

NOTTINGHAM CITY COUNCIL

EXECUTIVE BOARD

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 16 April 2019 from 2.01 pm - 2.09 pm

Membership

Present

Councillor Jon Collins (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Dave Liversidge
Councillor Sally Longford
Councillor David Mellen
Councillor Toby Neal
Councillor Dave Trimble
Councillor Sam Webster
Councillor Linda Woodings
Councillor Andrew Rule

Absent

Councillor Neghat Khan

Colleagues, partners and others in attendance:

David Bishop	- Deputy Chief Executive/Strategic Director of Development
Candida Brudenell	- Corporate Director for Resources and Strategy /Assistant Chief Executive
Ian Curryer	- Chief Executive
Laura Pattman	- Strategic Director of Finance
Paul Seddon	- Director of Planning and Regeneration
Catherine Underwood	-
Keri Usherwood	- Marketing and Communications Manager
Andy Vaughan	- Corporate Director for Commercial and Operations
Rav Kalsi	- Councillor Support Manager
Kate Morris	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 26 April 2019. Decisions cannot be implemented until the working day after this date.

95 APOLOGIES FOR ABSENCE

Councillor Neghat Khan – Council Business

Chris Henning – Corporate Director for Development and Growth

96 DECLARATIONS OF INTERESTS

None.

97 MINUTES

The minutes of the meeting on 19 March 2019 were confirmed as a true record and were signed by the Chair.

98 NOTTINGHAM CITY COUNCIL SUSPENSION FROM WITHIN THE NOTTINGHAM AND NOTTINGHAMSHIRE INTEGRATED CARE SYSTEM (ICS)

The Board considered the report of the Portfolio Holder for Adult Social Care and Health reviewing the suspension from within the Nottingham and Nottinghamshire Integrated Care System (ICS) and the proposed changes resolving the primary issues raised by Nottingham City Council that resulted in the decision to suspend its role within the ICS in November 2018.

RESOLVED to:

- (1) Note the strong desire shown from local NHS partners to find solutions locally that will result in the lifting of the suspension of Nottingham City Council's membership, in the interests of the population health and care for City residents;**
- (2) Agree that the changes to the ICS locally are of significant benefit to City Residents and to lift the suspension from the ICS and re-join as a full member with immediate effect, subject to an agreement for unanimous voting on proposals which could lead to outsourcing or privatisation of NHS services at ICS and ICP level; and**
- (3) Confirm agreement to the ICS decision to have three ICP's for Nottingham and Nottinghamshire, which includes the specific creation of an ICP for the City of Nottingham.**

Reason for Decision

The local NHS partners have been highly committed to work with us to resolve these issues and we are grateful for their demonstrable commitment to the importance of having the City Council within the ICS.

The ICS Board has addressed each of the issues raised by Nottingham City Council, making substantive changes as a result. The City Council is therefore now in a position to consider actively re-engaging with the ICS and lift the suspension.

One condition of the suspension being lifted is that the ICS agrees to move to a position where unanimous agreement is required around decisions that could result in privatisation or outsourcing of NHS services. The reason for adding this, is because the ICS and ICP's are not fully developed and will continue to evolve the way in which decision are made. In particular as the ICP in the City is not yet established, such a decision making process is not yet in place.

The major change agreed is the move to having a dedicated City ICP that matches the geography of the City Council. The re-engagement with the ICS will ensure that the focus on the City population is taken forwards through the new City ICP and that the City Council can be integral to the City Partnership and the way it makes decisions going forwards.

The other major changes agreed are the inclusion of democratic representation at the ICS Board going forwards, a significantly higher commitment to engagement of

local plans with citizens, councillors and stakeholders, and the inclusion of significantly enhanced social value elements to commissioning and procurement and adoption of wider best value decision making approaches in procurement.

Other Options Considered

The first other option considered was to remain suspended from the ICS. This option was rejected as the Council is reassured by the significant changes made and the commitment of the local NHS leaders to developing the local partnership. At the meeting of this Board in November 2018 (minute 45) it was made clear that the integration between health and social care is in the interests of citizens of Nottingham City.

Another option considered was to formally notify the NHS partners that the City Council does not wish to have any part in the development of the ICS in its current form and to remove the Council from the partnership. This option was also rejected for a number of reasons. The partnership will continue without the Council as a member and a preference to being able to influence decision and change from within was shown. Another reason to reject this option was to ensure that where it is beneficial to citizens a closer integration of health and social care can occur.

99 UPDATED REGULATION OF INVESTIGATORY POWERS (RIPA) POLICY - KEY DECISION

The Board considered the report of the Portfolio Holder for Finance, Resources and Commercial Services reviewing the Council's Policies in relation to the Regulation of Investigatory Powers Act (RIPA) 2000 pursuant to recommendations made to the Council by the Office of Surveillance Commissioners.

RESOLVED to:

- (1) Review and endorse the updated Regulation of Investigatory Powers Policy and Guidance which now incorporates the revised Online Research and Investigation Policy for adoption by the City Council;**
- (2) Endorse the RIPA training and awareness raising activity for elected members and Council officers;**
- (3) Delegate authority to the Director of Legal and Governance in consultation with the relevant Portfolio Holder to amend the policy when necessary and in accordance with any future legislative changes or statutory guidance;**
- (4) Include future updates in relation to the compliance against RIPA policy within a wider annual assurance report on information and security to the Council's Audit Committee**
- (5) Submit general reviews of the Policy to the Council's Overview and Scrutiny Committee in line with the Home Office Code of Covert Surveillance Property Interference and the Code of Practice for Covert Human Intelligence Sources; and**
- (6) Note and endorse the current Council's Senior Responsible Officer (SRO) and Authorising Officers in relation to RIPA procedures set out below:**

- **SRO – Malcolm Townroe, Director of Legal Governance and Monitoring Officer**
- **Authorising Officer(s) -**
 - i. **Ian Currier, Head of Chief Executive and Head of Paid Service**
 - ii. **Andrew Errington, Director of Community Protection**
 - iii. **Dave Walker, Head of Safer Housing and Anti-Social Behaviour**
 - iv. **Paul Millward, Head of Scrutiny and Resilience**

Reason for Decision

The submission of the updated Policy is pursuant to previous recommendations made to the City Council by the Office of Surveillance Commissioners as part of an inspection report. The recommendation in relation to councillors involves 'upgrading' to a level of formality, which will bring to the attention of councillors to the seriousness of RIPA issues. The Home Office Code of Covert Surveillance Property Interference, at paragraph 4.47, and the Code of Practice for CHIS, 3.30 recommends that elected members, whilst not involved in making decisions or specific authorisations for the local authority to use its powers under Part II of the Act, should review the use of the legislation and provide approval to its policies.

Other Options Considered

The only other option considered was to do nothing. This option was rejected as it would mean Nottingham City Council is either in breach of or not acting in accordance with the Investigatory Powers Act 2000.

100 EXCLUSION OF THE PUBLIC

RESOLVED to not exclude the public from the meeting during consideration of the remaining exempt item, as the exempt appendix was not discussed.

101 UPDATED REGULATION OF INVESTIGATORY POWERS (RIPA) POLICY - EXEMPT APPENDIX

The Board confirmed that they had all had view of the exempt appendix prior to the meeting and that there was no need to discuss the contents as it would not impact on their decision to approve the recommendations as set out in minute 99.

RESOLVED to note the contents of the exempt appendix.