

Values and Ethics Sub-Committee

Agenda



Date: Thursday, 24 June 2021

Time: 5.00 pm

Venue:

Distribution:

Councillors: Adebola Adebayo, Zoe Goodman, Gary Hopkins and Jonathan Hucker

Copies to: Nancy Rollason (Head of Legal Service), Allison Taylor (Democratic Services Officer), Lucy Fleming (Head of Democratic Engagement), Louise deCordova (Democratic Services Manager) and Simba Muzarurwi (Chief Internal Auditor)

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Date: Wednesday, 16 June 2021



Agenda

3. Minutes of the Previous Meeting

(Pages 3 - 7)



Bristol City Council
Minutes of the Values and Ethics Sub-Committee

28 September 2020 at 1.00 pm



Members Present:-

Councillors: Adebola Adebayo, Tim Kent, Liz Radford and Clive Stevens

Officers in Attendance:-

Tim O’Gara, Sarah Sharland, Oliver Harrison

1. Welcome, Introductions and Apologies for Absence.

The Chair welcomed everyone to the meeting.

Apologies were received from Cllr Mark Brain.

2. Declarations of Interest

Cllr Clive Stevens declared an interest as he has recently published a book on Local Government, however he does not believe this will require his withdrawal from any item on today’s agenda.

3. Minutes of previous meeting.

4. Regulation of Investigatory Powers Act 2000 (RIPA)

The Chair confirmed that he and the Head of Legal had determined that RIPA should be considered at this sub-committee before handing it over to full Audit Committee.

Tim O’Gara introduced the report and highlighted the following points:

- The Terms of Reference for the Value & Ethics committee will need refreshing. However, this sub-committee is currently responsible for RIPA.
- BCC has had a policy on RIPA for 20 years. There was an inspection at the start of this year. The one before that was held in 2016.
- Remember that the inspection recommendations are an exempt document, as are the details of individual cases.



Discussion Notes:

- It was confirmed that RIPA is about directed surveillance while undertaking an investigation.
- There was a discussion about how this relates to social media. It is not necessary to engage RIPA for any social media that is on a publicly accessible page. Accessing private pages requires covert human intelligence, which could be done under RIPA. It is not something BCC has done as yet.
- Examining somebody's personal waste would require RIPA if it was still on their property, but not if it was in a public space.
- Examination of fly tipping to find details of the perpetrator is overt and done by identifiable officers so does not require RIPA. The preference is to do open surveillance wherever possible.
- There was a discussion on whether V&E was the appropriate place for this report. In section 3.7.1 policy document, it states Audit Committee will review RIPA. The Terms of Reference for V&E says it manages RIPA on behalf of AC. This report will go to AC in due course, as they will want to have assurance on this.
- There is lots of information and guidance for officers on how to do surveillance, along with appropriate forms. There are lots of similar requirements in non-RIPA surveillance guidance that has come from RIPA. There is also regular training for staff.
- It was confirmed that the policy document has been updated to 2020 but is still marked 2019 in error.
- BCC has carried out 2 RIPA investigations in 19/20. Those are the only RIPA cases since 2016.
- CS asked about previous occasions where councillor social media was monitored by BCC and whether this needed RIPA. TOG said he was unfamiliar with the situation but would be happy to discuss this offline. (ACTION)
- The inspection report is an exempt item, but says that no further inspection is required. It was a light touch inspection and we do not expect another inspection for another 4 years. We don't use RIPA very often when compared with other authorities.

RESOLVED The Committee notes the report.

Meeting ended at 2.00 pm

CHAIR _____



Bristol City Council
Minutes of the Value and Ethics Sub-
Committee
22 March 2021 at 12pm



Members Present:-

Councillors Brian, Kent and Radford.

Independent Member Adebola Adebayo in attendance as Chair.

Officers in Attendance:-

Nancy Rollason – Head of Legal Services, Louise deCordova – Democratic Services Manager,
Allison Taylor – Democratic Services

1. Welcome, Introductions and Safety Information.

These were made.

2. Apologies for Absence

Apologies received from Councillor O'Rourke.

3. Declarations of Interest

None were received.

4. Public Forum.

An Item of Public Forum was received but the submitter was informed that the V&E Sub was not the correct forum for a response and the questions were directed to the Public Health Office for direct response.

4. Minutes of 28 September 2020.

It was noted that these minutes had inadvertently been missed from the agenda and would be brought back to the next meeting for approval.

5. Member Development Strategy.

The Democratic Services Manager introduced the report and the appended Development Strategy and welcomed comments.



The following points summarise the comments received:-

1. The 80% target for members expressing overall satisfaction with the development programme was stretching but it was felt that it was achievable as the Steering Group had assisted in advising on what had worked well in the past and this feedback had been the driver in the current strategy. The induction programme feedback would also be a driver for future member development work. It was anticipated that resources would be available to support the programme in the next three to twelve months;
2. The Induction programme for newly elected members would be rolled out over a 3 month period and not condensed into a short period as previously done. Essential training would be provided in May. Key dates and the induction programme would be made available to all candidates in advance in order to provide sufficient notice to organise their diary;
3. Councillor Radford welcomed the full and informative programme and suggested that an overview of the planning regime be provided for non-DC Committee members as it was an issue often raised in their case work and this feedback was welcomed;
4. Mandatory training was monitored through the e-learning system which tracks courses attained and provided certificates;
5. The V&E Sub-Committee would receive an annual review of the Member Development Strategy. It was also planned to report to the Sub-Committee twice per year with an in depth look at the requirements of the charter in relation to the strategy. The ability to monitor and evaluate training is part of charter and this would assist in evidencing that the strategy met the requirements of the charter;
6. Councillor Kent reported an error on Pg 9 of the report which listed him as a member of the Member Development Steering Group which he no longer was;
7. Councillor Kent suggested that the reformed ICT Working Group could come under the remit of the Member Development Steering Group and it was agreed to provide this feedback to the Steering Group.

Resolved – That the comments on the Member Development Strategy be noted and considered when drafting the 2021 – 2024 Strategy.

6. Summary of Complaints against Councillors and Outcomes January 2018 – March 2021.

The Head of Legal Services introduced the report as follows:-

1. A report had not been brought before the Sub-Committee for some time and arrangements had now been put in place to ensure annual updates from now on;
2. The procedure as set out in Appendix A would be reviewed and updated and the Monitoring Officer would report any proposals to the Sub-Committee in due course;
3. The summary of complaints allowed the Sub-committee insight into any themes emerging;
4. It was clarified that complaints would only come before this Sub-Committee if they were considered to be a breach of the Member Code of Conduct. If the Sub-Committee agreed that there was a breach the complaint would be published;
5. The Sub-Committee was content with an annual report.



Resolved –

- 1. That the report be noted;**
- 2. That this Sub-Committee receives an annual report of the Monitoring Officer on this subject.**

Meeting finished at 12.30pm.

CHAIR _____

