

Extract from the minutes of the Governance and Audit Committee meeting of 13 December 2023

396. Review of the Council's Ethical Governance Policies

The Committee considered a report requesting it to review the Council's updated Ethical Governance policies. These were the key policies which set out the standards of conduct and integrity that the Council expected of Councillors, staff, partners, suppliers and customers when conducting Council business.

Andrew Weavers, Head of Governance and Monitoring Officer, attended the meeting to present the report and assist the Committee with its enquiries. The Committee was requested to review the Council's suite of Ethical Governance Policies, which were presented to it on an annual basis to ensure that these 11 Policies remained fit for purpose. During the year the Policies had been reviewed, and they had been considered adequate to cover all circumstances and were fit for purpose. No substantial changes had been made to any of the Policies, and the only changes which had been made were minor and reflected changes in the Council's structure which had taken place during the preceding year, such as changes in job titles etc.

The Covert Surveillance Policy had been the subject of an external inspection by the Investigatory Powers Commissioner's Office which had taken place in March 2023. This inspection had confirmed that the Council had demonstrated compliance with the necessary legislative requirements, and that the Policy was fit for purpose. In addition to this, key officers had also received refresher training.

An annual email was written to all Councillors and Officers by the Monitoring Officer reminding them of the Council's Anti-Fraud and Whistleblowing Policies.

The Council's Income and Debt Policy had been reviewed by the Operational Finance Team and no changes had been proposed to it.

There were no significant changes to draw the Committee's attention to, and all the Policies had been reviewed and were now recommended as fit for purpose. The Committee was asked to commend the Policies to Full Council for inclusion in the Council's Policy Framework.

A Committee member noted that the Council owned a covert closed circuit television (CCTV) camera, and sought confirmation that the use of this camera would be covered by the Covert Surveillance Policy. The Head of Governance and Monitoring Officer advised the Committee that the use of this camera was not classed as covert

surveillance as it would be made clear to people that an area was under surveillance, and therefore use of the camera would qualify as overt surveillance.

The Committee considered that the Policies which had been presented to it were essential to the good governance of the Council, and it was important that the Committee spend time ensuring that they remained fit for purpose. To aid the review of the Policies in the future, it was requested that any changes which had been made be highlighted in the Policies themselves.

A Committee member considered that the use of the Council's Information and Communication Technology (ICT) services was a struggle for some Councillors, and the Council's system was quite an invasive system which could cause issues for Councillors who attempted to use it on their own work or personal computers. Although the Committee accepted that the system could be difficult to use, it was also aware that the Council had experienced some issues around ICT security in recent months which had impacted on Councillor colleagues. It was suggested that it may be appropriate for the Political Group Leaders of the Council to meet to discuss overcoming some of the issues which some Councillors faced, and a briefing session on Councillor use of ICT could be appropriate in the future.

A Committee member thought that the proposed Acceptable Use Policy was unduly complicated, and he was forced to forward emails that he received via the Council's email system to his own personal email address to make the system workable. In the past, emails between Councillors had been significantly delayed, and it was estimated that approximately 50% of emails received from constituents had to be retrieved from the spam filter. It was requested that consideration be given to relaxing the security features which were present in the Council system to counteract these issues. In discussion, the Committee noted that a failure to deliver emails to Councillors from their constituents would serve to reduce confidence in elected Members, and give the impression that Councillors were uninterested in resident's concerns, which could be difficult to overcome. Although some Committee members were able to retrieve emails from a spam filter, others simply did not receive emails which had been sent to them at all, which was a great concern.

The Committee offered its support for the proposed Policies, but it was suggested that some of the Policies were overly long and contained some duplication. It was felt that longer Policies could put pressure on staff to comply with all their complicated requirements, and consideration should be given to trying to simplify the Policies in the future, potentially by making reference to national policies and including additional details which were relevant to Colchester where appropriate. The Retention Policy in particular was considered to be overly complex with the potential to put pressure on staff to comply with it. The Policies needed to be as simple and user-friendly as it was possible to make them.

RECOMMENDED TO FULL COUNCIL that:

- The following revised policies:
 - Anti-Fraud and Corruption Policy
 - Whistleblowing Policy
 - Anti-Money Laundering Policy
 - Covert Surveillance Policy
 - Data Protection Policy
 - Acceptable Use Policy
 - Information Security Policy
 - Retention Policy
 - Processing of Special Category & Criminal Convictions Personal Data Policy
 - Password Policy
 - Income and Debt Policy

be included in the Council's Policy Framework.