and Social Care Ombudsman (Ombudsman) involving the Council, containing the statistical information of the complaints received. The importance for the Council to learn from the complaints to improve service delivery was emphasised. Members were advised that the Ombudsman had no concerns with the Council and that the Council had taken the complaints received seriously.

Members were also informed of the new Complaints Handling Code which would be taken into account from April 2026 and that additional guidance was to be issued to local authorities. It was advised that the Council had started reviewing and looking to adopt the new Complaints Handling Code. The Committee was also informed of a new digital system for handling complaints.

RESOLVED that the annual review be noted.

(7.32pm to 7.34pm)

10. Annual Report of the Governance Committee 2023/24

The Committee received the annual report of the Governance Committee, outlining the work of the Committee for the last municipal year.

It was advised that the report was usually received by the Committee in June to then be presented to the July Full Council meeting, however the June meeting had been cancelled due to the General Election. Members were advised that the report would instead be presented to the December Full Council, along with the annual reports from the Audit & Risk and Overview and Scrutiny Committees.

RESOLVED that the Annual Report of the Governance Committee for 2023/24 be approved and submitted to Full Council.

(7.34pm to 7.35pm)

11. Update on Register of Interests in City and Parish tier Councils

The Committee received an update on the register of interest forms for City and Parish-tier authorities. Members were advised that to improve oversight and increase compliance with register of interest forms, an annual report had been introduced in 2022. It was noted that there was only one outstanding register of interest form to be received from a parish-tier council and that this would be chased.

Members were advised that an online register of interest form had been introduced to parish-tier councils, however it was reported that there was little appetite for it. It was also reported that there would be an annual reminder sent to City Councillors to update their register of interest forms and any offers of gifts and hospitality. The Monitoring Officer advised that these reminders would be extended to Council staff as well and that an online form would be developed for officers' register of interest forms. It was advised that the annual assurance process had been successful in reminding councillors to update their register of interest forms.

In response to questions and statements from members, it was advised that;

- The annual assurance report had prompted parish-tier councillors to update their register of interest forms however this responsibility remained with councillors. It was also advised that city councillors were reminded by the end of the calendar year and parish-tier councillors were reminded around July or August to update their register of interest forms.

- It was not the responsibility of the Monitoring Officer to check the quality of register of interest forms. However, it was noted that queries were raised where there was some missing information in some of the forms received, namely home addresses. It was advised that many complaints had been received regarding missing information in the register of interest forms.

RESOLVED that the report to be noted.

(7.35pm to 7.41pm)

12. Work Programme

The Committee received an update on their work programme for 2024/25. Members were advised of future items such as the adoption of the model code at parish-tier level, a statutory meeting of group leaders, and a training session for Governance Committee. It was advised that a mock standards hearing could be undertaken as part of training. Members agreed that the training would best be deferred until June committee.

RESOLVED that the work programme of the Committee be noted.

(7.41pm to 7.44pm)

11. Urgent Business

There were no matters of urgent business.

The meeting closed at 7.44pm

Chair