

Standards Committee
7 February 2022

WELWYN HATFIELD BOROUGH COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL STANDARDS COMMITTEE held on Monday 7 February 2022 at 7.30pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors T. Kingsbury (Chairman)
G. Michaelides, P. Zukowskyj

ALSO Parish Councillor B. Morris
PRESENT:

OFFICIALS Head of Law and Administration (M. Martinus)
PRESENT: Democratic Services Assistant (V. Mistry)

11. APOLOGIES

Apologies for absence were received from Councillors L. Musk and N. Pace.

12. MINUTES

The Minutes of the meeting held on 20 September 2021 were agreed as a correct record and noted by the Chair.

Councillor P. Zukowskyj abstained from voting as he was absent at the previous meeting.

13. DECLARATIONS OF INTERESTS BY MEMBERS

Councillors T. Kingsbury and P. Zukowskyj both declared non-pecuniary interests as appropriate by virtue of being Members of Hertfordshire County Council.

14. UPDATES TO THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) POLICY

Members received a report of the Head of Law and Administration on updates to the RIPA authorising Officers and Senior Responsible Officer (SRO) and corporate RIPA policy.

The Council had powers to investigate a range of criminal offences and like all Local Authorities was able to utilise powers to undertake surveillance to assist with those investigations in certain prescribed circumstances.

Standards Committee
7 February 2022

As previously reported to Committee the use of these powers was governed by the requirements of law and the Council's own policy. Powers cannot be used without the agreement of a designated "Authorising Officer" and the approval of a Magistrate. In all cases the powers can only be used to investigate a specified offence and must be shown to be necessary and proportionate to the circumstances.

It was necessary to update the change of Senior Responsible Officer, and the Standards Committee was asked to agree this update.

The main change:

Senior Responsible Officer

Amended to the Head of Law and Administration.

Removal of the Corporate Director (Public Protection, Planning and Governance)

All other designations remain the same as in previous versions of the policy.

The following points were noted and discussed:

- Members noted that the Corporate Director (Public Protection, Planning and Governance) had been the Senior Responsible Officer for overseeing the RIPA policy. Since their departure, the Head of Law and Administration had been appointed as the Senior Responsible Officer by the Corporate Management Team in December 2021. The RIPA policy had been updated accordingly.
- Since the Head of Law and Administration's appointment, the Council had an Investigatory Powers Commissioners Office inspection which took place on 21 January 2022. The inspector had approved the policy but had made a few suggestions for improvement and updates and those were outlined in paragraph 3.8 of the report.
- It was noted that the proposal was to make the amendments as suggested by the inspector and ask that the committee noted the inspector's suggested changes. The updated policy would then be circulated to members of the meeting after the amendments had been incorporated.
- Members asked if the page numbering for Appendix A which was the RIPA policy 2021 could be amended as the table of contents did not match the document. Officers stated that they will make the changes before the document was circulated to members.
- Members noted paragraph 3.8 of the document which stated '*Reviews and Renewals, amend to reflect code that reviews must be carried out after 3 months. This is a mandatory requirement*'. Members asked if the Council was required to do the exercise every 3 months and update the RIPA policy again? Officers stated that the recommendations were in respect of any authorisations granted under the RIPA policy for

Standards Committee
7 February 2022

surveillance. Since 2019, the Council had not done any authorisations but what the policy was implying was that in the event of an authorisation it must be renewed and reviewed after 3 months so that the policy was compliant.

RESOLVED:
(unanimous)

Standards Committee noted the changes detailed in the report and that any further changes would be circulated to members of the committee, after the amendments had been completed.

Meeting ended 7.37pm
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