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## **Corporate Governance Panel**

### **Report of the meeting held on 24th July 2013**

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#### **Matters for Decision**

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#### **6. FILMING AND RECORDING AT COUNCIL MEETINGS**

The Panel has considered a report by the Head of Legal and Democratic Services (a copy of which is reproduced as Appendix A hereto), proposing an amendment to paragraph 17A of the Council Procedure Rules in the Constitution relating to the filming and recording and taking of photographs at meetings that are open to the public and the use of social networking and micro-blogging websites.

The changes recommended have arisen as a result of new guidance produced by the Department of Communities and Local Government in June 2013. Whilst the guidance relates to meetings of the Cabinet only, the Panel felt that it would be reasonable for any new Procedure Rule to apply to all meetings held by the Council which are open to the public.

In discussing the amendment, Members' attention was drawn to the circumstances surrounding the filming of the Council meeting in June 2013 by a member of the public. The Panel had regard to correspondence sent from the individual involved on the proposed variation.

The Panel recognised that some members of the public attending meetings may not wish to be filmed. At the same time, the Panel felt that those making representations would normally expect to be filmed.

They discussed the circumstances in which termination or suspension of filming might occur. The Panel felt that there would be no benefit in halting filming after a defamatory statement had already been made. It was suggested that future training for Chairman be adapted to including dealing with such situations.

Members supported a proposal that the Chairman should have the power to require filming to take place from a specific location or locations in appropriate circumstances.

The Panel was of the view that it would be preferable for anyone proposing to film, record or take photographs of a meeting to advise the Democratic Services Team in advance of the meeting and to provide their name and contact details.

Members discussed also the importance of communicating the rules for filming on agendas, the use of mobile phones at meetings and the definition of a public place. In discussing whether Members of a Panel/Committee should expressly be prohibited from texting or tweeting during a meeting, Members considered that such actions would not be appropriate. However, it was agreed that this should be left to the common sense of individual Members and controlled if necessary by the Chairman.

Given that the changes require an amendment to be made to the Council's Constitution and to avoid any potential difficulty in the interim, the Panel were conscious of the need to introduce the guidelines informally pending their formal approval. The Panel

## **RECOMMEND**

**that the wording in paragraph 17A of the Council Procedure Rules be deleted and replaced with the following:-**

### **“Filming, Photography and Recording at Council Meetings**

**The Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected. These arrangements will operate in accordance with guidelines at Annex (vi). These Guidelines will be published on the Council's website.”**

## **7. REVIEW OF RIPA POLICIES AND PROCEDURES**

By way of a joint report by the Heads of Legal and Democratic Services and of Customer Services (a copy of which is reproduced at Appendix B hereto) the Panel has considered the contents of revised RIPA Policy and Procedure Statements for covert surveillance and communications. The Panel was informed that the policies had been revised to comply with recent changes in legislation, primarily the requirement for all applications to be authorised by a Justice of the Peace and the requisite that all RIPA activity only take place where serious crime was being investigated. Given that the changes require amendments to be made to the Council's Constitution, the Panel

## **RECOMMEND**

**that the Council**

- (a) approve the content of the new RIPA Covert Surveillance Policy and Procedure;**
- (b) approve the content of the new RIPA Communications Data Policy and Procedure;**
- (c) subject to recommendations (a) and (b) above, approve the consequential amendments to the Constitution; and**
- (d) authorise the Head of Legal and Democratic Services to make any amendments to the policies in the future after consultation with the Chairman of the Corporate Governance Panel and subject to the matter being reported to the next meeting of the Corporate Governance Panel.**

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**Matters for Information**

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**8. PROGRESS REPORT**

Details of actions taken in response to recent discussions and decisions were noted by the Panel.

**9. COMPLAINTS FEEDBACK ANNUAL REPORT**

An analysis of the Council's internal complaints and a summary of complaints involving the District Council which had been determined by the Local Government Ombudsman has been received by the Panel.

**10. PREPARING THE ANNUAL GOVERNANCE STATEMENT**

The Panel was provided with an opportunity to comment upon the action taken to review the Code of Corporate Governance. In so doing, the Panel concluded that the supporting principle for the Code should refer to providing value for money rather than excellence. Having had their attention drawn to the Annual Governance Statement, the Panel has endorsed the recording of the following governance issues as being significant:

- ◆ to develop the themes and aims in the Leadership Direction through service plans and performance measures;
- ◆ to improve budgetary control;
- ◆ to reinvigorate engagement with stakeholders;
- ◆ to introduce a project management methodology; and
- ◆ to prepare an annual report for the 2013/14 financial year.

## **11. INTERNAL AUDIT SERVICE ANNUAL REPORT**

Under the requirements of the Public Sector Internal Audit Standards, the Panel was provided with the Internal Audit Manager's opinion on the overall adequacy and effectiveness of the Council's internal control and governance processes.

Disappointment was expressed that one "no assurance" and seven "limited assurance" audit reports have been issued. Responsibility for these actions lies with service managers. In expressing their concerns, the Panel has acknowledged the need to create a culture within the authority whereby actions are undertaken and any failures reported to the Chief Officers' Management Team.

Disquiet continues to be expressed by Members over the lack of compliance with the Code of Procurement. The Panel has queried the reasons why procurement practices continues to be ignored and stressed that efforts should be made to ensure that the Code was being adhered to across the authority. It was confirmed to Members that all Officers will be reminded of the need to comply with the Code and training provided where required. Owing to the Panel's concerns, the Internal Audit Manager has suggested that updates should be received on a regular basis from the Chief Officers' Management Team.

## **12. WORK PROGRAMME AND TRAINING**

Members of the Panel have received details of their anticipated work programme over the ensuing year. It was reported that the review of the effectiveness of the Panel will consider how to identify and provide relevant training.

## **13. APPOINTMENT OF PROFESSIONAL ADVISORS**

*(This item was submitted as a Part 2 item under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.)*

The Panel was apprised of the outcome of a review into the procedures followed to appoint a contractor for a major redevelopment scheme.

Members have discussed a series of recommendations aimed at modifying or reinforcing the Council's processes to minimise the likelihood of such issues arising again.

The Internal Audit Manager reported that he would be reviewing the Internal Audit Plan to ensure adequate contract reviews were undertaken.

Having expressed disappointment that procedures had not been followed, the Panel agreed that the issues identified and any other procurement related information be taken into account when considering the Annual Governance Statement.

At the request of the Panel, any amendments to the Employees' Code of Conduct and Code of Procurement will be submitted to future meetings in due course.

E R Butler  
Chairman