

Audit Panel

Wednesday, 14th September, 2011

MEETING OF AUDIT PANEL

Members present: Alderman Rodgers (Chairman);
Alderman Smyth; Councillors Lavery and Mullan and
Mr. D. Bell

In attendance: Mr. R. Cregan, Director of Finance and Resources;
Mr. A. Wilson, Head of Audit, Governance and
Risk Services;
Ms. J. Minne, Head of Human Resources;
Mr. A. Harrison, Audit, Governance and Risk
Services Manager;
Mr. R. Allen, Director, Northern Ireland Audit Office; and
Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Alderman M. Campbell and Councillor Jones.

Minutes

The minutes of the meeting of 9th June were taken as read and signed as correct.

Director of Finance and Resources

The Chairman, on behalf of the Panel, welcomed Mr. Ronan Cregan to his first meeting following his recent appointment to the post of Director of Finance and Resources.

Appointment of External Member to the Audit Panel / Audit Panel Training

The Panel was advised that, following a recent recruitment exercise, Mr. David Bell had been appointed to replace Dr. Bill Smith as the External Member on the Audit Panel. The Head of Audit, Governance and Risk Services reported that Mr. Bell had been appointed for a period of one year initially and that his contract could be renewed for a further two years thereafter, subject to mutual agreement. He pointed out that Mr. Bell would play a vital role in supporting the Audit Panel in order to ensure that the Council provided the highest standards of governance arrangements.

**Audit Panel,
Wednesday, 14th September, 2011**

The Head of Audit, Governance and Risk Services reported further that it was important to ensure that the Audit Panel received the appropriate training in order to fulfil its role as effectively as possible. He explained that, following discussions with the Local Government Staff Commission, it had been agreed that the Chartered Institute of Public Finance and Accountancy would be best placed to provide such training. He explained that a half-day's training session for the Audit Panel would take place in the Belfast Castle on Thursday, 6th October, commencing at 9.30 a.m. The Local Government Staff Commission had indicated that it would contribute towards its cost.

After discussion, during which the Chairman, on behalf of the Members, welcomed Mr. Bell to his first meeting, the Audit Panel noted the information which had been provided.

Audit Panel - Indicative Programme of Work 2011/2012

The Panel considered an indicative programme of work which had been prepared by the Head of Audit, Governance and Risk Services, a copy of which is set out hereunder:

**“AUDIT PANEL –
INDICATIVE PROGRAMME OF WORK 2011/2012**

SEPTEMBER 2011	DECEMBER 2011	MARCH 2012	JUNE 2012
Confirmation of appointment of external Member	To receive the Local Government Auditor's annual audit letter, management letter and copies of the audited accounts	Report on risk management arrangements	Presentation / approval of Draft annual statement of accounts.
Agree Audit Panel programme of work.	Report on Council anti-fraud and corruption strategy, whistle-blowing and related issues	Overview of the Council's constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.	Review / approval of the Council's Annual Governance Statement (including updates on Council governance arrangements)
Update on use of Regulation of Investigative Powers Act (RIPA)		Approve Audit, Governance and Risk Services (internal audit) Strategy and Annual Plan.	Review of LGA's Audit Strategy
Half-yearly update on implementation of audit recommendations		Half-yearly update on implementation of audit recommendations	Consider the Head of Audit, Governance and Risk Services' annual report and opinion and summary of internal audit activity.
			Annual review of effectiveness of Audit Panel
			Annual review of the effectiveness of internal audit.
Audit Panel training day (6 Oct 2011)			

After discussion, during which the Head of Audit, Governance and Risk Services confirmed that the indicative programme would not preclude the Panel from holding additional meetings to discuss any urgent business which might arise, the Panel approved its indicative programme of work for 2011/2012. The Panel agreed that a report be submitted to its next meeting providing an update in respect of those significant issues which had been highlighted within the Annual Governance Statement 2011/2012, which had formed part of the Council's Annual Financial Report.

Audit, Governance and Risk Services Progress Report

The Head of Audit, Governance and Risk Services submitted for the Panel's consideration a report outlining the work which had been undertaken by the Service between June and August, 2011. The Audit, Governance and Risk Services Manager reported that, during that period, audit reports had been finalised in relation to the Building Control Service, the North Foreshore and a review of key income/expenditure controls within the Parks and Leisure Department. Audits of arc21, financial controls and management arrangements within the Chief Executive's Forum, the Tall Ships 2009 event and the governance arrangements relating to the Connswater Community Greenway Project were in progress, as were audits of grant funding within the Community Services Section, the processes and controls relating to the implementation of the upgrade to the electronic management system within the Parks and Leisure Department and of accounts payable and income/accounts receivable across all Council Departments. Audits of the Belfast Visitor and Convention Bureau, the Property Maintenance Section and Freedom of Information/Data Protection Act compliance arrangements were planned.

The Panel was reminded that, at its meeting on 9th June, it had, in view of concerns which had been expressed on 7th March regarding the outcome of a review of Facility Management Agreements in place within the Parks and Leisure Department, been provided with an update on that Department's compliance with agreed recommendations and associated action plan. The Head of Audit, Governance and Risk Services explained that the Parks and Leisure Department had now provided a further update on the progress being made to implement the agreed recommendations. Of the thirty-one recommendations set out within the original action plan, nine had now been implemented fully and the remaining twenty-two had either been implemented partially or were being progressed in line with the timescales in the agreed action plan. He added that a further update would be provided to the Audit Panel as part of the six monthly review of the status of audit recommendations

The Head of Audit, Governance and Risk Services provided details of a national fraud initiative, which had been conducted by the Northern Ireland Audit Office and was aimed at assisting public bodies in identifying fraudulent and duplicate transactions using sophisticated data matching techniques. He confirmed that, of those matches which had been investigated and resolved, no specific instances of fraud had been identified in relation to the Council. He provided details also in respect of investigative work which had been undertaken by the Service over the period and advised that fraud awareness training had, between June and August, been delivered to fifty-five managers, supervisors and staff across three Departments. The Service had included also within the Manager and Officer Development Training Programme information in

relation to risk, fraud, control, whistle-blowing and good governance and had highlighted important areas where compliance with key controls was required. The Service was in the process also of finalising the Council's anti-fraud policy which, when completed, would be presented to the Audit Panel for approval.

After discussion, the Panel noted the information which had been provided.

Update on Audit Recommendations Monitor

The Head of Audit, Governance and Risk Services reminded the Panel that Audit, Governance and Risk Services had, over the past eighteen months, put in place a system to track the implementation of audit recommendations. He explained that the Service had liaised with representatives from each Department in order to determine the current status of recommendations which have remained "open" since the date of the last monitoring exercise, which had taken place six months previously. He outlined the progress which had been made since the last review and highlighted a number of areas where further progress was required.

During discussion, the Panel expressed concern that, more than six months after the original implementation date, there were forty-eight high priority recommendations which were still outstanding.

The Panel noted the contents of the Audit Recommendations Monitor and that a copy of the document was available on the Modern.gov intranet. The Panel agreed also that a further report on the progress being made to implement those outstanding recommendations be submitted to its next meeting and that, where progress on implementing audit recommendations was not satisfactory, it would give consideration to requesting the relevant Directors to attend a subsequent meeting to address the issue.

Corporate Risk Management

The Panel considered the undernoted report:

"1 Relevant Background Information

On 15th February, 2010, the Audit Panel agreed that risk reports should be made to the Chief Officers' Management Team and Audit Panel on a quarterly basis starting from Quarter one 2010/2011. This report addresses these requirements.

The purpose of this report is to:

- **report to the Audit Panel on the operation of the assurance processes over the arrangements for the management of risk for the quarter ending June 2011.**
- **present the Corporate Risk Register**

- provide an update on the Audit, Governance and Risk Services (AGRS) review of Departmental compliance with the Gifts and Hospitality and Conflicts of Interest policies

Risk Management is a statutory requirement, the Local Government (Account and Audit) Regulations 2006 and subsequent Local Government (Account and Audit) (Amendment) Regulations 2006 sets out that:

‘A local government body shall ensure that its financial management is adequate and effective and that it has a sound system of internal control which facilitates the effective exercise of its functions and includes arrangements for the management of risk’.

In addition the legislation requires the Council to report on the arrangements in place for managing risks as part of the Annual Governance Statement which forms a key part of the Statutory Accounts.

2 Key Issues

1. Assurance on the Management of Risk

Each of the 11 risks in the corporate risk register has a Chief Officer as a nominated Risk Owner who is responsible for ensuring that the risk is managed effectively and evidenced as such in the relevant departmental risk action plans. A number of corporate risks apply to all departments and so are managed through all of the departmental registers, these relate to the following risk areas:

- Management of financial resources
- Management of staff resources
- Demonstration of good corporate governance
- RPA (see note below)
- Health and Safety
- Business continuity

Management is responsible for ensuring that risks are properly identified, evaluated, managed and reviewed. In order to obtain assurance on the management of risk, on a quarterly basis each Chief Officer produces and signs a quarterly assurance statement to:

**Audit Panel,
Wednesday, 14th September, 2011**

- Confirm compliance with risk management processes
- List the key risks that they have responsibility for managing (corporate risks and 'red' departmental risks)
- Confirm that there are appropriate action plans in place to manage these risks
- Identify any proposed actions and, where applicable, explain any slippage
- Provide a formal assurance that the risks are being managed.

This quarterly statement reinforces accountability for risks, increases the visibility of risks and provides assurance on the management of risk.

AGRS can confirm that, for the quarter ending June, 2011, all Chief Officers have signed assurance statements confirming that the corporate, departmental and operational risk registers and action plans have been reviewed and updated and that they are content that overall the Council's agreed risk management processes, as set out in the Council's risk management strategy and supporting guidance, are being complied with.

2. Corporate Risk Register

The Audit Panel is asked to note the attached Corporate Risk Register, a copy of which has been circulated.

3. Emerging Risks

Our review meetings with individual Directors to discuss the management of Corporate Risks have also identified a number of emerging risks which were agreed by COMT at its meeting on 7th September 2011 for inclusion within the Corporate Risk Register. These are as follows:

Risk	Raised By
Uncertainty of the rate base	Director of Finance & Resources
Financial and management information does not meet the changing needs of the organisation and the city	Director of Finance & Resources
Failure to maximise the draw down of European funds by missing EU funding deadlines.	Director of Development

Review of the Council's Risk Management Arrangements

AGRS proposes to work with Departments to review the current risk management and reporting arrangements within the Council. The review will aim to ensure greater integration and alignment with the Council's corporate planning and performance management processes and to maximise the value from the process

4. Review of compliance with the updated policies and guidance on Gifts and Hospitality and Potential Conflicts of Interest

A paper was presented to COMT on 25th May, 2011, setting out updates and new management arrangements to be put in place within each Department in order to ensure compliance with the Council's policies and guidance on Gifts and Hospitality and Potential Conflict of Interests. These management arrangements are currently being implemented within Departments and we can confirm that in line with the updated policies each Department have nominated an officer to oversee compliance with the policies.

In addition Departments have been made aware of the need to ensure that all relevant officers complete the six monthly declaration confirming that they have either no declarations to make or that the appropriate forms and registers have been completed. The first declaration is to be completed for the 6 month period ending September 2011. In line with the updated policy, AGRS will report quarterly on compliance with the updated policy as part of the quarterly risk management process.

In the next quarterly review of compliance, AGRS will review the registers and the six monthly sign-offs.

3 Resource Implications

Financial
None.

Human Resources
None.

Asset and Other Implications
None.

4 Equality Implications

None.

**Audit Panel,
Wednesday, 14th September, 2011**

5 Recommendation

The Audit Panel is asked to note the quarterly risk report.”

The Panel noted the information which had been provided and that a copy of the Corporate Risk Register was available in full on the Modern.gov intranet site.

Corporate Health and Safety Update

The Panel was advised that the Council, like all employers, had a duty under the Health and Safety at Work (Northern Ireland) Order 1978 to provide a safe and healthy working environment for its employees and others, such as contractors and members of the public who might be affected by the way in which the Council conducted its undertakings. The Head of Audit, Governance and Risk Services explained that the Council's Health and Safety inspection system had now been revised and that the new arrangements were now being implemented by the Corporate Occupational Health and Safety Unit. All Council Departments would be re-inspected before the end of March, 2012, with the completion of health and safety actions arising therefrom being monitored corporately through the Council's Corvu performance management system.

He informed the Panel that the Council had developed and approved a new Workplace Health and Safety Committee structure in order to enhance health and safety communication throughout the organisation during 2010/2011. The Committee, which would be chaired by the Town Solicitor and Assistant Chief Executive, would be comprised also of the Head of Audit, Governance and Risk Services, the Corporate Health and Safety Manager, Trades Union representatives and officers from each of the six Departmental committees. The first meeting of the Workplace Health and Safety Committee was due to take place on 20th September.

The Head of Audit, Governance and Risk Services reported that the Corporate Occupational Health and Safety Unit had undertaken a significant review of the Council's health and safety manual. Nine codes of practice had been reviewed to date and a number of amendments had been proposed which would, during the autumn, be forwarded to the appropriate Health and Safety Committees and the Council's Standing Committees for consultation. A further fifteen codes of practice were planned for review by the end of March, 2012.

He reported further that 809 workplace accidents, which had included sports injuries, had been reported across the Council in 2010/2011. The Corporate Health and Safety Unit had identified a number of priority areas, with a view to achieving a 5% reduction in workplace accidents and would be working with the relevant Departments over the coming months in order to attain that target. A review was being undertaken also of the information on the number of accidents being provided to Departments to ensure that they were in a position to identify recurring trends within their various operational units.

After discussion, during which the Head of Audit, Governance and Risk Services undertook to write to Members to provide an analysis of the workplace accidents reported in 2010/11 , together with the outcome of any legal proceedings instigated

against the Council as a result, the Panel noted the information which had been provided. The Panel noted also that the Corporate Health and Safety Manager would attend its next meeting in order to outline her role in addressing health and safety issues across the Council.

Attendance Management

The Panel was reminded that the Strategic Policy and Resources Committee, at its meeting on 17th June, had agreed a two-year target to maintain sickness absence across the Council at 10.31 days per person by March, 2012 and at 10 days by March 2013. The Head of Human Resources submitted for the Panel's consideration a report providing information in respect of sickness absence for the first quarter of 2010/2011. The report indicated that sickness absence per employee for that period had been 2.59 days which meant that the Council was almost on course to meet its target figure and, based upon the most recent statistics collated at the end of August, was exactly on target for the year. She pointed out that considerable work was being undertaken on an ongoing basis to manage attendance across the Council and stressed that the Human Resources Section would continue to audit compliance in those sections which did not achieve the defined target, with reports on absence management being submitted on a quarterly basis to both the Audit Panel and the Strategic Policy and Resources Committee.

The Panel noted the information which had been provided.

Staff Numbers, Overtime and Agency Costs

The Panel considered the undernoted report:

"1 Purpose of Report

The purpose of this report is to provide details on Staff Numbers, Overtime and Agency Costs for Quarter 1, 2011/2012.

2 Background

2.2 The Audit Panel, at its meeting on 7th March 2011 approved a revised reporting framework effective from Quarter 1, 2011/2012.

- provides information on the number and status of vacant posts in the council;**
- compares actual staff costs to agreed staff budgets at corporate and departmental level;**
- details how much of the actual staff budget was spent on agency and overtime at corporate and departmental level.**

3 Key Issues

Since then the following work has been ongoing in relation to this reporting framework:

3.1 Staff numbers

- Vacant posts as at July 2011 have been identified in order to compare the number of posts in the council's approved full staffing establishment to the number of people actually in post.
- Departments have been asked to verify the status of each vacancy in their department as follows:
 - Are each of the vacancies identified still vacant?
 - If so, why?
 - How long has the post been vacant?
 - If and when is the vacancy likely to be filled? (ongoing operational reviews and associated structural change will impact on this question).

3.2 Overtime and agency

- An analysis of agency workers employed by department.
- An analysis of overtime by type, job type and value.
- Further rollout of the corporate time recording system in Development and Parks and Leisure.
- Encryption software is being installed on Business Managers' desktops so that data on overtime and agency can be transferred. On completion of the data transfer departments will be asked to provide an analysis of each agency employee categorised under one of the following:

Agency

- to cover established posts which are temporarily vacant or vacant pending a permanent recruitment, where it is not possible to cover the vacancy by any other means
- to cover for posts / duties which are over and above establishment figures where the additional workload is of a temporary nature;
- to cover for unexpected events or upsurge in workloads where it is not possible, for whatever reason, to cover the vacancy by any other means
- Other (please specify)
- Details of initiatives currently being undertaken to address the use of agency staff.

Overtime

- The reasons for overtime worked for each job title and section
- Details of any initiatives currently being undertaken to address the overtime in each category or section.

3.3 Staff costs compared to staff budget

- At the end of Quarter 1, 2011/2012 staff costs for the council were £20,697,687 against a target of £20,761,919
- This represents an overall underspend of £64,232 or 0.31% of budget.
- Appendix 1 provides details of staff costs at corporate and departmental level.

3.4 How much of the total was spent on overtime and agency

- At the end of Quarter 1, 2011/2012 overtime accounted for 6.14% or £1,270,204 of direct employee costs.
- At the end of Quarter 1, 2011/2012 agency accounted for 4.17% or £862,476 of direct employee cost.
- Appendix 2 provides details of overtime and agency at corporate and departmental level.

4 Recommendations

4.1 The Audit Panel is asked to note the contents of this report.

5 Documents attached

Appendix 1 – Actual staff costs compared to staff budget at Quarter 1, 2011/2012

Appendix 2 – Overtime and agency costs at Quarter 1, 2011/2012.”

Appendix 1

Appendix 1 Actual staff costs compared to salary budget Quarter 1, 2011/2012	Staff budget for Q1 2011/2012	Actual staff costs for Q1 2011/2012	Variance £	Variance %
BCC	20,761,919	20,697,687	- 64,232	- 0.31
Chief Executive's	1,375,761	1,335,419	- 40,342	- 2.93
Finance and Resources	2,677,386	2,522,029	- 155,357	- 5.80
Health & Environmental Services	6,807,723	6,697,900	- 109,823	- 1.61
Parks and Leisure	5,077,588	5,356,131	278,543	5.49
Development Department	2,517,950	2,458,678	- 59,272	- 2.35
Property and Projects	2,305,511	2,327,530	22,019	0.96

Appendix 2

Appendix 2 Overtime and Agency Costs	Actual Staff Costs at Q1 2011/2012	How much of the total was spent on overtime Q1 2011/2012	% of actual staff costs spent on overtime £	How much of the total was spent on agency Q1 2011/2012	% of actual staff costs spent on agency
BCC	20,697,687	1,270,204	6.14	862,476	4.17
Chief Executive's	1,335,419	19,110	1.43	67,305	5.04
Finance and Resources	2,522,029	19,525	0.77	26,378	1.05
Health & Environmental Services	6,697,900	480,859	7.18	251,918	3.76
Parks and Leisure	5,356,131	506,418	9.45	339,457	6.34
Development Department	2,458,678	103,481	4.21	122,300	4.97
Property and Projects	2,327,530	140,811	6.05	55,118	2.37

After discussion, the Panel noted the information which had been provided.

Bribery Act 2010

(Mr. C. Quigley, Town Solicitor and Assistant Chief Executive, and Ms. L. McGovern, Solicitor, attended in connection with this item.)

The Panel considered the undernoted report:

“Purpose of report

The purpose of this report is to bring to the attention of the Panel the introduction of new legislation, namely the Bribery Act 2010 (the ‘Act’), which received Royal Assent on 8th April, 2010 and was implemented on 1st July, 2011.

The purpose of the Act is to reform the criminal law of bribery to provide for a new consolidated scheme of bribery offences to cover bribery both in the UK and abroad. The Act extends to England and Wales, Scotland and Northern Ireland.

Background

The law on corruption in Northern Ireland is identical to that in England and Wales. The pre-existing offences of bribery in the United Kingdom are based on both common law and statute. The statutory provisions on corruption are contained in three different criminal statutes:

- the Public Bodies Corrupt Practices Act 1889
- the Prevention of Corruption Act 1906, and
- the Prevention of Corruption Act 1916
- (collectively called the Prevention of Corruption Acts 1889 – 1916)

The Act has repealed and replaced the old, much-criticised, laws on bribery with new comprehensive anti-bribery legislation.

Key Issues

The Act takes a robust approach to tackling commercial bribery, although the offences are not limited to commercial bribery. Examples include attempts to influence decisions by local authorities, regulatory bodies or elected representatives on matters of tender approval, grant application or licence application approval.

Summary of the main provisions of the Act:

Four new bribery offences have been created, namely, the general offences of paying bribes and receiving bribes, the bribery of foreign officials and the failure of commercial organisations to prevent bribery. The last offence is the most significant amendment to the old law on bribery and the onus will be placed on businesses to ensure that their anti-corruption procedures are robust.

A. Offences introduced by the Act:

The general offences as set out below, are similar to the current law, but introduce the concept of 'improper performance':

Section 1: Paying a bribe

It will be an offence to offer, promise or give a financial or other advantage to another person with the intention of inducing that person to perform a 'relevant function or activity' or to reward a person for performing that function or activity 'improperly.'

Section 2: Receiving a bribe

It will be an offence to receive or accept a financial or other advantage intending that a 'relevant function or activity' should be performed 'improperly' as a result.

'Relevant function or activity' (defined in section 3) includes:

- any function of a public nature
- any activity connected with a business,
- any activity performed in the course of a person's employment or
- any activity performed or on behalf of a body of persons (corporate or incorporate).

The person performing that activity is expected to perform it in good faith, perform it impartially or be in a position of trust.

The test for 'improper performance' (defined in section 4) will be based on whether there is a breach of the expectation of what a reasonable person in the UK would expect in relation to the performance of the type of function or activity concerned (as defined in section 5) e.g. hospitality/promotional expenditure must be intended to induce a person to perform a function improperly. The function or activity does not need to have a connection to the United Kingdom.

Section 6: Bribery of foreign public officials

It is an offence if a person offers or gives a financial or other advantage to a foreign public official with the intention of influencing the foreign public official and obtaining or retaining business, where the foreign public official was neither permitted nor required by written law to be so influenced.

Section 7: Failure of commercial organisations to prevent the payment of a bribe

A relevant commercial organisation (company, partnership and any other body corporate which carries out a business (trade or profession)) is guilty of an offence if a person associated with it (to include employees, agents, subsidiaries), bribes another person (commits one of the offences listed above) with the intention to obtain or retain business or to obtain or retain an advantage in the conduct of business for the organisation, and that organisation is unable to show that it had adequate procedures in place to prevent bribes being paid.

Thus an organisation may be guilty of an offence even if it had no knowledge of the bribery. The company's defence is limited to showing that it had 'adequate procedures' in place to prevent bribery. Consequently, the organisation must ensure that it has adequate anti-corruption procedures in place to stop any 'associated person' acting on its behalf from committing bribery.

The Ministry of Justice has provided guidance on what amounts to 'adequate procedures.' The courts will assess whether the organisations procedures are adequate and the organisation will have to prove that they are.

B. Penalties (Section 11)

The Act will increase the maximum jail term for bribery by an individual from 7 years to 10 years. A company convicted of failing to prevent bribery could receive an unlimited fine.

C. Extra-territoriality application (Section 12)

- All of the new offences may be prosecuted if done by a British national or corporate or by a person who is ordinarily resident in the UK, regardless of whether the act or omission which forms part of the offence took place outside the UK; and/or
- if any act or omission which forms part of the offence occurs within the UK
- in addition, the corporate criminal offence will apply to commercial organisations which have a business presence in the UK (regardless of where the bribe is paid or whether the procedures are controlled from the UK)

D. Defences for certain bribery offence (Section 13)

It is a defence for a person charged with a relevant bribery offence to prove that the person's conduct was necessary for the proper exercise of any function of an intelligence service or of the armed forces (when engaged on active service).

Implications for the Council

Note that the Act makes it clear that any function of a public nature is governed by the Act. The Council is required, through its governance procedures, to ensure that it has appropriate anti-corruption procedures in place. The Council has a number of pre-existing policies that address the risk of bribery which are currently being updated to take cognisance of the legislative changes contained within the Act: Council's Policy Statement on Fraud and Corruption, Acceptance and Provision of Gifts and Hospitality Policy and Guidance, Potential Conflict of Interest

Situations encountered by Council Officers Policy and Guidance, Code of Conduct, Corporate Sponsorship Policy and the Council's procurement documentation.

Resource Implications

Financial and Human Resources

There are no immediate financial obligations for the Council.

Asset and Other Implications

N/A

Recommendation

The Audit Panel is requested to note the contents of this report."

After discussion, during which the Town Solicitor and Assistant Chief Executive confirmed that Elected Members and relevant staff would be provided with appropriate training on any policies which required to be updated as a result of the introduction of the Bribery Act 2010, the Panel noted the information which had been provided.

Update on Regulation of Investigatory Powers Act 2000

(Mr. C. Quigley, Town Solicitor and Assistant Chief Executive, and Ms. L. McGovern, Solicitor, attended in connection with this item).

The Panel was reminded that, at its meeting on 14th September, 2010, it had adopted the Regulation of Investigatory Powers Act 2000 – Policy of Elected Members. The Act required the Council to have in place procedures to ensure that covert surveillance, when required, was necessary, proportionate and properly authorised and that it was consistent with the Council's objectives in terms of, inter alia, an individual's right to privacy. The Town Solicitor and Assistant Chief Executive reported that he had, as the nominated Senior Responsible Officer for the Council, a duty to ensure compliance with the Regulation of Investigatory Powers Act 2000 and associated codes of practice. He advised that the policy required him, in that capacity, to provide twice-yearly updates to the Audit Panel outlining the number and types of authorised activities relating to covert surveillance which had been undertaken by the Council in the previous six months. He confirmed that no authorised activities had taken place during that period.

After discussion, the Panel noted the information which had been provided and agreed that, in future, an update on the Regulation of Investigatory Powers Act be submitted on an annual basis.

Date of Next Meeting

The Panel agreed that its next meeting be held at 1.00 p.m. on Tuesday, 13th December.

Chairman