



Havering

LONDON BOROUGH

GOVERNANCE COMMITTEE AGENDA

7.30pm	Wednesday 6 October 2010	Havering Town Hall Main Road, Romford
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Members 11: Quorum 4

COUNCILLORS:

Conservative Group (7)	Residents' Group (2)	Labour Group (1)	Independent Residents' Group (1)
Michael White (C) Becky Bennett (VC) Robert Benham Osman Dervish Steven Kelly Roger Ramsey Eric Munday	Clarence Barrett Ray Morgon	Keith Darvill	Jeffrey Tucker

**For information about the meeting please contact:
Grant Söderberg (01708) 433091
e-mail grant.soderberg@havering.gov.uk**

AGENDA ITEMS

1 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS** (if any) - receive.

3 **DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 **MINUTES**

To approve as a correct record the minutes of the meeting of the Committee held on 21 July 2010, and to authorise the Chairman to sign them.

5 **2011 CENSUS AND LONDON BOROUGH OF HAVERING**

6 **REVISED PUBLIC ENGAGEMENT ACTIVITIES**

7 **PETITIONS – further report – ePetitioning**

8 **CONSTITUTION – MINOR AMENDMENTS TO COMMITTEE RESPONSIBILITIES: Governance Statement and Statement of Accounts**

9 **AMENDMENTS TO THE COUNCIL'S ARRANGEMENTS REGARDING THE CONTROL OF DIRECTED SURVEILLANCE – Report to follow**

10 **MONITORING OFFICER'S REPORT**

11 **APPOINTMENT OF NOMINATIVE TRUSTEES OF ROMFORD COMBINED CHARITY**

12 **URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

13 EXCLUSION OF THE PUBLIC

To consider whether the public should now be excluded from the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during the following item there would be disclosure to them of exempt information within the meaning of paragraph 1 of Schedule 12A to the Local Government Act 1972 which it is not in the public interest to publish; and, if it is decided to exclude the public on those grounds, the Committee to resolve accordingly on the motion of the Chairman.

14 CONSIDERATION OF A REPORT CONTAINING EXEMPT INFORMATION

**Philip Heady
Democratic Services Manager**

Governance Committee, 6 October 2010

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Havering Town Hall
21 July 2010 (7.30pm – 8.45pm)**

Present:

COUNCILLORS:

Conservative Group	Michael White (in the Chair), Becky Bennett, Osman Dervish, +Lesley Kelly, Steven Kelly and Roger Ramsey
Residents' Group	Clarence Barrett and Ray Morgon
Labour Group	-
Independent Residents' Group	Jeffrey Tucker

+ Substitute Member: Councillor Lesley Kelly (for Robert Benham)

Apologies for absence were received from Councillors Robert Benham, Eric Munday and Keith Darvill.

All decisions were taken unanimously with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

8 MINUTES

The Minutes of the meeting of the Committee held on 9 June 2010 were agreed as a correct record and were signed by the Chairman.

A Member sought clarification about whether there was any provision of safeguards in connection with petitions – particularly with regard to petitioners' connection with the borough. The Assistant Chief Executive agreed to check the legislation and report back.

9 MEMBERS' ICT PROVISION

The Committee received an updated report on proposals to change arrangements in the provision of laptops, personal computers, RSA tokens, communications equipment, printers and support.

The proposals were that Members would either receive a Council package which was costed at £648 or they would chose their own hardware and pay the difference between the Council cost and the full cost for their own equipment. Members would have largely unrestricted access to the internet on their own equipment (and Members considered that each Councillor ought to sign an

undertaking not to misuse the equipment in any way), but when used with the RSA tokens, the Council's firewall would impose corporate restrictions on its use.

Members would still have to abide by the Members ICT policy, but ICT would revise this and action access requirements upon request, so that access would be granted to social networking sites and other required internet resources that did not pose a significant security risk to the organisation.

Assurance was sought that any encryption would be adequate to allow "bundle" cost to be lowered (the £648 included the hardware, software, licences, encryptions and 3 years maintenance – but it was pointed out that Members' personal computers, using the RSA token, ought not to require additional security encryption). The Head of Business Systems agreed to check whether this was the case and to report.

The view was expressed that the cost indicated appeared somewhat high, particularly as the Council would be taking advantage of bulk purchasing. Members were reminded that the equipment supplied was of a higher, business, specification to that usually available by retail. The figure also covered an substantial "bundle" of necessary elements and, in the view of the Service, represented a very competitive unit cost.

ICT had identified that there were savings to be made by withdrawing the provision of IP streams from those Councillors who did not have their own broadband connection. The latest indication was that only three Members did not have their own broadband, and removing the provision of this facility would mean an annual saving of £13,000.

Printers would no longer be provided to Councillors and support for them would cease at the end of July 2010. In addition, the servicing and supply of inks etc., would be the individual Member's responsibility. The value of any printers previously provided would be written down to zero within the lifetime of the Council and become the property of the Member.

RESOLVED:

- 1 That officers be authorised to implement the ICT Provision Proposals as set out in the report, subject to a response from the Head of Business Systems with respect to the security of the RSA token and final Council Option costs.**
- 2 That Members be given a choice between two options:**
 - Option 1 - A standard corporate laptop, if Members do not wish to use their own personal equipment.**
 - Option 2 - Non standard equipment of the Member's choice, procured by and owned by LBH.**

- 3 That any Members elected to the Council midway through the Council's term be given access to provision as outlined in either option.**
- 4 That the Members' ICT Policy, specifically in relation to the provision of ICT hardware and connectivity, be modified as set out in both options 1 and 2 and the Head of Business Systems be authorised to amend the wording accordingly.**
- 5 That IP streams cease to be provided to members with effect from 31 August 2010.**
- 6 That Council-provided printers cease to be supported with effect from 31 July 2010.**
- 7 That the proposed training provision for members to facilitate their use of IT be agreed.**

10 OVERVIEW & SCRUTINY

This report had been submitted in response to two requests by members of the Committee: first to outline how the Statutory Scrutiny Officer (SSO) proposed to fulfil his statutory duty "to promote Overview & Scrutiny"; and secondly, to enable the Committee to review how Overview & Scrutiny activities were currently undertaken by the Council

The SSO reminded the Committee of the Overview & Scrutiny (O&S) work undertaken over the past eight years by Members and provided an overview of the new role of SSO created under the Local Democracy, Economic Development and Construction Act 2009 and how Democratic Services staff had been engaged in supporting Members' in their O&S tasks.

Members were reminded of the original requirements of the Local Government Act 2000 and the work undertaken by the O&S Committees through Topic Groups and, through the 'Continuous Improvement Model', Cabinet Reports. The SSO explained that the newer legislation was intended to build on this and to ensure that – through the co-ordination of the SSO – the additional requirements would enhance the democratic process (for example: joint working with other authorities) and could be undertaken in such a way that all Members of the Council positively contributed to the decision making process.

In addition, the SSO explained how O&S work was communicated through Calendar Brief, how the intranet was to be used to improve the availability of information to Members and how Members (and officers) received support and training in order to effectively discharge their responsibilities. By way of example of the manner in which Democratic Services was actively seeking to raise the quality and accessibility of information, a flow-chart was tabled and the SSO explained how schematic representation of a difficult concept could be made accessible through a simple diagram. He added that a wide range of help-sheets were available to assist officers understand the Council's processes and procedures.

The view was expressed by some Members that O&S needed to change direction. There was concern that, too often, Topic Groups (TG) provided very little value for the time and energy expended. Some TG work had been repetitious or duplicated work and in some cases, TG visits had included as many officers as Members – while at some meetings Member attendance had been very poor. Other Members concurred that it appeared as though there was too much “overview” and not enough “scrutiny”. There was a call for a change in direction and the Committee was of the opinion that in the current economic climate, the O&S Committees ought to be focusing on ensuring that the services the Council delivered were cost-effective and that O&S should be more positive in its role of holding the Executive to account.

There was also consensus that what should be the aim of the O&S Committees was a critical examination of service delivery proposals to ensure that the highest quality was provided at the most economic (but not necessarily the cheapest) cost. O&S reports should seek to challenge Executive policy – not determine it. The SSO was asked to ensure that views were communicated to O&S members and chairmen – in particular when committees were setting their programmes for O&S. The SSO reminded Members that each O&S committee was separate and responsible for setting its own work-programme, but he acknowledged that the manner in which it tackled that programme could be re-evaluated. To this end, it was suggested he ought to meet with the O&S Chairmen to discuss the views expressed by Members at this meeting.

RESOLVED:

- 1 To note the steps being taken by the Statutory Scrutiny Officer to comply with the duties conferred by the Local Democracy, Economic Development and Construction Act 2009, within the limited resources currently available for Overview & Scrutiny support.
- 2 That the Committee’s considerations as to the changes it felt desirable in relation to the Council’s Overview & Scrutiny activities, be communicated to the Overview & Scrutiny committees.

11 PETITIONS - further report – debates at Council and Overview & Scrutiny Committees

Following the report submitted to the previous meeting of the Committee About the new statutory duties relating to petitions, the Committee was now invited to consider proposed changes to Council and Committee Procedure Rules designed to facilitate dealing with petitions requiring debate or referral to Overview & Scrutiny Committees.

RESOLVED:

That it be **RECOMMENDED TO THE COUNCIL** that the proposed additions to the Council, Overview & Scrutiny and Committee Procedure Rules relating to the consideration of petitions as set out in the Appendix to this report, be approved.

12 MONITORING OFFICER NO 1 AMENDMENTS TO THE CONSTITUTION

The Monitoring Officer submitted a number of amendments to the Constitution, intended to give effect to adjustments to officers' delegated authorities.

In the course of discussion, it was suggested that further revision of the delegated authorities should await examination of the anticipated statement by the Government of its proposals for further reform of local government.

The Committee **noted** the report

13 URGENT BUSINESS

With the consent of the Chairman, a Member referred to the discussion at the first meeting of the Committee about an appointment to an outside body, on which a Member of his Group had previously served.

He reminded the Committee that, on the date when the Committee met, he had tendered his apologies for absence as he was out of the country. He said that he had expressed a view about the appointment but on the night, his view had been disregarded and his candidate had not been considered.

In reply, the Chairman explained that, at the meeting, there had been no representative of that Group to propose a candidate for membership of this body and, therefore, there was no candidate to be considered. Only those Groups present which were represented could propose candidates (there was no mechanism for proxy proposals – and even if there were, they still needed seconding).

The Member suggested that, as they were aware of his views, an officer could have put forward the candidate in question but it was explained that it would have been improper for an officer to intervene in that way.

The Member was reminded that all such appointments were made for one year and that there would therefore be opportunity to re-visit the issue next year



**GOVERNANCE
COMMITTEE**

REPORT

6 October 2010

Subject Heading:	2011 Census and London Borough of Havering
CMT Lead:	Christine Dooley Assistant Chief Executive 01708 432442
Report Author and contact details:	Christine Dooley Assistant Chief Executive Christine.Dolley@havering.gov.uk 01708 432442
Policy context:	Update of London Borough of Havering's preparations for the 2011 Census
Financial summary:	There are no direct resource implications

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report provides insight into the pending 2011 Census in England and Wales and details the London Borough of Havering's (LBH) obligations for its conduct in the borough. The Report also updates the Committee of preparatory actions on the part of LBH to date, and provides a recommendation to ensure a successful Census in Havering.

RECOMMENDATION

1. That the Committee note the steps being taken by LBH's Census Steering Committee comprised of LBH staff, to comply with Local Authority obligations associated with the 2011 Census.

REPORT DETAIL

In March 2011, the Office for National Statistics (ONS) will be conducting a national Census of the population of England and Wales. The population data produced from this Census is vital to the planning of services by both central and local government as it is used to:-

- provide accurate information on numbers of people, where they live, their characteristics and their needs. Consequently this data is used by central government to decide the allocation of resources to public services
 - help central and local government to plan local services, including education, healthcare and transport
 - benchmark and update the statistical base for population households for use across all sectors
 - provide national, consistent insights and contextual information for small areas and population groups
 - support public policy development and evaluation
- 1.2 The London Borough of Havering (LBH) had a high response rate of 97% in the 2001 Census. This rate was the highest of all the London boroughs and among the highest throughout England and Wales.

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2. Preparations for 2011 Census

2.1 The ONS has asked for Local Authority support in the conduct of the 2011 Census within all boroughs so as to both maximise response rates and reduce variability in response rates. Specifically LBH has been asked for support in:-

2.2 *Developing a National Address Register*

LBH is required to:-

- a) Supply the ONS any data allowing for the prior identification of establishments
- b) Provide to the ONS information concerning processes currently used to create, maintain and update its Local Land and Property Gazetteer and any changes to these processes planned for the future

2.3 *Developing Enumeration Intelligence*

LBH is required to provide information on:-

- a) the location and type of communal establishments and gated communities
- b) single person households, large households and Households of Multiple Occupancy (HMO)
- c) vacant or otherwise unoccupied accommodation
- d) ethnic communities (requiring interpreting facilities and or particular enumeration approaches)
- e) areas where there may be persons sleeping rough
- f) addresses at which there is no response to Electoral Registration or the Place Survey
- g) areas subject to significant structural change (resulting in new and deleted addresses which may not have been included in the Address Register)
- h) areas with particular health and safety concerns, such as high crime levels

2.4 *Communications and Publicity*

LBH is required to:-

- a) identify and provide local media outlets for promotion of the Census
- b) reserve space in the Council's newsletters for the ONS' marketing of the Census
- c) Report to ONS through Census Area Manager on Census publicity activities planned and implemented

2.5 *Community Liaison*

LBH is required to:-

- a) prepare a list of local contacts for key representative organisations in the borough
- b) identify existing forums such as Local Strategic Partnerships from which community networks can be developed
- c) identify languages used in the borough with an indicator of the extent of use and cluster of areas where these languages are spoken

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2.6 Recruitment- Recruiting Local Census Field Staff

LBH is required to:-

- a) identify potentially suitable and capable candidates who may be able to carry out Census work
- b) promote job opportunities and encourage potential applicants

2.7 Support for Field Operations

LBH is required to:-

- a) arrange and provide storage space for supplies of Census material and equipment
- b) arrange and provide office accommodation/meeting room for local Census staff
- c) provide car parking passes for Census field staff

2.8 Quality Assurance

LBH is required to:-

- a) provide support to a Census Coverage Survey
- b) carry out an evaluation of the usefulness and effectiveness of data, such as of the Address Register and Enumeration Intelligence

2.9. In light of these obligations, Census preparatory actions on the part of LBH have been ongoing and managed by Christine Dooley, Assistant Chief Executive Officer, Legal and Democratic Services (Census Liaison Manager) and Chris Pickett GIS Manager, Business Systems (Assistant Census Liaison Manager).

3. Actions to Date

LBH Actions taken to date include:-

3.1 Address Register Development

- a) Addressed 144 of 176 Address enquiries received from the ONS
- b) Compilation of a list of all unoccupied housing stock for periodic provision to ONS
- c) Compilation of a list of all un-authorized developments for periodic provision to the ONS

3.2 Enumeration Intelligence

- a) Identification of areas which have poor response rates to canvassing and gated communities which pose challenges to Census field operations, for provision to ONS

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- b) Ascertained that there are no health and safety issues of concern for Census field operations, following liaising with the Community Safety Service
- c) Ascertained through discussions with Housing Advice and Homelessness Service and London Street Rescue, that there are very few people sleeping rough in the borough, and this issue will therefore not pose a significant challenge for Census enumeration. The ONS has been advised accordingly
- d) Information provided to the ONS identifying the location of gypsy and traveller sites in the borough

3.3 *Communications and Publicity*

- a) Several articles have been written about the 2011 Census and published in *Living, Inside Havering* and *Community Focus*
- b) A Census page on LBH's webpage has been developed in addition to which a link to the 2011 Census website has been created
- c) A Submission was made to the House of Commons London Regional Committee's enquiry into *London's Population and the 2011 Census*
- d) A Census Communications Strategy has been developed for promoting the 2011 Census within the borough

3.4 *Community Liaison*

- a) A former Census Liaison Manager (Assistant Director Transformation) has made presentations to the BME Forum and Havering Education Strategic Partnership in promotion of the 2011 Census
- b) Preparations are being made with Community Engagement Service for an address by the Census Area Manager to the Inter-Faith Forum in promotion of the 2011 Census
- c) Community groups and representative organisations operating in the borough are being identified on behalf of the ONS for the purpose of engagement in promotion of the Census

3.5 *Recruitment and Logistics*

- a) Census job vacancies for Area Managers, Community Advisers, Address Checkers and Address Check Coordinators were advertised on the Havering website and intranet.
- b) Future Census job vacancies such as for Census Coordinators, Special Enumerators, Census Collectors and Non-Compliance Coordinators will be similarly advertised by LBH
- c) As bulk recruitment for the Census begins in the very near future, information to this effect is currently being advertised on the TV in the reception area of the Town Hall

3.6 Support for Field Operations

- a) LBH is reviewing the possibility of identifying and providing office space for meetings and training of local Census staff applicable throughout the borough
- b) LBH is reviewing the possibility of providing parking permits throughout the borough for local Census field staff for the Census

3.7 Quality Assurance

- a) LBH is in dialogue with other London Boroughs in order to determine the best administrative data sources which can be used to quality assure
- b) Contributions to ONS Consultations and Questionnaires including on Main Statistical Outputs and the Address Register's Development

IMPLICATIONS AND RISKS

Financial Summary:

There are no significant direct resource implications.

Financial Implications:

The costs to the Council in supporting the 2011 Census are being met from within existing resources.

Legal implications and risks:

The Census Act 1920 amended in 2000 and 2007 obliges the Government to conduct a Census of the population of England and Wales every 10 years. Additionally any individual who fails to participate in the Census is in breach of the Act, and liable to a fine of £1000 or 6 months imprisonment.

Human Resources implications and risks:

A Census Project Officer is assisting with the coordination of the Council's preparations for the Census, and other staff within the Council will be utilised as necessary similarly in this effort.

Equalities implications and risks:

None at the present that is apparent.

BACKGROUND PAPERS

There are no background papers.



GOVERNANCE COMMITTEE

REPORT

6 October 2010

Subject Heading:	Revised Public Engagement Activities
CMT Lead	Cynthia Griffin, Group Director, Culture and Community
Report Author and contact details:	Cynthia Griffin Group Director, Culture and Community Tel: 01708 432260 Email: cynthia.griffin@havering.gov.uk
Policy context:	Revision of public engagement activities following abolition of Area Committees
Financial summary:	The proposals in this report can be contained within existing budgets

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

On 28 July, Council abolished the Area Committees. At the joint meeting of the overview and scrutiny committees on 3rd August, the Leader of the Council reported that a package of alternative public engagement measures would be brought forward shortly.

This report sets out, for discussion, a package of measures that are intended to be put in place. It recommends changes to the Constitution to enable the Cabinet Member for Community Empowerment to decide the format and operation of

question and answer sessions before Cabinet meetings, and for the Leader of the Council after consulting Group Leaders to decide whether additional public meetings should be held. It also invites the Committee to determine the Council's appointments to the Community & Police Consultative Group.

RECOMMENDATION

1. That the intention to put in place the measures indicated in the report be noted.
2. To **RECOMMEND TO THE COUNCIL**:
 - (a) That the Leader of the Council be recommended to delegate the power to agree the format and any other operational decisions in respect of public question and answer sessions before Cabinet meetings to the Cabinet Member for Community Empowerment;
 - (b) That the power to agree that the Council should convene additional public meetings when requested by Ward Member(s), funded by Ward Members or a Service up to a limit of £500 per meeting, should be delegated to the Leader of the Council after consultation with Group Leaders.
3. That the Committee determines the appointment of nine members to the Community & Police Consultative Group.

REPORT DETAIL

1. Area Committees were established in the 1990s. Since that time they have gone through several models featuring different numbers and sizes, different frequencies and different responsibilities. Council on 28th July 2010 abolished them (minute 28). At the joint meeting of the Overview and Scrutiny Committees on 3rd August 2010 the Leader of the Council reported, when responding to questions around services scrutinised by the Individuals Overview and Scrutiny Committee, that a package of alternative public engagement measures would be brought forward shortly (minute 8).
2. This report sets out for discussion a package of measures that are intended to be put in place. Each of the areas which are intended to be pursued is set out below together with details as to the method by which it is intended to pursue them.

3. Public Questions to, and Answers from, Cabinet Members.

It is intended that there will be a Q&A session for the public with Cabinet Members, before the start of each Cabinet meeting. There will be some staff time costs falling to the Council around assisting Cabinet Members in terms of providing information to them and some minor administrative costs which remain to be quantified.

It is recommended that agreement of the details of how these sessions should be organised and day to day operational decisions should be undertaken by the Cabinet Member for Community Empowerment.

4. *Living*

The Cabinet Member for Community Empowerment will contribute regularly to *Living*, promoting opportunities for public involvement, and informing readers about decision-making processes. This will not have any significant financial implications.

5. Use of Technology

5.1 E-petitions. The Council has recently approved the Petitions Scheme. A separate report to this meeting deals with e-Petitioning. The Council is required to have a facility in place for people to submit petitions electronically by 15th December this year.

5.2 E-Forums. The Leader's Blog is now well established and has recently been enhanced to enable it to be used to show video clips of events in the Borough. It is proposed to explore linkages between the blog and the receipt of electronic petitions. It is also hoped to make the blog more interactive by linking it to Twitter, and the use of social media is likely to be extended more widely within the Council's public engagement and consultation activities.

6. Champions

The Cabinet Member for Community Empowerment will meet jointly with the seven Champions three or four times a year to seek to encourage their work; to ascertain any improvements to outcomes that he might seek to secure; and to generally raise the profile of these important positions, which offer significant opportunities for engagement with key sectors of the community. It is not intended that these meetings will be officer-facilitated and thus there ought not be any financial implications emerging from the gatherings in themselves.

(NOTE: The Council appoints Champions for Diversity, Voluntary Sector Compact, Over-50s, Younger Persons, New Diploma Scheme, Historic Environment, and Standards.)

7. Contact with Individual Members

There are many opportunities for the public to engage with individual members. Contact details for Members are available from the Council's website. The Council also appoints Members on to a wide range of outside bodies.

8. Meet the Cabinet

It is intended to increase "Meet the Cabinet" opportunities. This will be organised so that Cabinet Members will be present and available to talk to the public at existing planned events, and will be promoted as such.

9. Additional Public Meetings

It is noted that the Council already holds a considerable number of consultation and involvement meetings with people affected by proposals it is putting forward in a wide range of contexts. Cabinet Members, and appropriate Ward Members are notified of these meetings and are able to attend. It is considered that these meetings will cover 95% of occasions on which a meeting would be held.

In addition, under the Councillor Call for Action, any Member has the right to request the relevant Overview and Scrutiny Committee to conduct a review of a particular issue, which could be conducted locally and involve a meeting at which the public were able to participate in the discussion.

However there may be occasions where Ward Members consider that a public meeting should be held, where public engagement would be more likely to be effective if it was not constrained by being a formal Council Committee. Such meetings could involve issues affecting one or more wards.

It is intended that any member will be able to recommend such a meeting to the Leader of the Council, who will consult with other Group Leaders and form a view about whether or not the Council should call such a meeting or if the matter can be dealt with in an existing forum. It is recommended that the power to agree that the Council should convene additional public meetings of this kind, funded by Ward Members or a Service up to a limit of £500 per meeting, should be delegated to the Leader of the Council.

10. Highway Schemes and Proposals

The new Highways Committee is now functioning. It is noted that Streetcare staff attend for 30 minutes before the meeting starts to respond to any queries the public wish to raise.

11. Community & Police Consultative Group

This body is funded by the MPA. It acts as a bridge between the Police and the community. Area Committees were responsible for putting one name each to serve on this Group (nine in total) but these appointments will now revert to this Committee. The Committee is invited to determine these appointments at the meeting.

This is a cost neutral proposal. Ward members have also been encouraged to attend the Ward panels that the Safer Neighbourhood Teams organise so they are aware of the issues that are being raised in these forums.

12. Havering Family Youth and Community Database

This database contains a wide range of useful information and is available via a link on the front page of the Council's website. There is a wealth of community information on the database and it is planned to promote its existence more widely.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications emerging from this report in itself. Any such implications that emerge from the implementation of any of the above intentions, or any additional measures, will be covered in the normal way in the record of the decision when taken by the Cabinet Member.

Legal implications and risks:

Any legal implications are covered in the earlier reports to this committee.

Human Resources implications and risks:

There are no human resource implications to these proposals.

Equalities implications and risks:

All proposals to improve community engagement will need to ensure that no sections of the community are excluded from participating in planned events and that any identified needs are taken into account. Specific proposals will be assessed to ensure that potential barriers to access and participation are identified and minimised.

BACKGROUND PAPERS

None.



GOVERNANCE COMMITTEE

REPORT

6 October 2010

Subject Heading:

**PETITIONS – further report –
ePetitioning**

CMT Lead:

Christine Dooley
Assistant Chief Executive
01708 432442

Report Author and contact details:

Ian Buckmaster
Committee Administration Manager
ian.buckmaster@havering.gov.uk
01708 432431

Policy context:

Response to new duties around
engagement with the public through
petitions.

Financial summary:

There are no direct or significant financial
implications

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

This report follows reports considered at each of the Committee's last two meetings on the new legal provisions relating to petitions. It deals with the statutory obligation to provide means whereby the public can submit petitions electronically (ePetitions).

RECOMMENDATIONS

- 1 That the proposals for an interim contract pending adoption of a permanent ePetitioning system, be noted.
- 2 That the Committee **RECOMMEND to the Council** that the statutory Petitions Scheme be amended, with effect from the launch of the Council's ePetition facility, by adding at the end of the Scheme the additional section relating to ePetitions set out in the Appendix to this report.

REPORT DETAIL

Introduction

- 1 At its past several meetings, the Committee has considered issues around the Petitions Scheme that the Council is required to have by provisions of the Local Democracy, Economic Development and Construction Act 2009. Council has adopted the Petitions Scheme and agreed Procedure Rules to govern the debating of petitions when appropriate and necessary.
- 2 The one issue remaining to be settled is "ePetitioning", that is, the creation of, and subscription to, a petition by electronic means. There is a statutory obligation on all local authorities to have an ePetitioning facility in place no later than 15 December 2010.
- 3 An ePetitioning system will allow the following:
 - (a) A member of the public to set up an ePetition
 - (b) Moderation of the ePetition – to ensure that:
 - it relates to a matter relevant to the Council;
 - it is not defamatory, vexatious or otherwise improper;
 - it is time limited, so as to ensure that a point will come where it can be dealt with; and
 - those "signing" it are entitled to do so (so far as that is possible to ascertain)
 - (c) Members of the public who wish to "sign" the petition electronically do so using a valid email address and stating their name, the address in Havering that qualifies them to be able to sign and whether they are a resident, local worker or student
 - (d) Once the time limit has passed and the ePetition has closed, officers to deal with it in accordance with the Petitions Scheme.
- 4 Once an ePetition has been finalised, it will be processed in the same way as a "paper petition", including – provided the appropriate thresholds are

met – debate at the relevant Overview & Scrutiny Committee or full Council. It is possible that a petition will be submitted both as an ePetition and on paper (obviously without duplication of signatories being permitted): this will enable those who do not wish to do so on-line nevertheless to subscribe to the petition. The objective will be to treat all petitions in broadly the same way.

- 5 It is anticipated that, eventually, the majority of petitions will be ePetitions rather than the more traditional type, simply because it will be much easier for the public to set up and sign an ePetition. No estimate is possible of the number of ePetitions likely to be received, but a brief search of other authorities' websites suggests that, at first, the ePetition facility will be lightly used but that, in time, it will be used quite extensively.
- 6 People wishing to set up an ePetition will be able to do so from within the Council's website, either directly, or by going through the Leader of the Council's blog.

Providing an ePetitioning facility

- 7 There is a statutory obligation to provide an ePetitioning facility. A number of providers of computer software have been developing programs for creating and managing ePetitions, both as stand-alone products and as additional facilities within existing software packages covering much larger areas of activity.
- 8 Members will be aware that a variety of computer program suites are used by the Council, many of which are currently being upgraded. Several of these suites offer ePetitioning facilities, or expect to be able to do so in the foreseeable future. At this stage, the combination of the newness of ePetitioning and the need to upgrade existing facilities makes it hard to assess which, if any, of the products on offer is best able to meet the Council's needs.
- 9 Given the need for something to be in place for 15 December, therefore, an interim solution is proposed by officers. Details of the contract are currently subject to negotiation and it would be premature and inappropriate at this stage to provide more detail in the public part of the agenda. The intention is to use the facilities offered by a company with which the Council currently has a contract for particular IT facilities. Further details are given in Exempt Appendix 2, which is not available to the press or public.
- 10 The Committee will wish to note that the Government has recently indicated that, under the new burdens principles, it will meet the costs of the new burdens associated with the petitions duty. It is expected that the national cost to the public sector of responding to local petitions will be approximately £4.7 million per year, decreasing over time. These costs arise from increased work for council officers, time at Council meetings and Overview and Scrutiny committees, and set up costs for e-petitions. Local

authorities will each receive a grant for 2010/11. This amount will vary by local authority dependent on the local population. It is expected that funding for future years will be incorporated into the revenue support grant.

- 13 The ePetitioning facility must be in place by 15 December. Once the contract for its provision is in place, it is expected that the facility can be set up in a couple of weeks and staff training in its use will follow. It is intended to launch ePetitions once the facility has been set up and staff training is complete, if possible before 15 December.

Amending the Petition Scheme

- 14 The Petition Scheme needs now to be amended to reflect the introduction of ePetitioning. Little amendment is, in fact, needed: an additional section at the end of the Scheme will achieve the necessary change. The proposed text is set out in the Appendix 1 and the Committee is asked to endorse it for approval by the Council.

IMPLICATIONS AND RISKS

Human resources implications and risks

No implications or risks for the human resources arise from this report.

Equalities implications and risks

No implications or risks for equalities arise from this report

Information and Communications Technology Implications

The software proposed for use for the interim ePetition facility is compatible with the Council's system.

During the course of procuring a permanent ePetition facility, appropriate steps will be taken to ensure continued system compatibility.

The cost of adjusting the Council's system to accommodate ePetitions is expected to be minimal.

Financial implications and risks

The Government has indicated an intention to contribute financially to the cost of dealing with petitions and setting up ePetitioning through a grant allocation. At the time of writing the amount available to the Council is unknown and in the current economic climate there is a potential risk that this funding may not materialise.

The cost of the interim arrangement with the contractor is expected to be of the order of £4,000 initially. If no grant materialises or if it is insufficient, an allocation will need to be made from contingency.

There will be a small cost in arranging the Council's side of setting up the ePetitioning facility (such as amending, or creating additional, website pages, and training staff in its use) but that will be minimal and contained within existing budget provision.

Legal implications and risks

The Council has a statutory obligation to provide an ePetitioning facility, although the legislation is not prescriptive as to its precise form.

There is a risk that some individuals will wish to petition on matters, or use words in the text of petitions, that are defamatory or otherwise improper in the legal sense. EPetitions will therefore need to be moderated in order to ensure that such risk is minimised.

The proposed interim contract for ePetition facilities will conform to the Council's procurement and Contract Procedure Rules.

BACKGROUND PAPERS

There are no background papers

PROPOSED ADDITION TO THE PETITION SCHEME

Petitions raised and submitted electronically (“ePetitions”)

The Council’s website contains a dedicated area that enables petitions to be raised and submitted electronically. Such petitions are referred to as ePetitions.

An ePetition may be raised by going to the Council’s website at www.haverling.gov.uk/petitions and following the guidance given there.

Any ePetition raised on the website will be assigned a closing date. Once the closing date is reached, no further signatures may be added to it and its processing in accordance with this Petition Scheme will begin.

ePetitions will be treated in exactly the same manner as petitions submitted using more traditional methods. An ePetition may be submitted in place of, or in addition to, a petition on paper (but any individual may sign only an ePetition or a paper petition, not both).

It will be necessary for those signing a petition electronically to confirm that they are qualified to do so, by providing a postal address in Havering where they live, work or study.

All ePetitions raised on the Council's website will be moderated to ensure that they comply with the requirements of this Petition Scheme. The Council reserves the right to refuse to place on the website any ePetition that does not comply with the Scheme.



GOVERNANCE COMMITTEE

REPORT

6 October 2010

Subject Heading:

**Constitution – minor amendments to committee responsibilities:
Governance Statement and Statement of Accounts**

CMT Lead:

Christine Dooley, Assistant Chief Executive – Legal and Democratic Services

Report Author and contact details:

Philip Heady, Democratic Services Manager, 01708 432433
philip.heady@havering.gov.uk

Policy context:

Responsibility for Monitoring the Constitution

Financial summary:

There are no financial implications

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

This report suggests some minor amendments to the responsibilities of this Committee and the Audit Committee around dealing with the Statement of Accounts and the Governance Statement.

RECOMMENDATION

That Council be recommended to amend the Constitution as set out in paragraph 5 of this report.

REPORT DETAIL

1. In accordance with the Constitution this Committee has the functions (Part 3, Section 1, para 1.2) –

- To monitor and approve all aspects of Corporate Governance
- To approve the Annual Governance Statement

Meanwhile, the Audit Committee has –

- To receive and approve the Annual Statement of Accounts

2. In practice the document approved by the Audit Committee forms part of the Annual Governance Statement, in other words, it is unclear where exactly the point of decision falls.

3. It is suggested that it would be more appropriate if the Audit Committee – in view of the similarity with other tasks for which it is responsible – dealt with and took responsibility for both the Statement of Accounts and the Governance Statement.

4. Should the above be accepted then it would be appropriate for the Audit Committee to deal with corporate governance issues (which are broadly about how processes support the sound administration of the Council's financial and like affairs), reporting to this Committee or Council as it considers necessary.

5. In order to put these suggestions in place it is proposed that Council be recommended to amend the constitution as follows.

Under Audit Committee

Amend

'To receive and approve the Annual Statement of Accounts'
to read

'To approve the Annual Statement of Accounts, including the Annual Governance Statement, and to recommend as necessary to the

Governance Committee regarding that committee's responsibilities to monitor corporate governance matters generally.

Under Governance Committee

Delete

- To monitor and review all aspects of Corporate Governance
- To approve the Annual Governance Statement

IMPLICATIONS AND RISKS

Financial implications and risks: There are none

Legal implications and risks: There are none

Human Resources implications and risks: There are none

Equalities implications and risks: There are none

BACKGROUND PAPERS

None



**GOVERNANCE
COMMITTEE**

REPORT

6 October 2010

Subject Heading:

MONITORING OFFICER NO 03
AMENDMENTS TO THE
CONSTITUTION

Report Author and contact details:

CHRISTINE DOOLEY
01708 432442

Policy context:

Monitoring Officer Amendments to the
Constitution

Financial summary:

Not applicable

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

Part 2 Article 11.2(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

RECOMMENDATIONS

That this report be noted.

REPORT DETAIL

1. The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.
2. As a new Constitution has been adopted with effect from 9 May 2010 the numbering system has commenced again from 01/10.
3. The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

IMPLICATIONS AND RISKS

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

Financial implications and risks:

None

Legal implications and risks:

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

Human Resources implications and risks:

None

Equalities implications and risks:

None

BACKGROUND PAPERS

E-mail correspondence re: amendments

SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 03/10

Date 27th September 2010

Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 11.2(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3 Section 3.3.3 (ff)	91	Add 3.6.6 (gg) as paragraph at end of 3.6.6 (ff) and re-number subsequent paragraphs Staff accredited by the National Policing Improvement Agency as Financial Investigators or Senior Appropriate Officers are empowered to exercise their responsibilities and duties under the Proceeds of Crime Act 2002	Legislation
Part 3 Appendix A	114	Add in Appendix A under <i>Trading Standards Functions</i> Proceeds of Crime Act 2002	Legislation
Part 3 3.3.3(ff)	91	Amend to read at end of 3.6.6(ff): The Public Protection Manager is empowered to approve activities under the Regulation of Investigatory Powers Act 2000. The Operations Divisional Manager is empowered to authorise activities under the Regulation of Investigatory Powers Act 2000. Add paragraph <u>Staff approved by the Home Office to be a Single Point of Contact for the acquisition of communications data are empowered to exercise their responsibilities and duties under Part 1, Chapter II of the Regulation of Investigatory Powers Act 2000.</u>	Legislation

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3 Section 3.6		Delete 3.6.2 Assistant Director Customer and Community Engagement	Organisational Change
Part 3 Section 3.6	80 and 85	Amend 3.6.5 from Head of Regeneration & Strategic Planning to Head of Regeneration Policy and Planning and add new number Head of Customer Services Reallocate functions 3.6.2 (d) (f) (g) & (o) to the Head of Regeneration Policy and Planning and insert with new numbers above existing (l) and re-number Reallocate (q) and amend to read: To lead, manager and take decisions on all aspects of any National Performance Framework successor to the Comprehensive Area Assessment. In 3.6.5 (c) under Head of Regeneration Policy & Planning Delete: from end of (c) <i>Informative @ this power is also held by the Assistant Director Customer and Community Engagement.</i>	Organisational Change
3.6.7		Under 3.6.7 Head of Communication add those previously delegated to ACE numbers: 3.6.2 (a) (b) as 3.6.7 Head of Communications (e) and (f)	Organisational Change
3.6.7		Add new Head of Customer Services before 3.7 with following delegations from ACE: 3.6.2 (h) and amend to read: To administer the issuing of concessionary travel permits for elderly people to eligible persons: And add 3.6.2 (i), (j), (k), (l) & (n) Reallocate from Head of Exchequer Services functions 3.7.4 (c), (d), (e) (f) (g) including the Benefits Manager paragraph.	Organisational Change
Part 3.6.2		ACE Delete paragraphs: 3.6.1 (c),(e), (m), (p)	Organisational Change
Constitution	Throughout	Alter Assistant Directors to Assistant Director where the title appears throughout the Constitution and alter any plurals to singular and delete all reference to Assistant Director Customer and Community Engagement and Assistant Director Business Efficiency.	Organisational Change

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3.6.5	85	Alter title to the Head of Regeneration Policy and Planning	Organisational Change
Part 3.7.2	95	<p>Add paragraph 3.7.2 (a) and (b) from the Assistant Director Business Efficiency to 3.8.1 the Assistant Chief Executive Legal & Democratic Services new heading</p> <p>(cc) Transformation (i) To develop and implement the Council's programme and project management strategy and capability.</p> <p>Delete the post of Assistant Director Business Efficiency replace with Head of Shared Services</p>	Organisational Change
Part 3.7.4	95	<p>Add paragraph 3.7.4 (a) and (b) from the Head of Exchequer Services to the Head of Shared Services</p> <p>Add paragraph 3.7.4 (c)-(g) to new heading 3.6.8 Head of Customer Services</p> <p>Delete the post of Head of Exchequer Services</p>	Organisational Change
Part 3.7.8	103	<p>Paragraph 3.7.8</p> <p>Move (e) – first (h)+ (i),(j) to the Head of Shared Services</p> <p>Delete the post of Head of Human Resources and replace with Head of People and Change.</p> <p>All other remaining paragraphs to be renumbered and appear under the Head of People and Change</p>	Organisational Change

**GOVERNANCE
COMMITTEE**

REPORT

6 October 2010

Subject Heading:	APPOINTMENT OF NOMINATIVE TRUSTEES OF ROMFORD COMBINED CHARITY
CMT Lead:	Christine Dooley, Assistant Chief Executive – Legal and Democratic Services
Report Author and contact details:	Ian Buckmaster, Committee Administration Manager, 01708 432431 ian.buckmaster@havering.gov.uk
Policy context:	None applicable
Financial summary:	There are no financial implications

The subject matter of this report deals with the following Council Objectives

- Clean, safe and green borough
- Excellence in education and learning
- Opportunities for all through economic, social and cultural activity
- Value and enhance the life of every individual
- High customer satisfaction and a stable council tax

The Romford Combined Charity is a small, local charity that makes grants for the relief of poverty etc. It has seven Trustees: one *ex officio*, the Vicar of St Edward's CofE Church, Romford (who chairs the Trustees)(currently vacant, as the Rev Stephen Waine's successor in office has yet to be appointed); four nominative, appointed for four year terms by the Council; and two co-optative, who are co-opted for five year terms by the other five Trustees.

Governance Committee, 6 October 2010

The terms of office of two of the nominative Trustees, Councillors Michael Armstrong and Andrew Curtin will expire on 3 November. Both are eligible for re-appointment; but, if either is to be replaced, it should be noted that an appointee need not be a Member of the Council.

Ms Christine Hunnable (a former Clerk of the Trustees) has resigned as a Trustee. Her term of office was due to expire on 25 October 2011. Again, her successor need not be a Member of the Council.

The remaining nominative Trustee is former Councillor Wilf Mills.

IMPLICATIONS AND RISKS**Human resources implications and risks**

No implications or risks for the human resources arise from this report.

Equalities implications and risks

No implications or risks for the environment arise from this report

Financial implications and risks

No financial implications or risks arise from this report.

Legal implications and risks

No legal implications or risks arise from this report.

RECOMMENDATION

That nominative Trustees be appointed in succession to Councillors Michael Armstrong and Andrew Curtin (who are both eligible for re-appointment) and Christine Hunnable.

BACKGROUND PAPERS

The Charity's deed of trust.

GOVERNANCE COMMITTEE

SUPPLEMENTARY AGENDA

6 October 2010

Supplementary information

The following item is now attached:

Report

9 AMENDMENTS TO THE COUNCIL'S ARRANGEMENTS REGARDING THE CONTROL OF DIRECTED SURVEILLANCE (RIPA)

This report recommends the implementation of the necessary arrangements that the Council has in place and outlines the constitutional changes that need to be made.

Philip Heady
Democratic Services Manager

Governance Committee, 6 October 2010



GOVERNANCE COMMITTEE

REPORT

6 October 2010

Subject Heading:

Amendments to the Council's arrangements regarding the control of directed surveillance

CMT Lead:

Christine Dooley

Report Author and contact details:

John Wade
Public Protection Manager
john.wade@havering.gov.uk
01708 432748

Policy context:

The Council's policy and procedures have been amended in accordance with the latest Government guidance. It is proposed to amend the Constitution to give effect to these revisions.

SUMMARY

This report recommends the implementation of the necessary arrangements that the Council has in place for controlling its use of directed surveillance powers under the Regulation of Investigatory Powers Act 2000 in order to comply with the latest code of practice issued by the previous Government.

The report outlines the constitutional changes that need to be made to provide the requisite Member oversight and seeks approval of a revised policy and procedure document which incorporates changes in light of the new code of practice.

RECOMMENDATIONS

1. That the Governance Committee **recommends** that Council implements the constitutional changes set out in paragraph 7 of this report.
2. To **recommend** approval of the Council's revised *Policy and Procedures on Covert Surveillance and use of Covert Human Intelligence Sources under the Regulation of Investigatory Powers Act 2000*, July 2010 to the Leader.

REPORT DETAIL

1. The Human Rights Act 1998 requires the Council (and organisations working on its behalf) to have respect for the private and family life of citizens. However, in rare cases, it may be necessary for the Council to act covertly in ways that may interfere with an individual's rights in carrying out its investigations.
2. The Regulation of Investigatory Powers Act 2000 ('RIPA') provides a mechanism for authorising covert surveillance and the use of "covert human intelligence sources" (CHIS). It aims to ensure that any interference with an individual's privacy is necessary and proportionate, that the risk of collateral intrusion is minimised and that both the public interest and the human rights of individuals are protected.
3. Local authorities can only use the powers for the purpose of the *prevention or detection of crime or preventing disorder*. Approval to carry out directed surveillance can only be granted by the Chief Executive, Group Directors and a small number of senior managers and officers who have received specific training on the challenges they should pose and safeguards they should ensure are in place before granting an authorisation
4. The legislation does not only affect directly employed Council staff. Where external agencies are working for the London Borough of Havering, carrying out the Authority's statutory functions, the Authority remains liable for compliance with its duties. It is essential that all external agencies comply with the regulations, as they are contractually obliged to do so.
5. If the correct procedures are not followed:
 - evidence could be thrown out
 - a complaint of maladministration could be made to the Ombudsman
 - the Council could be the subject of an adverse report by the Office of the Surveillance Commissioners

- a claim could be made leading to the payment of compensation by the Council
 - there could be adverse publicity which could have a serious impact on the Council's reputation
6. Following public concern over the use of covert surveillance by local authorities and it being perceived as a breach of civil liberties, in March 2010 the Government of the day introduced oversight by elected Members and provided more detailed advice in revised Codes of Practice covering both covert surveillance and the use of CHIS. The Council's new *Policy and Procedures on Covert Surveillance and use of Covert Human Intelligence Sources under the Regulation of Investigatory Powers Act 2000* incorporates all of the new controls and extended advice.
7. In the light of the above, members are asked to recommend the following Constitutional changes to Council:

Part 3 Section 1.2 Governance Committee

add the following under Miscellaneous

"To review the Council's use of the Regulation of Investigatory Powers Act 2000 and the Council's policy at least once every year and make recommendations for changes to the policy."

8. If the recommendation is agreed, the Assistant Chief Executive, Legal & Democratic Services (as the Senior Responsible Officer for the purpose of RIPA) will:
- Report to the Council's Governance Committee at least once a year on the use of RIPA and reviewing the Council's policy
 - Report to the Leader and Lead Member for Community Safety on at least a quarterly basis to ensure that it is being used consistently with the local authority's policy and that the policy remains fit for purpose.
 - Implement any post-inspection recommendations made by the Surveillance Commissioner.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no significant direct financial implications arising from the amendments to the *Policy and Procedures on Covert Surveillance and use of Covert Human Intelligence Sources under the Regulation of Investigatory Powers Act 2000*.

Legal implications and risks:

Adherence to the Council's *Policy and Procedures on Covert Surveillance and use of Covert Human Intelligence Sources under the Regulation of Investigatory Powers Act 2000*, July 2010 will ensure that best practice is followed. This will minimise the risk of successful legal challenge.

Human Resources implications and risks:

There are no direct human resource implications arising from the *Policy and Procedures on Covert Surveillance and use of Covert Human Intelligence Sources under the Regulation of Investigatory Powers Act 2000*.

Equalities implications and risks:

The policy and procedures will ensure that all council regulatory departments consider the use of covert surveillance or CHIS in accordance with Government guidance and that any use of such investigatory techniques is strictly controlled and subject to independent oversight.

BACKGROUND PAPERS

1. *Covert Surveillance and Property Interference Revised Code of Practice*, March 2010
2. *Covert Human Intelligence Sources Code of Practice*, March 2010