

EXECUTIVE MEMBER FOR FINANCE AND GOVERNANCE

A meeting of the Executive Member for Finance and Governance was held on Wednesday 20 December 2023.

PRESENT: Councillor N Walker

ALSO IN ATTENDANCE: Councillor Morgan McClintock

OFFICERS: S Bonner, L Hamer, A Johnstone and G Welch

22/10 **SURVEILLANCE POLICY 2023-2024**

The Executive Member for Finance and Governance considered a report regarding the Council's Surveillance Policy.

The report sought approval of the proposed corporate Surveillance Policy 2023/24.

The report detailed that guidance underpinning the Regulation of Investigatory Powers Act (RIPA) 2000 stated that elected members should review the Council's use of RIPA powers and set the RIPA policy at least once per annum.

Use of RIPA powers were considered annually by Audit Committee as part of the annual report of the Senior Information Risk Owner. Statistical information on use of the powers would be reported to a future meeting of the relevant Scrutiny Panel.

ORDERED

That the Executive Member approve the annual review of the Surveillance Policy.

OPTIONS

The Council could have chosen to restrict this policy to RIPA activity only and develop and implement separate policies relating to non-RIPA surveillance, employee surveillance and other issues not currently covered by policy. However, this was not recommended, as a single policy provided for a coherent and systematic approach and was in line with the Council's commitment to openness and transparency.

REASONS

The proposed policy would ensure that surveillance activity undertaken by the Council complied with its strategic priorities and statutory obligations, was lawful and that due regard was given to human rights and to data protection rights.

22/11 **ABUSIVE, PERSISTENT OR VEXATIOUS COMPLAINTS POLICY**

The Executive Member for Finance and Governance considered a report regarding Abusive, Persistent or Vexatious Complaints Policy.

The purpose of the report sought Executive Member approval for the Abusive, Persistent or Vexatious Complaints Policy 2023 – 2026.

The policy was required by law, set out under the Health and Safety at Work Act 1974 etc. The Act placed a legal duty on employers to ensure, so far as reasonably practicable, the health, safety, and welfare of workers. This included protecting them from work-related violence, the policy set out how the Council would manage its responsibilities to Council Members and officers in relation to Abusive, Persistent or Vexatious Complaints.

The Executive Member recognised the importance of the Policy but also recognised the right for the public and Members to pose challenging questions.

A Member queried if the policy would apply to Members posing the same question in different political forums. It was confirmed the constitution would apply in those circumstances. It was also confirmed there was high threshold before the policy would be applied.

ORDERED

That the Executive Member approve the Abusive, Persistent or Vexatious Complaints Policy.

OPTIONS

The Council could have chosen not to have a policy in place that standardised the approach to managing abusive, persistent, or vexatious complaints, however if it did so there was a risk that staff and members would not be consistently protected when raising concerns about issues within the remit of this policy. Therefore, no other alternative decisions were recommended as part of the report.

REASONS

It was important that the Council had oversight of the Local Authority's commitment to protecting both officers and members from Abusive, Persistent or Vexatious complaints.

Implementation of the policy would ensure that a standard approach was used across the local authority with appropriate oversight as to potential violence at work.

Implementation of the policy ensure the Council were protecting both officers and members from Abusive, Persistent or Vexatious complaints.

All decisions will come into force after five working days following the day the decision(s) was published unless the decision becomes subject to the call in procedures.