



NOTICE OF MEETING

GOVERNANCE & AUDIT & STANDARDS COMMITTEE

WEDNESDAY, 22 NOVEMBER 2023 AT 10.00 AM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL,
PORTSMOUTH

Telephone enquiries to James Harris on 023 9260 6065
Email: james.harris@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Leo Madden (Chair)
Councillor Stuart Brown (Vice-Chair)
Councillor Graham Heaney
Councillor Emily Strudwick
Councillor Benedict Swann
Councillor Daniel Wemyss

Standing Deputies

Councillor Chris Attwell
Councillor Hannah Brent
Councillor Jason Fazackarley
Councillor Abdul Kadir
Councillor George Madgwick
Councillor John Smith
Councillor Mary Valley

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendation/s). Email requests are accepted.

AGENDA

1 Apologies for Absence

2 Declarations of Members' Interests

3 Minutes of the meeting held on 20 September 2023 (Pages 5 - 14)

RECOMMENDED that the minutes of the meeting held on 20 September 2023 be approved and signed by the Chair as a correct record.

4 Corporate Performance Report - Q2 2023/24 (Pages 15 - 56)

Purpose

The purpose of this report is to report significant performance issues, arising from Q2 2023-24 performance monitoring, to Governance and Audit and Standards committee and highlight areas for further action or analysis.

Recommendations

It is recommended that the Governance & Audit & Standards Committee:

- (i) Notes the report in the revised format; and**
- (ii) agrees if any further action is required in response to performance issues highlighted.**

5 Treasury Management Mid-Year Review 2023/24 (Pages 57 - 68)

Purpose

The purpose of the report is to inform members and the wider community of the Council's Treasury Management position, i.e. its borrowing and cash investments at 30 September 2023 and of the risks attached to that position.

Whilst the Council has a portfolio of investment properties and some equity shares which were acquired through the capital programme; these do not in themselves form part of the treasury management function.

Recommendations

It is recommended that the following be noted:

- (i) That the Council's Treasury Management activities have remained within the Treasury Management Policy 2023/24 in the period up to 30 September 2023; and**

- (ii) **That the actual Treasury Management indicators as at 30 September 2023 set out in Appendix A be noted.**

6 Internal Audit Performance Status Report to 7 November 2023
(Pages 69 - 88)

Purpose

The purpose of this report is to update the Governance and Audit and Standards Committee on the Internal Audit Performance for 2023/24 to 7 November 2023 against the Annual Audit Plan, highlight areas of concern and areas where assurance can be given on the internal control framework.

Recommendations

It is recommended:

- (i) **That Members note the Audit Performance for 2023-24 to 7 November 2023 and**
- (ii) **That Members note the highlighted areas of concern in relation to audits completed from the 2023/24 Audit Plan, including follow up work performed.**

7 RIPA Policy (Pages 89 - 134)

Purpose

The purpose of this report is to update members on the IPCO desktop exercise, the Authority's use of Regulatory Powers for the period from 6th January 2021 to 8th November 2023 and policy changes.

Recommendations

It is recommended that the Governance & Audit & Standards Committee:

- (i) **Note the desktop inspection carried out by IPCO Surveillance Inspector and results presented;**
- (ii) **Note that there have been two RIPA applications authorised since the last report to this Committee on the 15 January 2021; and**
- (iii) **Note the changes highlighted within the policy following legislative changes.**

8 Compliance with Gifts & Hospitality Protocol (Pages 135 - 162)

Purpose

The purpose of the report is to update Members on any issues regarding compliance with Gifts & Hospitality Protocol and to advise on remedies.

Recommendations

It is recommended that:

- (i) The Committee considers whether or not to make any recommendations for change; and**
- (ii) In the absence of any changes, the report is noted.**

9 Consideration of the political balance rules in relation to the constitution of Sub-Committees considering complaints against Members (Pages 163 - 164)

Purpose

The purpose of this report is to ask the Governance and Audit and Standards Committee to consider whether it wishes to disapply the political balance rules in respect of its Sub-Committees which consider complaints against Members and to agree that the same rule shall apply to the Initial Filtering Panel.

Recommendation

RECOMMENDED that the Governance and Audit and Standards Committee disapplies the political balance rules in respect of Governance and Audit and Standards Sub-Committees which are considering complaints against Members and also the same arrangement should apply in respect of Initial Filtering Panel membership.

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

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Agenda Item 3

GOVERNANCE & AUDIT & STANDARDS COMMITTEE

MINUTES OF THE MEETING of the Governance & Audit & Standards Committee held on Wednesday, 20 September 2023 at 10.00 am at the Council Chamber - The Guildhall, Portsmouth

(NB These minutes should be read in conjunction with the agenda for the meeting which can be found at www.portsmouth.gov.uk.)

Present

Councillor Leo Madden (in the chair)
Councillor Stuart Brown (Vice-Chair)
Councillor Graham Heaney
Councillor Benedict Swann
Councillor Daniel Wemyss

Officers

Peter Baulf, City Solicitor
Andrew Brittain, Partner, Ernst & Young
Natasha Edmunds, Director of Corporate Services
Ian Fitchett, Elections Manager
Elizabeth Goodwin, Chief Internal Auditor
Helen Klemm, Technical & Financial Planning Finance Manager
Richard Lock, Assistant Director (Procurement)
Helen Magri, Corporate Information Governance & Data Protection Officer
Kelly Nash, Corporate Performance Manager
Charlotte Smith, Assistant Director of Corporate Services
David White, Senior Manager Ernst & Young

31. Apologies for Absence (AI 1)

Apologies were received from Councillor George Madgwick.

32. Declarations of Members' Interests (AI 2)

There were no declarations of interest.

33. Minutes of the meeting held on 19 July 2023 (AI 3)

RESOLVED that the minutes of the meeting held on 19 July 2023 be approved and signed by the Chair as a correct record

34. External Audit - verbal update on 2021/22 audit progress, and DLUHC approach to the national situation regarding historic audits (AI 4)

David White, Senior Manager, Assurance, at Ernst & Young provided the committee with a verbal update on the 2021/22 audit.

He reminded the committee that it had considered an interim report in March 2023 and detailed the national and local issues which had affected most local government audits.

The first was how the valuation of infrastructure assets were accounted for in the Statement of Accounts. The solution was the introduction of a Statutory Instrument and temporary changes to the code of audit practice; however these were not implemented until January 2023.

The second was an issue which affected all of Hampshire, which was the triennial valuation of the Hampshire Pension Fund in March 2023. This was undertaken every three years, but due to the delay with the 2021/22 audit the revised pension fund valuation, which showed a significant material change, needed to be factored into the audit retrospectively.

The third contributing factor to the delays had been the valuation of property, plant and equipment and investment property which had proven challenging due to staff turnover. The level of work and depth of detail surrounding these audits had also been required to increase in recent years.

Further to the combined factors above, the delay in local government audits had also put pressure on resource capacity at Ernst & Young.

He advised the committee that the substantive works was almost complete and it was expected that an unqualified opinion would be given in October 2023.

Andrew Brittain, Partner at Ernst & Young detailed the national picture. In July Lee Rowley MP, Parliamentary Under-Secretary of State for Local Government and Building Safety had addressed the Levelling Up, Housing and Communities Committee on the matter of local government audits. At this meeting he had given plans to address and reduce the backlog and guidance on this was awaited.

In response to a question it was not anticipated that future audits would be delayed by Hampshire Pension Fund re-evaluations, as the issues experienced with the 2021/22 audit in relation to this had been due to the audit already being delayed by other factors.

RESOLVED that the committee NOTED the update.

35. Review of Polling Districts and Polling Places (AI 5)

(TAKE IN REPORT)

Ian Fitchett, Elections Manager, introduced the report which detailed the outcomes of the review of polling districts and polling places recently undertaken and invited members to consider the recommendations made.

RESOLVED that the Governance & Audit & Standards Committee Recommends to Full Council:

- (i) **That the changes to the current polling scheme recommended in paragraphs 5.2 to 5.5 are approved and implemented on publication of the 2024 Register of Electors; and**
- (ii) **That it be reconfirmed that the Returning Officer has delegated authority to make such variations to polling places as may be necessary arising from the availability of premises for use at a particular election.**

36. Data Security Breaches Report (AI 6)

(TAKE IN REPORT)

Helen Magri, Corporate Information Governance & Data Protection Officer, introduced the report which informed the Committee of Data Security Breaches between 28 February and 31 August 2023.

She explained that the number of breaches remained consistent with the previous year. 85% of breaches had been due to human error, with over half of the breaches being emails sent to the incorrect recipient. Half of these had been to recipients within the council and none had been serious enough to report to the Information Commissioner's Office (ICO).

A meeting had been scheduled with the council's Microsoft advisor with the aim to review and introduce prompts to help reduce the number of emails sent to the wrong recipient.

The committee noted an increase in the number of delayed reports to the ICO. In response to questions, it was confirmed that the ICO deadline of 72 hours to report breaches included weekends and a reminder would be sent to staff to report any breaches immediately even if the full details were not known. In some instances, delays had been caused whilst all of the facts were being gathered. It was not anticipated that the reminder to staff would realise an increase in reports to the ICO, as the issue centred around delays in reporting rather than breaches not being reported. The committee was advised that the council had a dedicated inbox to allow breaches to be reported out of hours, in order that the 72-hour deadline for reporting to the ICO could be met.

RESOLVED that the committee NOTED the breaches that had arisen.

37. Overview of Portsmouth City Council complaints, including Local Government and Social Care Ombudsman Complaints 2022/2023 (AI 7)

(TAKE IN REPORT)

Charlotte Smith, Assistant Director of Corporate Services, introduced the report which detailed the Annual Review of Complaints by the Local Government and Social Care Ombudsman (LGSCO) dated 19 July 2023, regarding complaints it had considered against Portsmouth City Council for the year 2022/23, and provided an overall review of complaints.

She advised that there had been a decrease in complaints during 22/23 , although it was noted that there had been a spike in 21/22 due to changes to refuse and recycling collection routes. Response times had improved. In terms of the subject of complaints, there had been an increase in complaints about the timeliness of the council's responses to its customers in general.

Complaints to the Local Government and Social Care Ombudsman had increased to 46 from 38 in 2021/22, however only six had been upheld.

Overall performance was good and there were no issues of concern to report.

In response to a question, the council did not continue to try to resolve the complaints upheld by the LGSCO after they had been submitted to the LGSCO, as the council believed that it had done all that it could to remedy the issues raised.

RESOLVED that the committee NOTED the report.

38. Unreasonable Customer Behaviour Policy (AI 8)

(TAKE IN REPORT)

Charlotte Smith, Assistant Director of Corporate Services, introduced the information report which detailed the new policy. The policy outlined what the council considered to be unreasonable customer behaviour and the process the council would follow in responding. The policy had been drafted to reflect the Corporate Complaints Policy but address a gap for instances where no complaint had been made.

The aim was to ensure that the council could still respond to enquiries from customers whose behaviour had become unreasonable, but without the demands of individual customers taking a disproportionate amount of time to manage and consequently impact negatively on the ability of staff to handle enquiries from other customers.

In response to questions from the committee it was explained that currently such cases were dealt with informally, however without a clear process there was a lack of transparency for all parties and the possibility for an inconsistent approach across different services. In respect of a concern relating to genuine

enquiries, it was explained that extracting these was a priority so that they could be dealt with whilst also managing any unreasonable behaviour.

The Assistant Director of Corporate Services agreed to discuss with colleagues whether this policy could be applied to correspondence received by councillors.

RESOLVED that the committee NOTED the report.

39. Modern Slavery (AI 9)

(TAKE IN REPORT)

Natasha Edmunds, Director of Corporate Services, introduced the report which provided a progress update on the delivery of the improvement plan set out in item 10 of the most recent Modern Slavery and Human Trafficking Statement.

She advised the committee that good progress was being made. A draft self-assessment tool for local government produced by the Shiva Foundation had rated the council as 'Advancing' and progress would continue to be monitored and reported to the committee.

RESOLVED that the committee NOTED the report.

40. Corporate Performance Report - Q1 2023/24 (AI 10)

(TAKE IN REPORT)

Kelly Nash, Corporate Performance Manager, introduced the report which reported any significant performance issues arising from Q1 2023-24 performance monitoring and highlighted areas for further action or analysis.

Key themes were significant pressures on demand led services, particularly around adults and children's services and the retention and recruitment of staff.

A concern was raised in respect of there being no allocated revenue budget for 'Play Streets' and it was felt that this trial had raised expectations and could lead to some being disappointed.

In reply it was acknowledged that some issues had been encountered in turning the trial into reality and that Transport would be asked for a breakdown of each instance where barriers to delivery had been encountered.

In respect of a question for more information around the Integrated Care Board's decision not to fund a nurse resource for the Multi Agency Safeguarding Hub (MASH), the Corporate Performance Manager confirmed that a report would be considered at the upcoming Health & Wellbeing Board and that she was happy to report back to the committee in detail.

RESOLVED that the committee NOTED the report.

41. Internal Audit Performance Status Report to 8th September 2023 (AI 11)

(TAKE IN REPORT)

Elizabeth Goodwin, Chief Internal Auditor, introduced the report which updated on the internal audit performance for 2022/23 to 8 September 2023 against the Annual Audit Plan, highlighted areas of concern and areas where assurance could be given on the internal control framework.

The committee was advised that the audit work was on target to be completed before the end of the financial year and that the gas services audit item had been removed from the Audit Plan due to the implementation date not being until 2024.

At the previous meeting the committee had drawn attention to school transport and by way of an update the committee was advised that there had been significant improvements resulting in a rating of 'reasonable assurance'. School transport would feature as an audit item each year until internal audit were satisfied that the ratings were stable.

In response to a concern about a lack of formal procedures around assessing the frequency of care home visits, it was explained that these had been delayed following the pandemic and work to catch-up was being undertaken. However, procedures needed to be written in respect of the scheduling of visits.

The high exception regarding the use of WhatsApp in Children's Families and Education remained open. During the exceptional circumstances of the pandemic, the use of WhatsApp had been permitted when coupled with internal terms and conditions to add a layer a protection to the authority. These had not been enacted and whilst some progress had been made the actions to rectify the position remained open.

RESOLVED that the committee NOTED the Audit Performance for 2023-23 to 8 September 2023 and the highlighted areas of concern in relation to audits completed from the 2023/24 Audit Plan, including follow up work performed.

42. Treasury Management Outturn Report 2022/23 (AI 12)

(TAKE IN REPORT)

Helen Klemm, Technical and Financial Planning Finance Manager, introduced the report, the purpose of which was to inform members of the council's treasury management activities in 2022/23 and of the council's treasury management position as at 31 March 2023.

During 2022/23 there had been no new borrowing and as at 31 March 2023 the Council had gross debt including finance leases and private finance

initiative (PFI) schemes of £747m and gross investments of £404m giving rise to a net debt of £343m.

In terms of the revenue costs of treasury management activities in 2022/23, these were £356k below the revised budget.

RESOLVED that the actual prudential and treasury management indicators based on the unaudited accounts, as shown in Appendix B, be NOTED (an explanation of the prudential and treasury management indicators is contained in Appendix C).

43. Treasury Management Monitoring Report for the First Quarter of 2023/24 (AI 13)

(TAKE IN REPORT)

Helen Klemm, Technical and Financial Planning Finance Manager, introduced the report, which informed members of the Council's Treasury Management position.

In response to a question concerning the state of the council's finances given the recent issuing of a Section 114 Notice to Birmingham City Council, it was explained that the Council had a strong focus on liquidity, security of its investments in line with the Treasury Management Strategy. Assurance was also given that the council was operating within authorised limits and indicators within the agreed Treasury Management Strategy.

RESOLVED that

(i) the Council's Treasury Management activities have remained within the Treasury Management Policy 2023/24 in the period up to 30th June 2023 be NOTED; and

(ii) the actual Treasury Management indicators as at 30th June 2023 set out in Appendix A be NOTED.

44. Exclusion of Press and Public (AI 14)

The Chair advised that proceedings would be kept open until such time that the committee wished to discuss the exempt appendices to the following report:

- Procurement Management Information

At the conclusion of the consideration of the non-exempt report, the resolution to move into exempt session to consider the exempt appendices was not passed, as the committee did not have any questions specific on them.

45. Procurement Management Information (AI 15)

(TAKE IN REPORT)

Richard Lock, Assistant Director, Procurement, introduced the report which provided evidence to allow the committee to evaluate the extent that Portsmouth City Council was producing contracts for goods, works and services in a legally compliant value for money basis.

He advised the committee that the spend compliance information provided a full quarter of spend data and an analysis of spend across all systems rather than just spend via Oracle FUSION. Spend compliance was strong at 99% for contracts through FUSION.

In respect of waivers, the report now included information on contracts which had been subject to previous cumulative waiver approvals, which when assessed in totality exceed £100k. This was opposed to individual waiver instances which individually exceed £100k as had been previously reported. He advised the committee that there were no high risk waivers.

To conclude, he explained that the previous Key Performance Indicator (KPI) monitoring system had been disbanded due to it no longer being fit for purpose. A new, simpler, KPI monitoring system was being piloted on 72 contracts which included the council's highest value strategic contracts and medium value works call off contracts let via the council's £100M Primary Contractor Framework.

Following the successful piloting of the model it would be rolled out with the target of being applied to 80% of the contracts by contract value by the end of the 2023/24 financial year.

In reply to a concern raised by the committee, the Assistant Director (Procurement) offered assurance that the transaction above £100k in respect of Portsmouth International Port which could not be traced to a contract entry could be traced to a fully compliant procurement process. Risk was therefore considered to be low.

The committee raised further concerns in respect of the amount of non-compliant spend across services detailed within the report and the £2,265,236.24 which had been miscoded to Corporate Services. The Assistant Director undertook to raise the latter point with Finance to confirm whether the spend had been miscoded. From the transactions made it would appear that the spend related to regeneration, however there may have been reasons as to why the spend had been coded in this way.

In respect of the non compliant spend relating to adult services, the committee was advised that the spend might have legally compliant contracts in place, but not necessarily input onto the Intend procurement database. Procurement were looking at these spends to input onto Intend and check governance arrangements as appropriate.

The committee congratulated the Procurement Service on the changes made which seemed to be realising improvements.

RESOLVED that the committee NOTED the update report.

The meeting concluded at 11.33 am.

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Councillor Leo Madden
Chair

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Agenda Item 4



Title of meeting: Governance and Audit and Standards Committee

Date of meeting: 22nd November 2023

Subject: Corporate Performance Report - Q2 2023/24

Report by: Kelly Nash, Corporate Performance Manager

Wards affected: n/a

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 To report significant performance issues, arising from Q2 2023-24 performance monitoring, to Governance and Audit and Standards committee (GAS) and highlight areas for further action or analysis.

2. Recommendations

- 2.1 The Governance and Audit and Standards Committee is asked to:
- 1) note the report in the revised format;
 - 2) agree if any further action is required in response to performance issues highlighted

3. Background

- 3.1 The usual practice of the authority, before the Covid-19 pandemic, was to present a quarterly report on corporate performance to GAS. This routine was paused during 2020/21 due to challenges with officer capacity and the high levels of disruption to business activity. The changing nature of how we work, and the issues that are most important, has meant that there has been a pause in this regular reporting but it is now the right time to resume reporting on a regular basis in a settled format.
- 3.2 This report is therefore the first of a resumed series of reports which will highlight significant performance issues across the organisation.
- 3.3 Reports are compiled from information across the authority relating to priority performance areas, set out in the Corporate Plan 2023-24 which was agreed at Cabinet in July 2023. This document refreshed the mission for the Council to work together with partners and communities to be a champion for our city and improve the lives of our residents, and to protect and enhance our environment,

tackling the causes of climate change and creating a green city. In summary, the plan sets out that:

- **We will improve the lives of our residents - priorities:**
 - support individuals and families struggling to make ends meet
 - make sure people feel safe and supported in their homes and communities
 - ensure people have access to the health and care services they need
 - work with partners, including Portsmouth's schools, to improve educational attainment and opportunities for children and young people in the city
 - create homes, jobs and economic opportunities in the city, including by regenerating major sites
 - make sure our residents have the housing they need
 - put culture at the heart of our city's success

- **We will protect and enhance our environment - priorities:**
 - reduce our own carbon emissions • help residents and business reduce their carbon emissions
 - prioritise sustainable travel and improve transport systems in the city to reduce the environmental impact and improve journey times
 - ensure that the city has a healthy and resilient natural environment
 - reduce the waste generated by the city, and make sure we dispose of our waste responsibly

- **We will be a champion for our city - priorities:**
 - ensure Portsmouth is a city equipped for the future and that residents have the skills they need
 - get the best possible deal for our residents by lobbying and leading at a regional and national level to make sure the city's voice is heard
 - be an innovative and efficient organisation that values its staff and is at the front of new developments so we are learning and delivering the best possible services.

3.4 The heart of the plan is about providing the services that residents value. The updated plan shows that our residents rely on us to:

- Ensure older people and vulnerable adults are looked after and supported to live independently
- Maintain our transport infrastructure, parks, open spaces and buildings
- Offer housing services
- Support education, early years and children with special educational needs
- Keep children safe and families together
- Improve the health and emotional wellbeing of residents
- Encourage economic development
- Provide planning services
- Support culture, museums and libraries



- Provide benefits and collect council tax and business rates
- Collect their bins and offer recycling opportunities
- Keep the city clean, tidy and safe
- Maintain support services and roles that enable the organisation to run efficiently and effectively and enable staff working on the frontline to focus on delivering services for our residents and communities.

- 3.5 The Corporate Plan brings all these elements together and shows how everything links up. The performance reports mirror the two key delivery-focused priorities and also includes a section around corporate health, which looks at the organisation as an entity. Appendix 1 looks at issues relating to improving people's lives, Appendix 2 considers our work on protecting and enhancing the environment and Appendix 3 looks at corporate health issues.
- 3.6 The report provides a broad commentary on areas of interest around the priorities in respect of achievements, challenges and risks and upcoming priority activity. These commentaries are supported by a broad set of performance indicators which highlight performance and reports against key transformational priorities in support of the corporate priorities. Where possible, and to aid interpretation, performance and progress is given a RAG (red; amber; green) rating where:
- Green is improving; exceeding or on plan
 - Amber is no change or some degree of uncertainty about performance
 - Red is deterioration, failing to achieve plan or a high level of concern. .
- 3.7 The report is presented in broadly the format which had been received favourably at previous meetings of GAS, but feedback on future reporting format is welcome. It should also be noted that at a previous discussion, it was noted that the indicators focus more on activity than high level outcomes. In respect of quarterly monitoring, it is true that these tend to be more short-term, activity indicators to demonstrate that the organisation is undertaking the tasks that it believes needs to be done to achieve compliance with statutory responsibilities or to improve outcomes. However, at the end of the year, the annual narrative report presented alongside the statement of accounts provides a clear sense of how the activity has supported the achievement of longer term outcomes set out in the corporate plan and will consider how activity has influenced these measures to inform future planning.
4. **Key themes emerging**
- 4.1 The performance reports cover a wide range of information but there are some key themes emerging which are related to issues considered in the risk discussion at GASC on 19th July 2023.
- 4.2 Firstly, it is clear that in a number of demand-led services, the level of demand driven by need is remaining high. This is seen in indicators looking at children's services, adults' services and housing in particular. In many cases, there are valuable and effective early prevention activities taking place to prevent need

arising at an earlier stage or to find alternative means of support, but there will be many factors at play in driving the demand for service.

- 4.3 The reports also highlight challenges around workforce, in terms of recruiting and retaining the right skills to the organisation, and the budget position, which continues to be challenging.
- 4.4 The reports also highlight the constantly changing nature of the work of the authority as new needs, duties and requirements emerge, and the level of change required to support these increases, even as the usual business of the organisation continues and we seek improvements in how we deliver day to day services.

5. Integrated impact assessment

- 5.1 This report does not recommend any changes to services or policies and therefore an impact assessment has not been required. Any matters arising through performance or value for money consideration will be considered as a discrete process, and separate IIAs will be completed for these areas of work.

6. Legal implications

- 6.1 The report has incorporated legal implications and accordingly there are no other immediate legal implications arising from this report.

7. Director of Finance's comments

- 7.1 There are no financial implications to bring to Member's attention at this stage. However, it should be noted that there could be financial implications following further exploration of any of the performance issues raised in this report, and related future reports could result in financial implications. These will be flagged to Members at the appropriate time.

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Signed by:
Paddy May
Corporate Strategy Manager

Appendices:

Appendix One - Performance Report - Improving People's Lives
Appendix Two - Performance Report - Protecting and Enhancing our Environment
Appendix Three - Performance Report - Corporate Health

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

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Priority: Improve the lives of our residents

Priority summary : support individuals and families struggling to make ends meet

- **make sure people feel safe and supported in their homes and communities**
- **ensure people have access to the health and care services they need**
- **work with partners, including Portsmouth's schools, to improve educational attainment and opportunities for children and young people in the city**
- **create homes, jobs and economic opportunities in the city, including by regenerating major sites**
- **make sure our residents have the housing they need**
- **put culture at the heart of our city's success**

Achievements and positive progress:

In our adult services, there has been significant work to progress the Self Assessment for ASC Assurance by the Care Quality Commission (CQC) and develop an improvement plan. A wide range of reporting, required by regulation, has been completed.

In our children's services, we have achieved good recruitment to newly-qualified social workers, with a full cohort starting in September. We have seen more care experienced young people living in appropriate accommodation as a result of joint initiatives between children's services and housing services. There continues to be good engagement with the Relational Practice on Schools Programme, with good sign up to the 2nd year programme.

The authority continues to work hard to support the integrated care system in working on priorities around social connectedness and cardio-vascular disease prevention, working alongside colleagues across Health and Care Portsmouth. A Warmth on Prescription pilot project is being undertaken with the Portsdown practice and other partners to look at ways to reduce excess winter deaths, illness and health risks associated with living in a cold home. The project also aims to prevent avoidable admissions due to existing health conditions that are exacerbated by living in a cold home and keeping people independent for longer.

In the culture and leisure sphere, the Summer Reading Challenge has seen a really positive take up this year, with the Mobile Library ahead of 2022 figures. CIPFA return for Libraries saw a 32% increase in use of People's Network and 71% increase on volunteers compared to 2022. August 2023 issues are the highest since before the pandemic.

In our museums, a full Holiday Activities Food programme was delivered by the Museum Engagement Officer, together with the Natural History Curators. HAF events included Jellyfish and Crabs workshops, and Traceworks Dance workshop at Cumberland House. The Museum Service are now putting together the half term and winter programme of free and low cost activities. Following a small grant award from NLHF, Eastney Beam Engine House is planning a series of events to explore the resilience of the site; this is an exciting time for the city to get involved in this Scheduled Ancient Monument.

During this quarter, the weather extremes from heatwaves to high winds have led to events being cancelled, rescheduled or amended to enable safety for all. Examples: Southsea Food Festival was cancelled on the Saturday and Thai Food Festival was rescheduled. There were also a high number of unauthorised encampments on event spaces. However, over 66 events proceeded, with a broad range of appeal, together with a high number of attendees. The city has also hosted some national appeal and wider high profile events, such as Formula Kite Surfing European Championships and Victorious Festival.

In relation to sports and leisure, a Strategic Outcomes Plan for Sport and Physical Activity in Portsmouth proceeded to Committee in September. This strategy provides for the alignment of the city's sports and leisure facilities with the needs of the city's residents and the evidence base for capital investment over the next 10 years.

Achievements and positive progress (cont)

In our Housing services, the additional licensing scheme for rented accommodation went live from 1st September. A draft Homeless and Rough Sleeping Strategy covering statutory and non-statutory functions created, with final consultation to take place in Q3.

The work to sustain the Cost of Living work as part of the tackling poverty work progressed well.. The tackling poverty steering group agreed to be formally part of the Health and Wellbeing Board structure, to ensure strong partnership oversight. The delivery plan for the household support fund was agreed and the delivery team recruited. Application system set up and HSF Family Vouchers & HSF Cost of Living Payment schemes launched.

The Play and Youth service have worked with partners (including University of Portsmouth) and identified Lords Court in Landport to be the home to the UK's first PLAYCE, a new type of playground designed to get you moving in new ways. Free for everyone to use, the playground will offer a way for people of all ages to get active. The delivery of the HAF summer programme was a huge success and a strong submission back to DfE.

The Cabinet member for housing and tackling homelessness agreed a policy and process to incorporate public art work using housing owned buildings. The report also agreed to work at pace to incorporate housing building in the Lookup Art Festival. The festival was a success and the process worked well leading to multiple housing sites used and art work created. Housing keen to bring the same to its housing stock held in Havant.

During the quarter, partners across the organisation and community, led by Housing, Neighbourhood and Building Services supported SGN response to a significant gas leak to SRH tower block (120 flats). The evacuation required a rest centre to provide emergency relief. The incident spanned 10 days requiring a support hub, accommodation and provision to food etc. The response involved excellent joint working and collaboration. Reoccupation of the block was achieved relatively smoothly, and a formal debrief is planned for November.

There has been good progress to self-assess and prepare the housing service against the housing charter requirements for the social housing functions. Training has been rolled out to housing teams.

In our Private Sector Housing services, promotion events during Q.1 for the Safe at Home Service have seen an increase in the take up of the service. Specific events also focussed on working with Adult Social Care as a key client. In Q2, a promotion event with a month of 'free installation' has also worked well and increased take up.

Challenges and risks:

Across our children's services, there 3 critical challenges. The first is improving the timeliness of assessments for education, health and care plans across the city, which is not as good as we would want it to be. This is one area which has been impacted by challenges in recruitment and retention. The recruitment and retention challenge is having impact across performance and outcomes in a range of the services for children and families.

There is also a huge challenge nationally around the sufficiency of placements for children and young people who cannot remain living with their families. We are feeling an impact from this locally.

In our adult care services, we are seeing an increase in demand and activity across the service. In Q2 there has been an increase in number of:

1. Response Team referrals and time to process (despite a reduction in contacts at the helpdesk in Sept); partly due to increased activity via email (compared to data held in SystemOne).
2. Concerns received by the Adults' MASH, across the quarter and compared with previous year resulting in an increased time to triage.
3. Increase in waiting lists as a result of capacity.

There are also developing risks. We currently we do not have health resource in the Adult Multi-agency Safeguarding Hub (MASH), meaning that we are unable to provide independent scrutiny or understand complex health conditions in relation to safeguarding concerns. There are significant emerging budget pressures, relating to increasing unit costs for commissioned provision, above inflation pressures in particular Disabled Facilities Grants, Learning Disability commissioning and Community Equipment. This is compounded by a below expected inflation increase in the Better Care Fund. We are also seeing turbulence in the local care market, with reduced capacity because of quality requirements, and providers choosing to withdraw as a result.

In our cultural and regulatory services, we have seen the departure this quarter of our longstanding Superintendent Registrar, and so to ensure resilience the Registrars Service and Events Service will now combine under one senior manager in recognition of the synergies between the services.

Challenges and risks (cont):

In Housing, Neighbourhood and Building Services, overall absence levels remain high - and work is being undertaken to address this. Key areas of concern include local authority housing management and estate services.

Housing demand (statutory duties) continues - there was a rise in homeless applications in Q.2 and higher incidents of placement in temporary accommodation. Use of temporary accommodation is continuing to rise, driving reliance on B&B/hotels. This is creating both a staff pressure (front end coping with the demand) and also a budget pressure. The cost of living crisis continues to have an impact on service delivery and customers, with an increase in money owed across key indicators. Housing general fund budgets will feel the brunt of the temporary accommodation which were already under significant pressure pre-covid. We are also seeing impacts of inflation on repairs and maintenance costs, energy cost rises and are anticipating a difficult annual rent setting process.

Contractors are continuing to report issues with retention of key trades (electricians) noted as a risk on the contractor risk register. Discussions are underway to understand the issue and response. The impact is being seen already on the performance of voids (empty property management) which is leading to longer end to end times in letting properties. Housing Management and Building Services working on a joint improvement plan that showed some positive impact in Q2.

Recruitment to the Head of Service for Housing Needs, Advice and Support remains difficult. Following a failed recruitment in Q.1, a fresh recruitment is planned for late Q.1/Q.2 following refresh of the job profile and using a wider range of advertising.

Priorities for the next period:

Priorities for children's services in the next quarter will be confirming a plan for Beechside (inc Ofsted monitoring), confirming the care leaver offer, progressing the EHCP recovery plan, progressing the SEND Alternative Provision programme and responding to our schools attainment data, which is still not where we would want it to be.

Public Health officers will be working with regulatory services and the Office for Health Inequalities and Disparities to scope initial implementation of a trailblazer site in Portsmouth for the Swap to Stop campaign.

In Adult Social Care, we will be undertaking a survey of adult carers, and scoping the next phase of development of strengths-based practice as a key part of improving outcomes for residents.

Across the organisation, the ongoing support for cost of living continues, and there will be a focus on designing and launching the discretionary payment scheme.

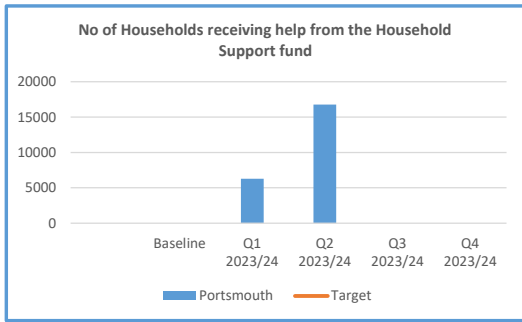
There will be the ongoing implementation of additional licensing for private rented accommodation, with an expectation of a bulge in applications towards the end of the grace period.

Work is ongoing to monitor customer demand around area housing offices, out of hours demand and repairs demand to shape and inform the design of housing services in the future.

There will be a focus on completing the Asset Management strategy work to then dovetail into the HRA 30-year business plan software. A key element of this is the decarbonisation plan for social housing stock and the calculation of depreciation.

Key performance indicators

L1

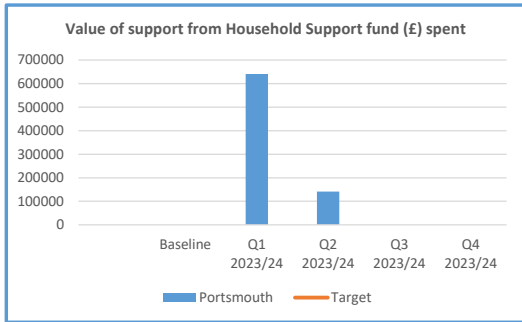


RAG against target

RAG against trend

COMMENTARY
 Support from HSF was provided to a household 16,783 times during Q2. Although it is not possible to give an exact figure for the number of unique households, we estimate that 2,085 unique households received support from the fund during this quarter.

L2

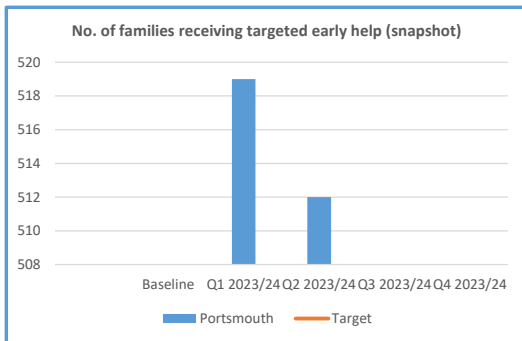


RAG against target

RAG against trend

COMMENTARY
 During Q2, the new HSF delivery team (4 x FTE) was recruited and started in post. Towards the end of the quarter, the HSF delivery team launched the first two application-based schemes, a new requirement under this round of HSF grant funding. These schemes have already received 2,131 applications, of which 1,722 have been assessed as of 24/10/23. The team are working at pace to develop and launch further application-based schemes alongside those already launched, to extend the range of support available to residents under HSF. Updates on the support available are published at portsmouth.gov.uk/household-support and via the Cost of Living Helpline.

L3

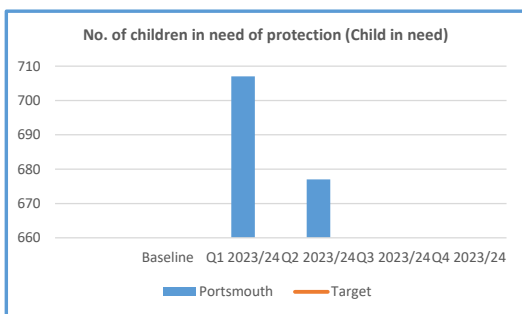


RAG against target

RAG against trend

COMMENTARY
 The numbers open remain high and caseloads are higher than we would want to see. We continue to review cases to ensure we are proportionate in our engagement and step down when possible but demand in the system remains high

L4

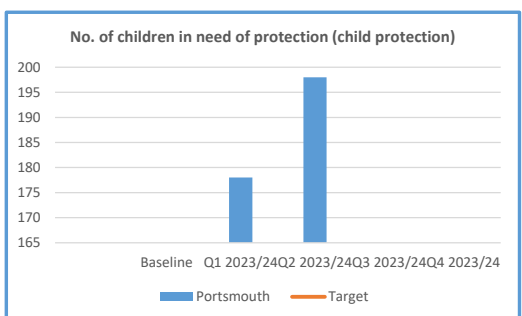


RAG against target

RAG against trend

COMMENTARY
 CiN figure is not comparable nationally - the number of children open is manageable in terms of FTE. We have seen a slight decrease in cases open which is likely to reflect the summer holiday period and reduction in referrals from schools

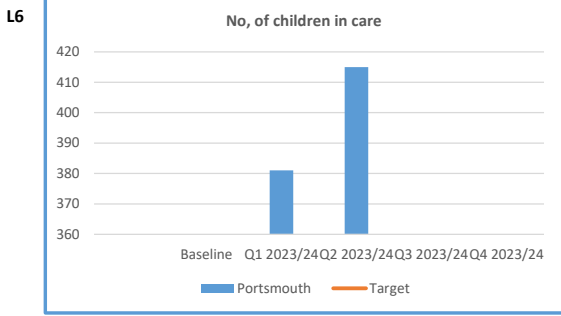
L5



RAG against target

RAG against trend

COMMENTARY
 Our numbers have increased but we remain in line with our statistical neighbour authorities. Children are reviewed regularly to ensure effective care planning



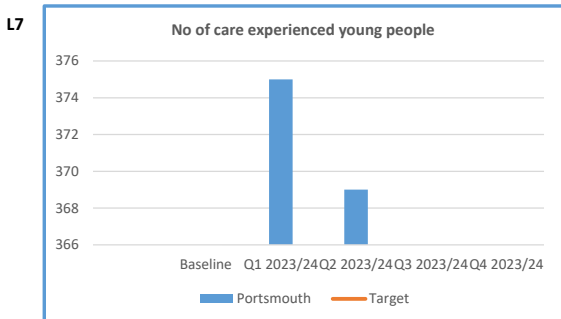
RAG against target



RAG against trend



COMMENTARY
 Our numbers have increased and we are above our statistical neighbours. All children coming into our care are reviewed by the Deputy Director to ensure that care planning is proportionate.



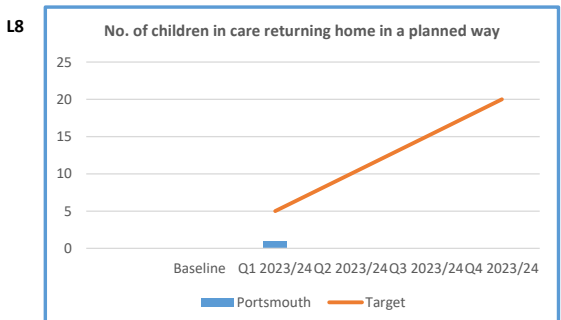
RAG against target



RAG against trend



COMMENTARY
 Our numbers are beginning to reduce as we have had fewer children seeking asylum come into our care (following close working with the Home Office and Department for Education resulting in referrals to the National Transfer Scheme).



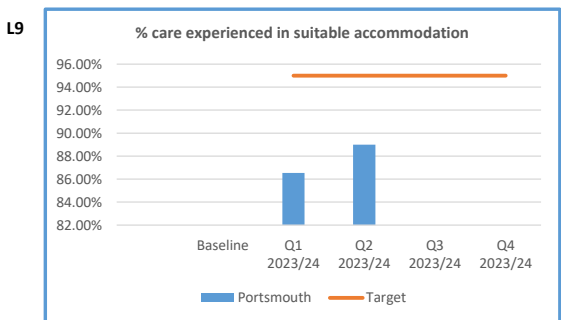
RAG against target



RAG against trend



COMMENTARY
 Our programme to support children to return home when safe to do so is now established and supported by Adult Family Safeguarding workers. We have seen children return home on legal orders and will apply to court for discharge in time. We are looking at data to agree how best to show the stages of reunification).



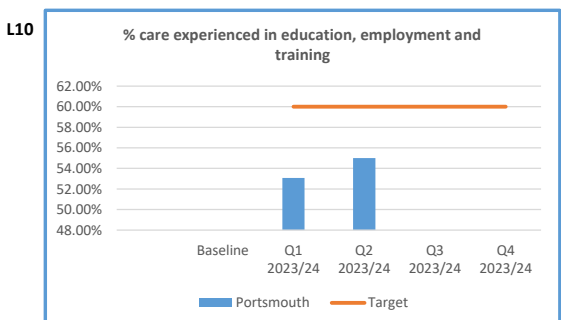
RAG against target



RAG against trend



COMMENTARY
 This has improved in this quarter and this follows a significant focus on this alongside colleagues from housing. We are working to improve the variety and availability of housing, and this includes the quality of emergency accommodation (even when this is unsuitable). This is all within our action plan for our care experienced young people



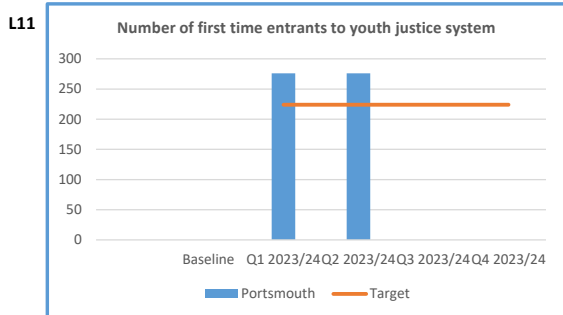
RAG against target



RAG against trend



COMMENTARY
 This remains a concern and a priority area for improvement. This is currently the focus of the Scutiny Panel as we fully explore what else we can as corporate parents to support our young people into education and employment. We have now launched our Employment Academy which is focused on this and opening up a variety of opportunities



RAG against target

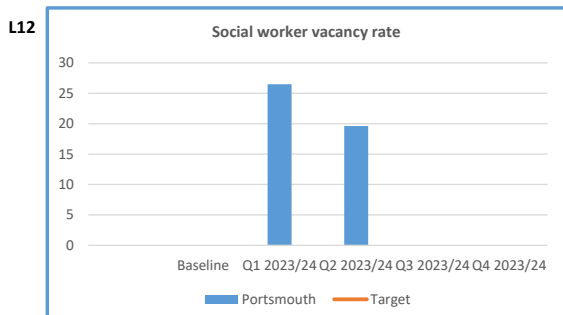
Grey box

RAG against trend

Yellow box

COMMENTARY

This is reducing, however we remain significantly above our statistical neighbours. The YJS Action plan sets out our detailed improvement activity and diversion work in this area with a focus on early help and prevention.



RAG against target

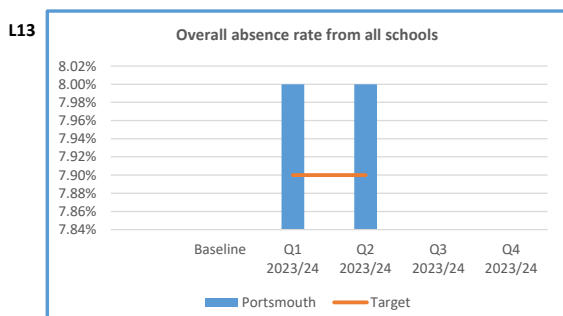
Grey box

RAG against trend

Yellow box

COMMENTARY

This has improved in this quarter as we have onboarded our quota of newly qualified social workers (however their capacity to caseoad is restricted in the first year). Our vacancy rate and reliance on agency workers remains a significant concern and is impacting on the quality of service we are able to provide.



RAG against target

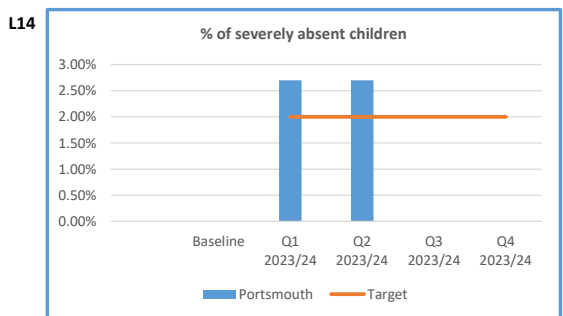
Yellow box

RAG against trend

Red box

COMMENTARY

Overall attendance at the beginning of academic year 2023/24 is almost identical to the previous academic year. We have a number of strategies in place to support attendance and inclusion.



RAG against target

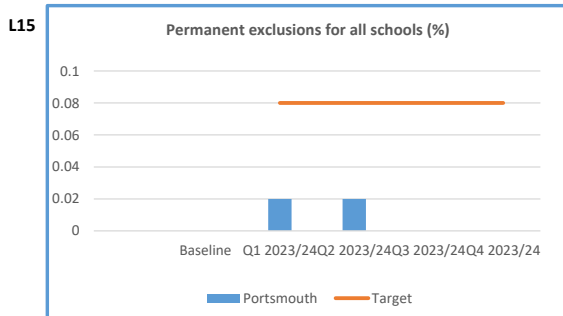
Red box

RAG against trend

Yellow box

COMMENTARY

Severely absent meetings are currently being held and identifying and removing barriers to attendance in a multi-agency way. Early indications this academic year is that the percentage of those severely absent is lower than this time last academic year.



RAG against target

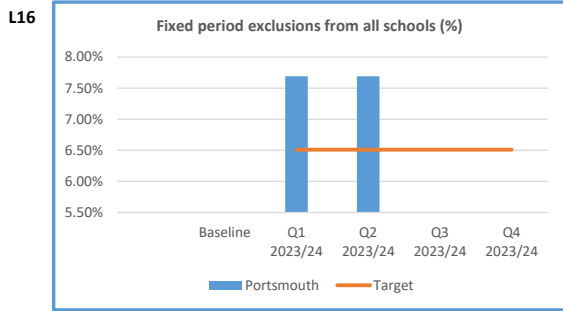
Green box

RAG against trend

Yellow box

COMMENTARY

Permanent exclusion figures remain low but are higher at this point in the academic than they were last. Many of our schools are engaged with the Relational Practice Programme and continue to seek to include rather than exclude.



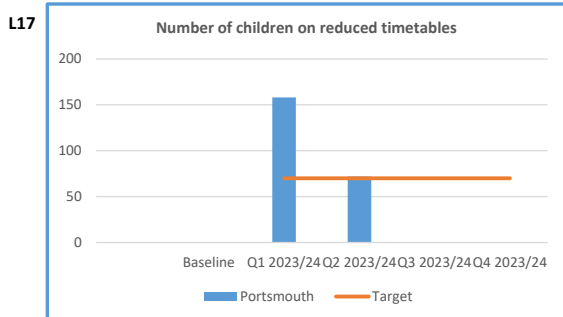
RAG against target



RAG against trend



COMMENTARY
Suspension were up significantly between 20/21 and 22/23 (100% in terms of incidents). The data for Half term 1 of this academic year is not yet available.



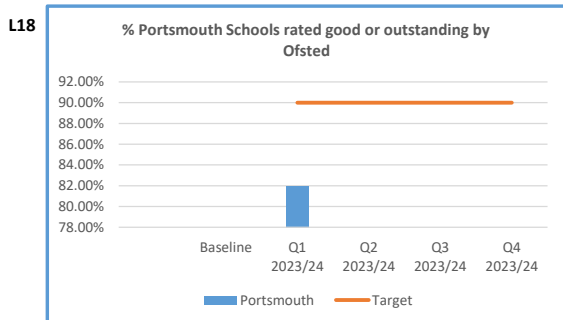
RAG against target



RAG against trend



COMMENTARY
The numbers of children on reduced timetables remains higher than we would like. This is monitored closely and plans are in place with The Harbour School to reduce these figures.



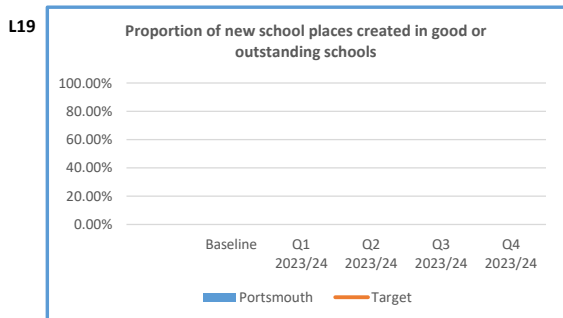
RAG against target



RAG against trend



COMMENTARY
No significant change to the overall figures. Our school improvement offer is lean but provides good support for those schools choosing to buy into the offer.



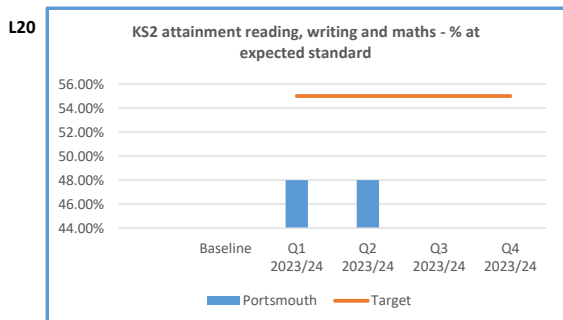
RAG against target



RAG against trend



COMMENTARY
No places to report this quarter



RAG against target

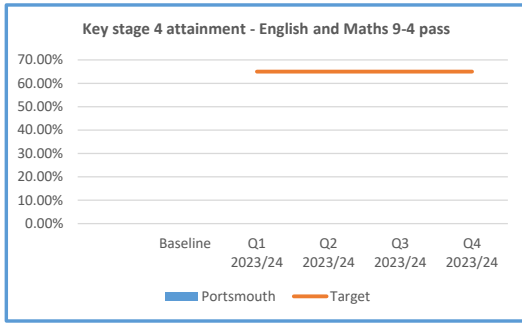


RAG against trend



COMMENTARY
Provisional results for 2023 have now been released. Disappointingly there has been no improvement with 49% achieving the expected standard for combined reading, writing and maths. The 10% point gap between Portsmouth and national remains as before as does the 6% point gap between Portsmouth and the average for our stat neighbours.

L21

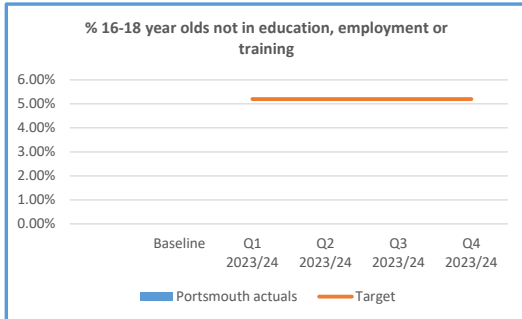


RAG against target
Yellow

RAG against trend
Yellow

COMMENTARY
Provisional results from the LA collection show a decline in performance as reflected nationally but disappointingly significantly below the results from 2019 (pre-pandemic). % achieving a standard pass in English and Maths was 52% (56% in 2019) and % achieving a strong pass in English and Maths was 31% (35% in 2019).

L22

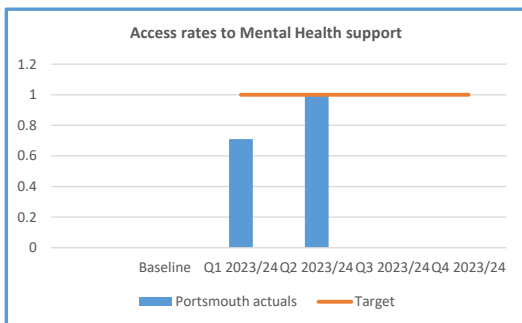


RAG against target
Yellow

RAG against trend
Yellow

COMMENTARY
Too early to comment on the NEET figures for 23/24 but we are concerned about the availability of level 1 and level 2 provision and the impact this may have on our NEET figures. A more detailed update will be available for Q3.

L23

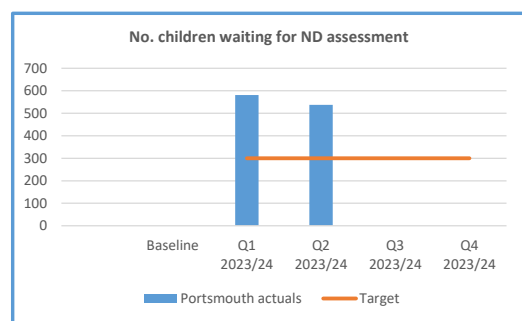


RAG against target
Green

RAG against trend
Green

COMMENTARY
Indicator is taken from the CAMHS – Commissioner & Provider Strategic Exchange and represents the % of urgent cases with the first contact in 72 hours. There have been significant improvements in numbers of referrals waiting for triage.

L24

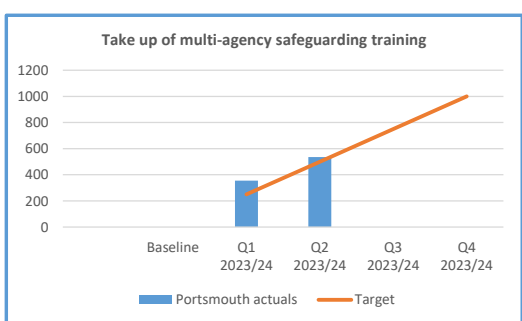


RAG against target
Red

RAG against trend
Green

COMMENTARY
This is the legacy waiting list following the implementation of the new ND pathway. Target is a year end target not quarterly.

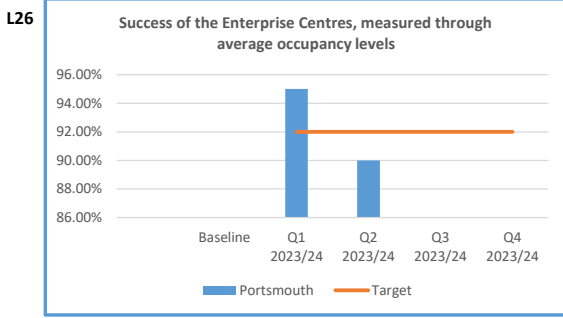
L25



RAG against target
Green

RAG against trend
Red

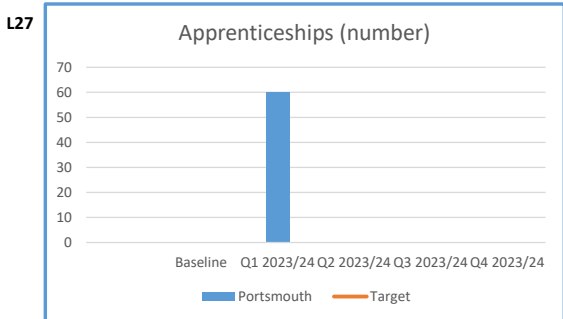
COMMENTARY
Take up is always strong - as is feedback. Qtr 2 is always down due to school holidays



RAG against target
Green

RAG against trend
Green

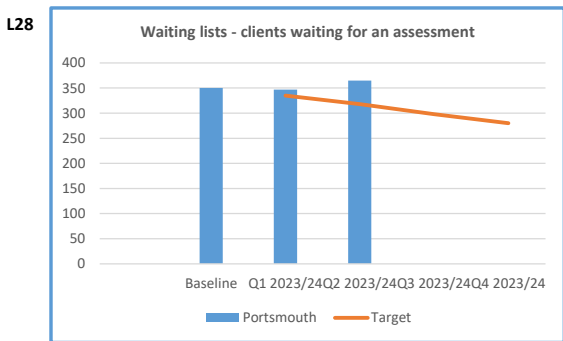
COMMENTARY
City Buildings opened August 2023



RAG against target
Green

RAG against trend
Green

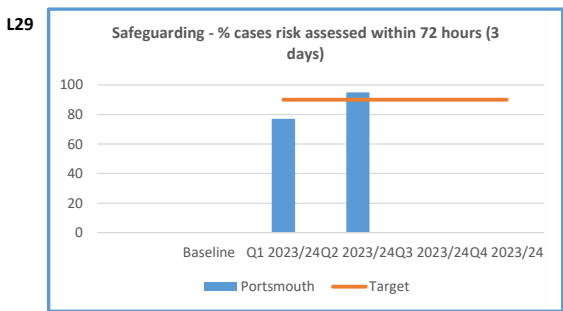
COMMENTARY
Academic year monitoring. High staff turnover and increased high risk delivery areas



RAG against target
Red

RAG against trend
Red

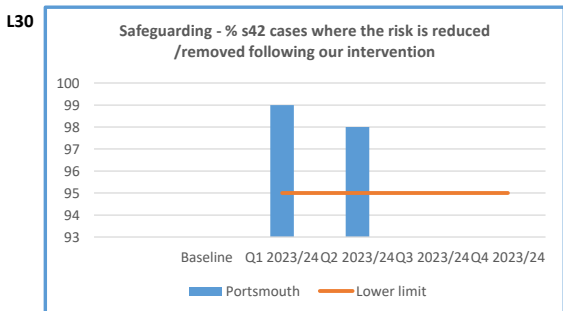
COMMENTARY
Waiting list has slightly increased in Q2 due to reduced capacity (vacancies, sickness etc), and has been impacted by apprentices returning to university (3months x 2 days a week).



RAG against target
Green

RAG against trend
Green

COMMENTARY
This measure may be revised to look specifically at triage rates based upon priority of the safeguarding case, as opposed to a blanket % of all cases, where triage within 5 days may not be required or appropriate.

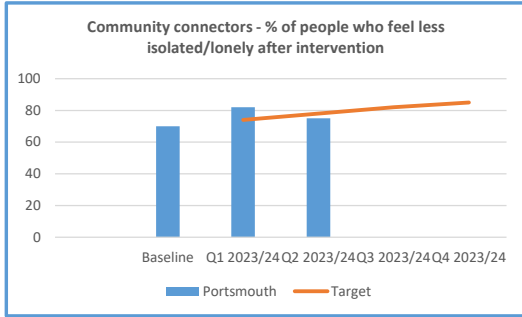


RAG against target
Green

RAG against trend
Green

COMMENTARY
Performance maintained at high level.

L31

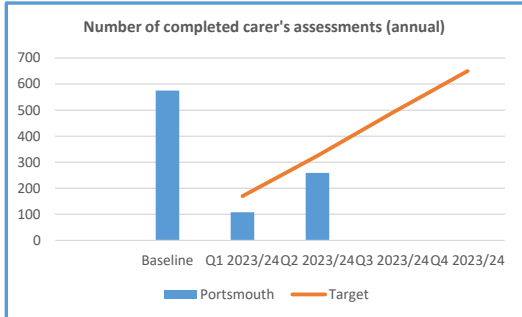


RAG against target
Yellow

RAG against trend
Yellow

COMMENTARY
This indicator is unusually low this quarter. Clients who have reported "same as before" or "no difference" after being supported by the service have shared that their ill health has had an impact on how they felt post-working with the service.

L32

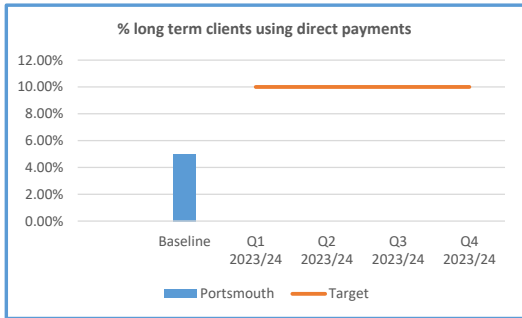


RAG against target
Yellow

RAG against trend
Yellow

COMMENTARY
Performance levels will improve based upon new recording methods as part of Client Level Data project.

L33

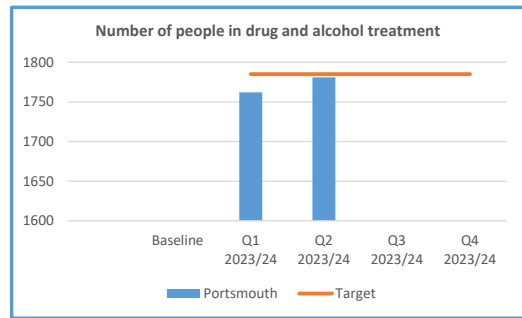


RAG against target
Grey

RAG against trend
Grey

COMMENTARY
Current project of work ongoing to improve recording, reporting and overall improvement of Direct Payments across the city.

L34

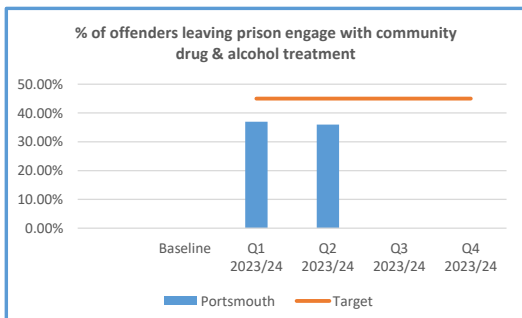


RAG against target
Green

RAG against trend
Green

COMMENTARY
Numbers in treatment continue to increase and we should achieve the target to increase numbers in treatment. This is on the back of a 20% increase in 22-23

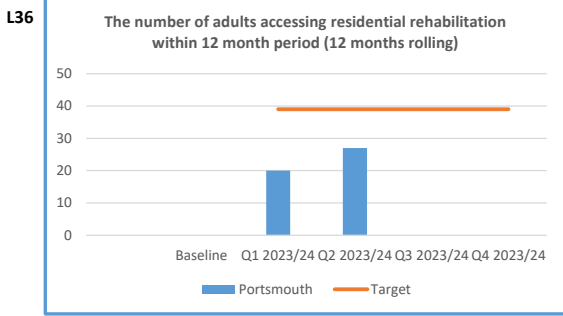
L35



RAG against target
Yellow

RAG against trend
Red

COMMENTARY
There has been a slight reduction in the % of prisoners engaging in treatment upon release. This compares to 41% nationally. A number of actions are underway to increase performance.



RAG against target

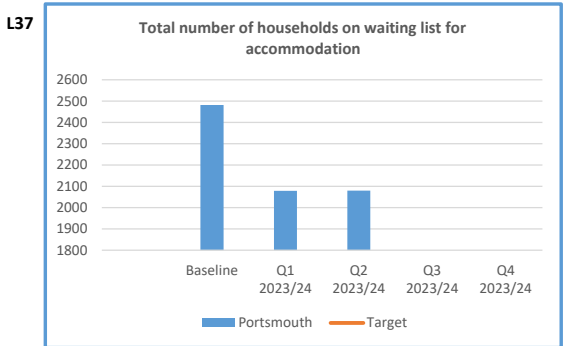
Yellow box

RAG against trend

Yellow box

COMMENTARY

Numbers have dropped significantly. Actions are underway to address this reduction and increase funding, so an increase has been seen in Q2.



RAG against target

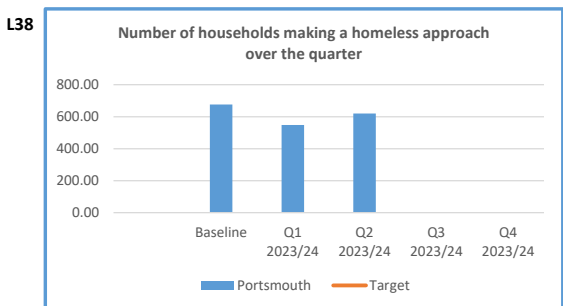
Grey box

RAG against trend

Green box

COMMENTARY

RAG rating based on trend not performance based and this reflects demand pressures. Large decrease is due to recent data cleansing exercise including Housing Office focus on contacting tenants with long running applications and cancelling those with changed circumstances.



RAG against target

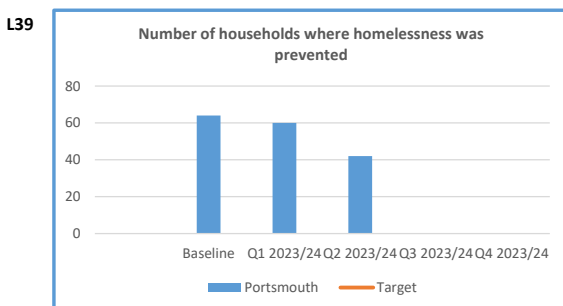
Grey box

RAG against trend

Grey box

COMMENTARY

Do not show RAG ratings - this is because these are records of approaches made and are therefore not measures; the Directorate can have no impact on these figures as they just reflect the situation in households within the Portsmouth area, the data is included for information only. The downturn in Homeless Applications we believe to be a result of a change in working practices and a clearing of backlog. The return to a higher figure this Quarter seems to support that, but is still being monitored closely.



RAG against target

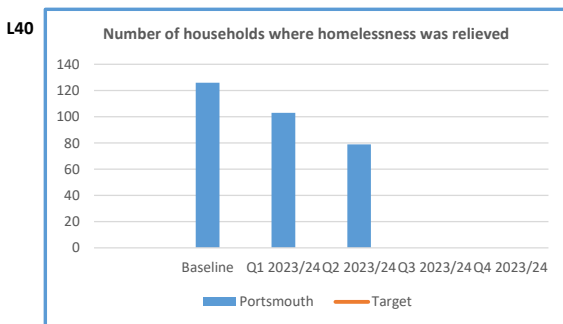
Grey box

RAG against trend

Yellow box

COMMENTARY

The decrease in this figure (albeit minor) is likely tied to the explanation above, and may be an indication of the teams capacity at present.



RAG against target

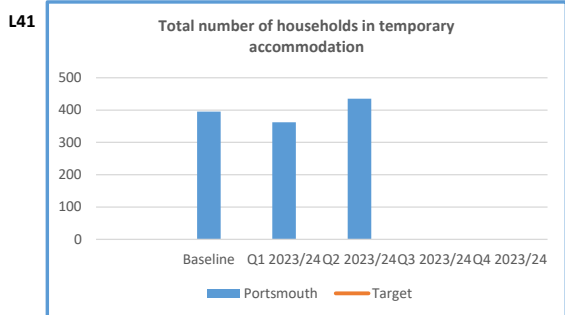
Grey box

RAG against trend

Yellow box

COMMENTARY

The decrease in this figure is likely tied to the explanation above related to number of households making a homeless approach this quarter, and may be an indication of the teams capacity at present.



RAG against target

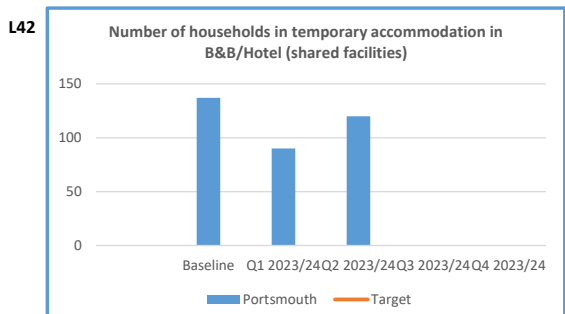
Grey box

RAG against trend

Red box

COMMENTARY

This quarter Temporary Accommodation has increased significantly again - which is unsurprising given the increase in homeless applications taken.



RAG against target

Grey box

RAG against trend

Red box

COMMENTARY

As above



RAG against target

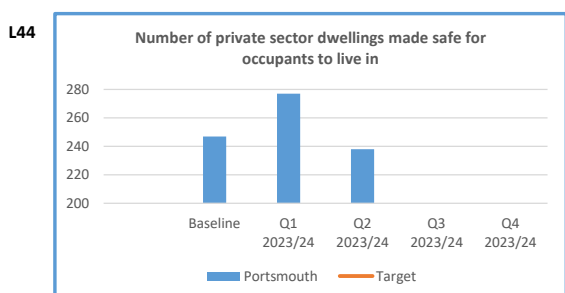
Grey box

RAG against trend

Yellow box

COMMENTARY

The number of completed home safety visits in reality is stable with a slight increase



RAG against target

Grey box

RAG against trend

Green box

COMMENTARY

Q2 2023 - 158 Reactive complaint cases resolved and closed & 59 Proactive HHSRS inspections carried out at licensed HMOs. Fewer complaint cases were received compared to the previous quarter, resulting in fewer inspections from reactive cases. Fewer Proactive HHSRS HMO inspections were carried out due to leave and sickness, although the volume of inspections is generally in line with typical summer demand.



RAG against target

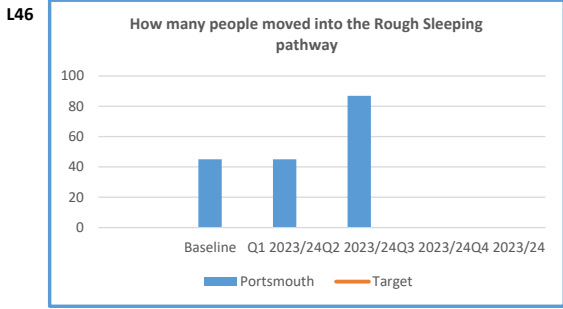
Grey box

RAG against trend

Grey box

COMMENTARY

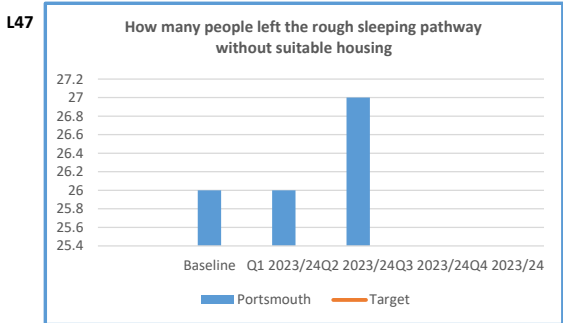
This measure shows number of repurchases year on year and year to date for current financial year.



RAG against target

RAG against trend

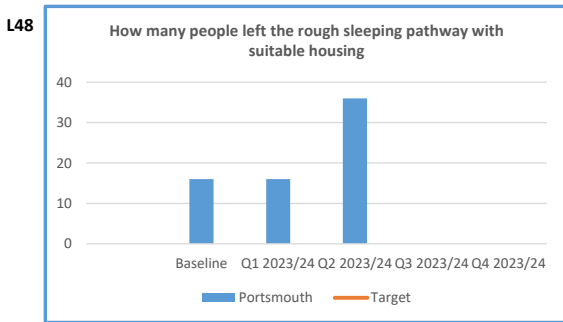
COMMENTARY
 Q2 There has been an increase in the number of confirmed rough sleepers moving into the pathway - it was especially high during August. This is a result of increased numbers of rough sleepers visiting Portsmouth during the summer and a greater number of clients losing their NASS accommodation and approaching LAs (an increasing issue across the country).



RAG against target

RAG against trend

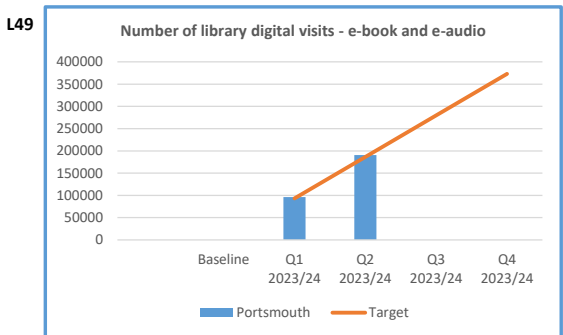
COMMENTARY
 The number of clients moving out of the rough sleeping pathway without suitable housing has remained largely stable



RAG against target

RAG against trend

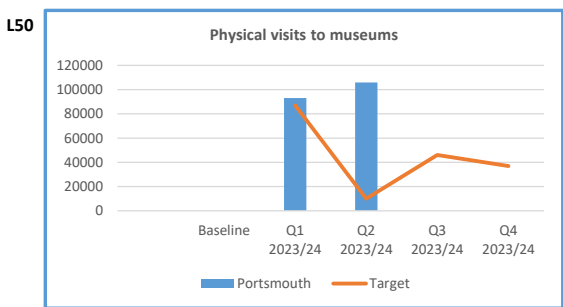
COMMENTARY
 The number of clients moving out of the rough sleeper pathway with an offer of suitable housing has increased significantly over the past quarter. This is due to increased numbers moving to the PRS and supported housing provisions.



RAG against target

RAG against trend

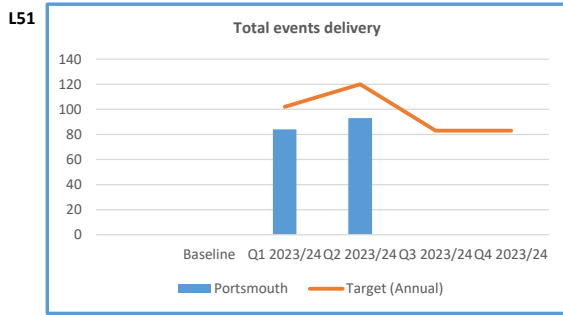
COMMENTARY



RAG against target

RAG against trend

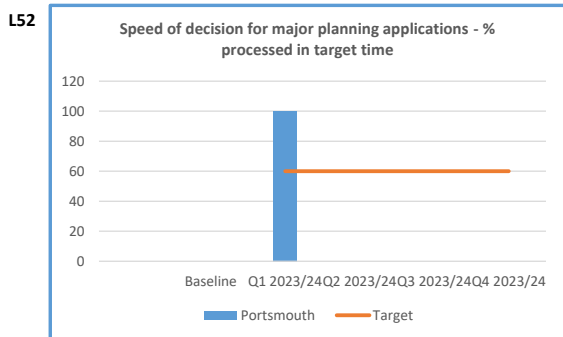
COMMENTARY



RAG against target

RAG against trend

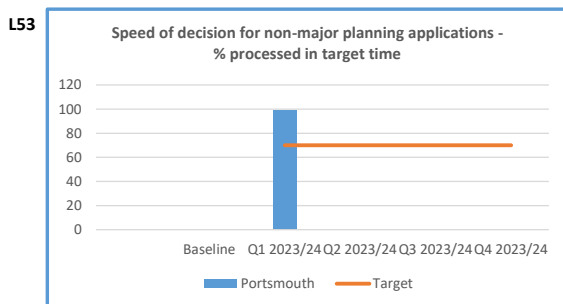
COMMENTARY



RAG against target

RAG against trend

COMMENTARY



RAG against target

RAG against trend

COMMENTARY
 The Council has been threatened with designation for performance over the 24 months to September 2022 in respect of speed of determination in this category. Current performance is significantly above target.

Significant projects

	Project description	Budget	Start date	Completion date	Summary and Progress	RAG - time	RAG - budget
L1	Effective delivery of the Priority Education Investment Area programme (PEIA)	£1.8m	01/04/2022	01/03/2024	Detailed delivery plan approved by DfE. 4 key priorities: literacy, maths, attendance and under-performing groups with a digital strand running through all four. Grant condition forms all signed off by the DfE for those organisations (including PCC) that will be making termly claims. Successful PEIA conference held in Sept. Very good sign up by schools across all five priorities (literacy, maths, attendance, digital, under performing groups)		
L2	SEND / AP Change Programme	£5.8m (overall prog; £1.4 for Pmouth)	01/09/2023	01/09/2025	Lead LA in the SE for the SENDAP Change Programme Partnership (CPP) working with 3 other LAs - Brighton, West and East Sussex. Involves testing some of the reforms as set out in the government's SEND and AP Improvement Plan Right Support, Right Place, Right Time. South East Steering Group established. Liaison with DfE ongoing. Recruitment to key posts underway.		
L3	Capital programme for sufficiency of school places (secondary and specialist) and condition of LA maintained schools	£7.9m allocated for specialist school places	Ongoing	Ongoing	To ensure sufficient secondary and specialist school places. Arundel Court Inclusion Centre 'The Nest' opened in Sept. £7.5m allocated by the DfE for secondary school places - plans are being formulated involving 4 secondary schools to secure the places we need to meet significant pressure points in 25/26 and 26/27		

L4	Implementation of the Education Management System - Synergy	£1.2m	01/09/2022	01/04/2024	To replace the Capita ONE with Synergy and make it easier for education staff to access relevant information about the children and families they are working with and to streamline administrative processes. Project has been extended with a new completion date of August 2024. This is due to a delay to the transfer of Admissions which will now take place in the summer term of 24		
L5	EHC Assessments - Recovery Plan	£0.5m	01/04/2023	01/12/2024	To ensure that statutory timescales for the completion of EHC assessments and issuing of EHCPs can be met within the 20 week timescale. This work also extends to completion of Annual Reviews and phased transitions for children with EHCPs moving into Year 3 and Year 7 - Action plan agreed. Funding secured for 23/24. Contract set up with Skylakes - 40 assessments per month (240 in total). Additional staff recruited to the SEN Team		
L6	Restorative and Relational Practice in Schools	£0.5m DSG	01/01/2023	01/01/2025	A whole-school approach, providing a framework for creating and sustaining a school climate where teaching and learning can take place effectively and where students and adults can thrive as they learn from each other. LA continuing the lead this work but have ended the formal arrangement with Salterns due to their other priorities (academy conversion of Mayfield, Language Hub). RP Steering Group has agreed to move away from the 'Waves'/Programme' model and look to engage with schools 'where they are' on their lengthy journey to improving school ethos and culture to be more relational and inclusive. Continuing to develop a range of support and resources needed for schools including support from Salterns / Trafalgar, Mark Finnis, Restorative Lab, the Action Learning Sets of Heads, headteacher coaching and trainer bespoke support (PSCP training team), etc.		
L7	Social worker recruitment and retention		on-going	on-going	To have a skilled and stable workforce and a reduction in the use of agency staff. The aim is to recruit and retain newly qualified and experienced social workers This is a significant priority for the service. We need to increase our permanent workforce and reduce our reliance on interim social workers. A proposal is being finalised to consider market supplements for our social workers in teams we have struggled to recruit to and to strengthen the career pathway.		
L8	Intensive Early Help support for families of children age 0 - 5		on-going	on-going	Jointly with colleagues from Solent, to provide an effective targeted early help offer where families receive support and interventions that prevent need escalating and requiring support at tier 4. This continues to be an area that requires strengthening and in the coming quarter there will be scoping to see how we could build on the strength of the service for 5-19's to include 0-5's		
L9	Family Hubs	£3.2m	01/04/2022	01/03/2025	To launch our 5 family Hubs across the City and ensuring they provide effective support to children aged 0-19 and meet the requirements as defined by the DFE. The implementation plan is being being progressed and this is overseen by the multi-agency programme board. This is progressing well and continues to be a priority for the remainder of the year		

L10	Fully embedding Family Safeguarding model (workbook and Modules)		On-going	On-going	To provide effective interventions to children and their families so that children's needs can be met within their families. To ensure consistency in practice, that is build on positive relationships. his is an area that continues to strength as we build the consistency of practice. The service leaders have all embraced this and are leading this and driving this with their services. This is progress and the routine audit activity is now part of this. This is showing where we need to further strengthen this so that practice is consistently good.		
L11	Adolescents service	Funding needed	ongoing	ongoing	To develop an effective multi-agency response across the City that reduces the risk of exploitation, and to provide effective interventions to young people and families that enables them to live together and prevents family breakdown. The practice around MET continues to strengthen following the launch of the pathway. The plan in the coming quarter is to introduce new multi-agency governance arrangements who will monitor practice, progress and work to overcome obstacles		
L12	Investment to reduce care proceedings - adolescents and repeat removals	Funding needed	Ongoing	Ongoing	To develop a service where we proactively work with parents who have had a child removed from their care, so that we enable change and that necessary changes are made ahead of having another child so that they are able to successfully care for a further child and do not experience a further child being removed from their care. It was hoped that this could be progressed through use of the PH Transformation money, but this is not longer available. We continue to consider other grant money to support progression of this work.		
L13	CioC Placement Sufficiency		ongoing	ongoing	To have sufficient variety of homes so that we can identify regulated homes for all the children we care for and young people who are care experienced, and these homes are matches as appropriately meeting their needs. We care for most of our children in good quality stable homes. However for some of our children we have significant difficulty with identifying placements that meet their needs and we need to improve availability of placements for our children with the most complex needs and for our children seeking safety and asylum		
L14	Reopening Beechside		01/11/2022	01/03/2023	Beechside is a children's home that provides short breaks for children with complex needs. The home has been closed since November 2022 and we are working to open this as soon as it is possible to do so safely as this provides vital support to a number of children and families. The new registered manager started on 23/10/23 and this is a significant step in working towards the home re-opening. The plan to re-open will be drafted by the end of November 23		
L15	Going Home Project		ongoing	ongoing	To support children that we care for to safely return to their families by effectively intervening with parents to enable sustained change. This is continuing to improve and there is weekly oversight by the service lead. We are improving the recording / data of this so we can capture what's been achieved, but we have seen a number of children successfully return to their families in a planned way		

L16	Care Leaver offer - cross council		ongoing	ongoing	To update our care leaver offer so that this is aspirational, and effectively supports our children into adulthood and independence and they have opportunities to access education, employment and housing that meets their needs. This has been drafted and further to consulting with SMT this is being finalised and will be presented to DMT in November to consider. This is part of the overall improvement plan for our care experienced young people.		
L17	Long-term sustainability of the Portsmouth Neurodiversity model	running costs £500k	ongoing	ongoing	Retaining sustainable resource for the ND Team and continuing to support national partners on the innovation - 6 month Spend plan in development. Continues to be excellent performance in terms of reducing diagnostic demand		
L18	Sustainable integrated commissioning model as ICB reduces in size				Ensuring effective joint commissioning across NHS and LA at child, service and system level - some challenges around ICB mutually agreed redundancy scheme on staffing capacity. However, Head of Children's Commissioning appointed.		
L19	Health and Care Portsmouth Section 75 for Children				Health and Care Portsmouth oversight of children's spend and outcomes - Delayed final document and financial reporting		n/a
L20	Insight Hub	£200k capital; £20k pa revenue	01/04/2022	01/03/2024	Data matching, sharing and reporting software to identify child need and progress. Delayed final document and financial reporting		
L21	Chaucer House Youth Hub	£930k Capital; £200k revenue	01/06/2023	31/03/2025	Developing a multi-agency youth resource for support, activities and interventions. Positive conversations with The Hive about building management. Some delay in Grant Agreement being signed but progressing slowly		
L21	King George Playing Fields	£8.1m	2017. 13 Feb 2023 works on site.	01/01/2024	The city council submitted an expression of interest to the FA's Parklife programme. Portsmouth was invited to proceed to Stage 2 of the process and has worked with the county FA, Football Foundation and local clubs to produce a Local Football Facilities Plan. The plan sets out the priorities for future investment. King George V pavilion was damaged by arson in 2017 and the site has been identified as the preferred site for enhanced pavilion and pitch provision, subject to Football Foundation funding. The city council were awarded £36k towards initial feasibility work of £60k. Following a successful capital bid, the council has committed £2.8m towards the scheme which will be match funded 60:40 by the Football Foundation (meaning their contribution will be £4.2m) to give a project budget of £7m. PCC has submitted a formal application to the Football Foundation funding to deliver the project at King George V playing field.		

L22	Leisure transformation - Bransbury Park		24/02/2020	Winter 25-26.	<p>The project (to build a new leisure centre at Bransbury Park) has now progressed to RIBA Stage 3. Design is being led by the architects GT3 with a directly appointed multi-disciplinary design team made up of 18 specialist consultants. Client side project management & quantity surveying services are provided by Mace. In July the Hampshire & IOW Integrated Care Board Primary Care Committee approved the funding for the inclusion of a GP Surgery within the new development. The borrowing required for the additional capital cost is covered by the rental income payable by the practice over a 25 year period.</p> <p>The facility mix is 25m 4 lane swimming pool, learner pool, 2 court sports hall, 80 station gym, spin bike studio and group exercise studio plus GP surgery). The programme sees a planning application in autumn/winter 23, enabling works on site Jun 24, main construction starts Aug 24, handover Feb 26.</p> <p>Likely cost £21m. Capital allocation £14.5m. Will require additional funding to be achievable.</p>		
L23	Victoria Park		01-Dec-19	Feb-26	<p>The city council has received a £2.27m National Lottery Heritage Fund grant towards the delivery phase of the Reviving Victoria Park project. The project will deliver the planned restoration and improvement works, a range of activities that cover, share and celebrate the Park's heritage and outreach work to create a more welcoming & inclusive space. The Round 2 funding includes the cost of a project manager, community engagement officer and volunteer & training coordinator, plus a horticultural apprenticeship.</p>		
L24	Guildhall Basement project		01/10/2023	Summer 24	<p>Guildhall Renaissance is the Guildhall Trust's programme for the development of the Guildhall. A major overhaul and refurbishment of facilities which takes into account the return on investment and the priorities for the Guildhall. To upgrade several parts of the building including the concert hall, front-of-house foyers, bars and meeting rooms and to expand the cultural offer. An improved Guildhall will benefit the wider community and form part of the regeneration of the city centre.</p>		
L25	City Centre North		13/07/1905		<p>Masterplan development almost complete. Options being considered for development of Sainsbury's, Clarence Street Car Park, Tricorn and other associated properties. Highways works to Hope Street will be considered separately. Outline planning application heard at committee 25th October.</p>		
L26	Tipner West			Programme identifying a planning submission mid-2024.	<p>Deliver a new community in the Tipner West masterplan area, including new homes, marine employment hub and the relevant infrastructure. Revised principles agreed at council in October.</p>		

L27	Future High Streets	£6.9m of external funding. The future development of the Bridge Centre is additional to this.	2022		Fratton - purchase and redevelopment of the Bridge Centre from Asda, which has been delayed by Asda wanting to test the market. Install infrastructure to enable events to be held on Fratton Road. Commercial Road - public realm improvements and purchase of land for development (part of the old Tricorn site).		
L28	Information Management and Data Programme (IMD)	£150,000 phase 1	2022	2024	Improving and modernising the management of information and data within Adult Social Care including: - The use of data warehousing - Using reporting tools such as PowerBI - Implementation of Client Level Data to meet statutory reporting requirements		
L29	eResidential Programme	£100,000	2022	2024	Implementation of new technology in to PCC residential homes including: e-Care Planning e-MAR (Medical Admin Records). e-Reception Improved wifi in homes. Project broadly on track but slow speeds of wifi a continuing issue across the programme. E-MAR currently paused whilst users familiarise themselves with new functionality.		
L30	Housing and Support Programme	Subject to review	2022	tbc	Work with council colleagues to provide additional housing for: Extra Care (Edinburgh House) Learning Disability and CHC (Highgrove). Due to cost increase, there is a pause in the project. ASC are working to develop options for Extra Care to link with the Housing Economic Development Needs Assessment commissioned corporately as this will have an impact on the programme of work.		
L31	Strategic Development of ASC to support CQC Assurance requirements	No specific allocated budget	2023	2024 - followi	Broad programme of work including: -Implementation of our Quality Assurance Framework -Development of governance processes -Improved use of data insights -Policy/Procedures and 'evidence' library -Updated practice handbooks and guidance -Updated ASC Strategy, Business Plan, Service plans etc -Market Position Statement -Accommodation Strategy		
L32	JSNA programme		Apr-23	01/03/2024	Complete accessible set of JSNA web-based outputs covering key themes		
L33	Serious Violence Strategic Needs Assessment (SNA)		01/05/2023	01/11/2023	Produce an SNA of Serious Violence that meets the new Serious Violence Duty, supporting CSPs across HIOW to feed into a VRU-led SNA for the Force-wide geography		
L34	Cost of Living data and Public Health Annual Report (PHAR)		Apr-23	Nov-23	Coordinate the data and insight on the impact of Cost of Living into a Dashboard that supports decision-makers, and use this data as part of a PHAR focussed on Poverty		
L35	Health Determinants Research Collaboration (HDRC) round 2 application		01/02/2023	01/08/2023	Work in partnership with the University of Portsmouth to bid for Health Determinants Research Collaboration funding from NIHR		

L36	Sexual Health Recommissioning		Jan-23	Mar-24	Recommissioning of integrated sexual health services collaboratively with Hampshire, Southampton and IoW.		
L37	Somers Orchard Development		01/06/2021	01/11/2025	The Stage 3 update to the coordinated and technical design design freeze is due is complete and viability checks are ongoing and due to be completed by the end of October 2023. Planning submission is envisaged in Q3/4 Meanwhile use is developing on site community engagement alongside the development of the plan with the Estates Team and Community Gardener. The community panel engagement is continuing alongside a community engagement event held on 12th October - Somerstown Spooktacular.		
L38	Statutory Homelessness Strategy		01/04/2022	01/03/2023	The Homeless Strategy is due to expire in 2023. A working group is being compiled to merge one strategy for Rough Sleeping and Homelessness.		
L39	Street Homelessness/Rough Sleeping Strategy		01-Apr-22	Mar-23	An update to the Rough Sleeping Strategy was presented to Cabinet on 22nd March 2022. This contained Operational updates to changes in services offered for those Rough Sleeping and at risk of Rough Sleeping. A new strategy will be formed over the next 12 months, to create one merged strategy for Rough Sleeping and Homelessness.		
L40	Roll in of Rough Sleeping Pathway		01/04/2020	01/10/2021 signifies the start of BAU until the end of the current support contract and funding in March 2024	The interim Rough Sleeping Strategy was approved at cabinet on 22nd March 2022. A New Homelessness and Rough Sleeping strategy will be formed. Three accommodation blocks - The Registry, Elm Grove and Kingsway House have been acquired by Portsmouth City Council. The accommodation is supplemented with support on a needs-led individual basis.		
L41	Homes for Ukraine Scheme		14/03/2022	Funding currently due to end 31/03/2024	The Homes for Ukraine scheme was launched by the government on 14 March 2022. This scheme allows people living in the UK to sponsor a named Ukrainian national or family to come to live in the UK with them, providing they have suitable accommodation to offer. Funding currently due to end 31/03/2024, however, Ukrainians can continue to arrive with a three year visa.		
L42	ARAP scheme		01/06/2021	MOD Leases for 12 months	ARAP scheme set up originally with 9 leased MOD properties, this has now increased to 18. In Q1 the MOD agreed to extend the leases for the original 9 leased properties. All 18 properties are occupied.		
L43	New Portsmouth Local Plan			Regulation 19 approval scheduled for March 2024 with 6 week consultation and submission in Spring 2024	Prepare the new Local Plan for the period until 2038 and bring it forwards in accordance with the agreed timetable.		

Priority: Protect and enhance our environment

Priority summary :

reduce our own carbon emissions

- help residents and business reduce their carbon emissions
- prioritise sustainable travel and improve transport systems in the city to

reduce the environmental impact and improve journey times

- ensure that the city has a healthy and resilient natural environment
- reduce the waste generated by the city, and make sure we dispose of our waste responsibly

Achievements and positive progress:

Planning Development Management performance significantly increased to 99.3% for speed of determination of non-major applications, thereby exceeding DLUHC minimum standards (70%) and mitigating risk of designation threat from Secretary of State made in spring 2023.

Further recruitment drives in Property & Investment, Planning, Infrastructure & Highways and Transport have taken place to address workforce shortages, and there has been the agreement of a career-grading system that works for each professional area, aligned with regional grading benchmarks in each sector. There has been successful recruitment to the Head of Development Management and other senior planning posts.

The Waste Management team city wide roll out of food waste complete. Work with the housing service to trial different communal recycling options continued with positive impact and resident feedback. Housing decision agreed to the changes and roll out. Decision held despite signals from Government on delays in the implementation of Environment Act changes. Depot site work going well. Preparation & planning to bring BIFFA contract in house from April 2024 going well.

A new Greening Strategy & Delivery Plan was approved by Cabinet in early October. A Greening Delivery Group workshop took place on 17th October, with stakeholders from across the council attending and contributing their ideas to our next steps in terms of acting on the Strategy and Delivery Plan. Three Trees for Schools projects developed in collaboration with Trees for Cities in Q1 should get underway in Q2/3. The projects involve biodiverse planting to provide green and shade in otherwise concrete playgrounds, with two of the projects additionally offering raised beds for food growing / an edible playground. Trees for Cities will also be providing year-long engagement activities to the schools once the planting and landscaping is in place.

The authority is the lead organisation in an ambitious bid to Innovate UK to support the city decarbonisation agenda, and this process is progressing well. A result of the bid is expected in Q3.

Challenges and risks:

There remains a challenge around performance in planning services, with an ongoing risk of Secretary of State designation for speed of determination of non-major applications despite current high performance, as it is historically assessed over a 2 year period.

The challenge of retaining & recruiting experienced staff remains, in particular in Planning, Infrastructure & Highways and Transport. The authority currently has vacancy rates in some of these teams of 20-35%, despite repeated attempts to recruit. This is having a significant impact on ability to deliver statutory functions, deliver major projects and to secure additional funding from bespoke one-off central government funding opportunities.

In respect of the city's Border Control Post, Port Health Engagement continues between PCC and DEFRA. In August 2023 the government published the Border Target Operating Model (BTOM) and confirmed that funding would cease from 1 August 2024. PCC has confirmed to DEFRA that this is financially unviable to PCC and that a minimum of 3 years funding is necessary, to underwrite any shortfall in income generation, due to the extent of unknowns in delivery of the project (e.g. exactly what goods are coming through the Port under the new regime). We await a response.

In our waste management function, fluctuations in the market are impacting on the price of recycled materials. Impact of these restrictions has blunted the positive impact of the anticipated reduction in household waste. Food waste take up remains positive but disposal costs are causing budget pressures.

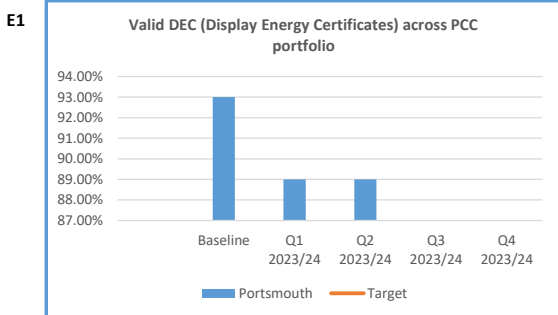
Priorities for the next period:

There will be further recruitment drives in Property & Investment, Planning, Infrastructure & Highways and Transport. A process will also be in place to recruit a permanent Director of Regeneration.

Work will continue to fully assess and understand the impact of the government announcements to delay elements of the Environment Act. Key impacts will be felt on the authority's plan to develop an anaerobic digester, and twin stream work.

The outcome of the Innovate UK bid will be confirmed and a plan put in place to respond to the outcome.

Key performance indicators



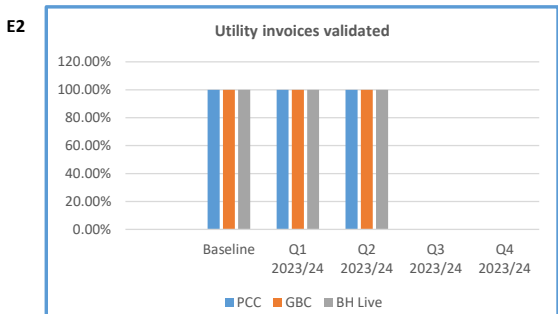
RAG against target
[Red box]

RAG against trend
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COMMENTARY
Sites that are Non-compliant:

- International Port - terminal Building: CPCC will undertake an investigation of the sub meters to remedy this.
- Buckland Community Centre: Gas meter is oversized for the building and as such gas data is unreliable.
- Charles Dickens Centre: The heat meter was faulty but has since been repaired.
- Buckland /somerstown / Northern Parade / Paulsgrove Family hubs: Quotes have been issued to produce New DECs, awaiting acceptance from budget holder.
- Southsea Castle: Southsea Castle has two electric meters supplying energy. Unfortunately these two electric meters are billed on opposing quarters. The DEC legislation allows 31 days (where gas is the heating fuel) and 15 days (where electricity is the heating fuel) at the start or end of the assessment period in order to allow energy data to be lined up to the same period. Any more than 31/15 days respectively and the two streams of data can't be used as they don't align.

 The hope is with the new contracts signed for October 2023 to 2024 will bill these meters

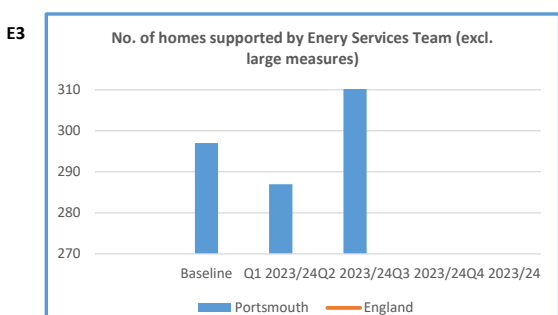


RAG against target
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RAG against trend
[Green box]

COMMENTARY
BH LIVE 30/30
As utility supplies get added/removed over the course of time under corporate contract, the total number of invoices we need to validate are subject to change each quarter but we will present how many of the existing ones have had validation. Note that invoices for the final month of each quarter are not received until the following month, e.g. Q2 September invoices we'd receive in Q3 October for PCC.

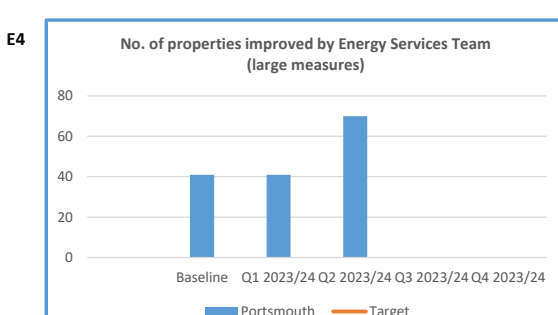
At the point of updating Qtr 2 Validation has been completed on invoices imported/received. An update will be done the following month to include PCCs elec and gas for the month of September.



RAG against target
[White box]

RAG against trend
[Green box]

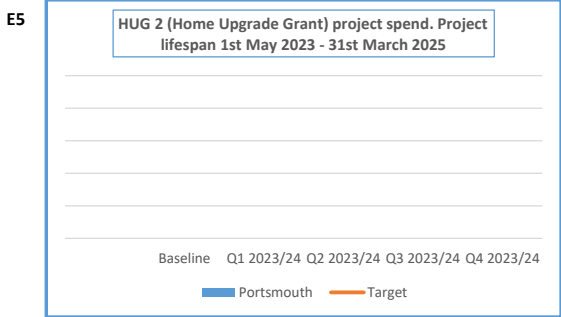
COMMENTARY
Households supported with energy efficiency advice, small efficiency measures (such as LED lightbulbs, white goods, boilers) under the LEAP scheme or via the Switched On Portsmouth Freephone Advice Line. Seeing higher than usual figures for this time of year, as the amount of households reaching out for support has not reduced since the winter period.



RAG against target
[White box]

RAG against trend
[Green box]

COMMENTARY
Private residential properties improved with large energy efficiency measures, such as solar PV, Insulation and Air Source Heat Pumps, completed under the LAD3 and HUG1 schemes. Increase due to final push through of installations under the HUG1 scheme and the closure of the LAD3 scheme for on gas homes.



RAG against target

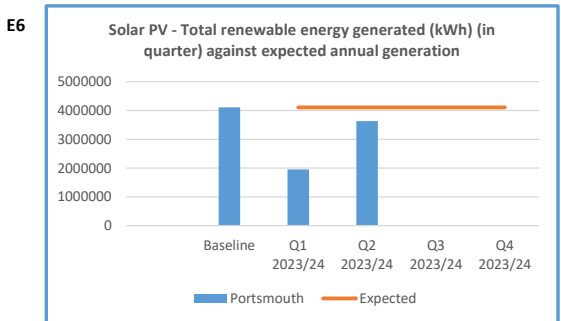
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RAG against trend

Red

COMMENTARY

Delays to contract set up resulted in delayed start to scheme. Scheme started delivery, but no installations have been completed yet. Not claiming any admin fees until installations have gone ahead, so no spend yet though work is going ahead. Expect installations to be completed in October. Funders aware and targets have been adjusted to reflect delays, so not behind on KPIs with funders.



RAG against target

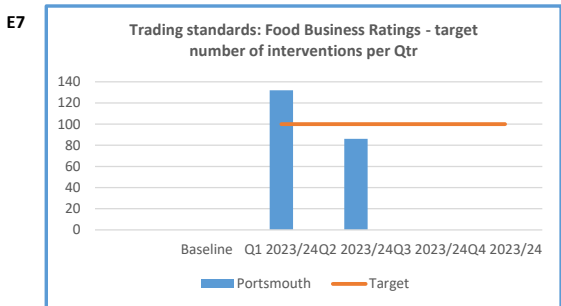
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RAG against trend

Green

COMMENTARY

Baseline for Q4 based on previous years (FY) total for generated electricity. Generation to be much greater in Q1 & 2 based on solar irradiance levels. Q4 baseline contains generation figures impacted by system issues (e.g. equipment malfunction) that are rectified as quickly as possible through PCC service providers and local sub-contractors. Total generation figures impact the income to PCC through FIT (Feed-in-tariff), export agreements, PPA schemes and electricity savings. Measurables per Q show quarterly generation figures against total annual expected generation figures. All figures are subject to irradiance levels & weather.



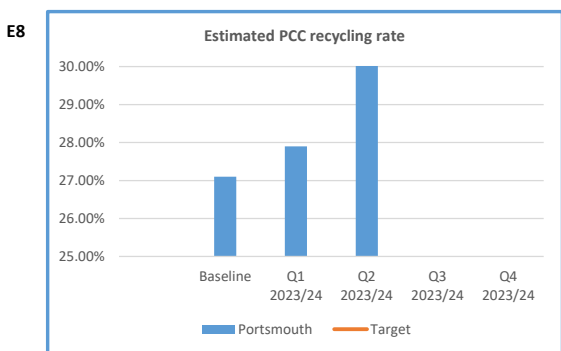
RAG against target

Yellow

RAG against trend

Yellow

COMMENTARY



RAG against target

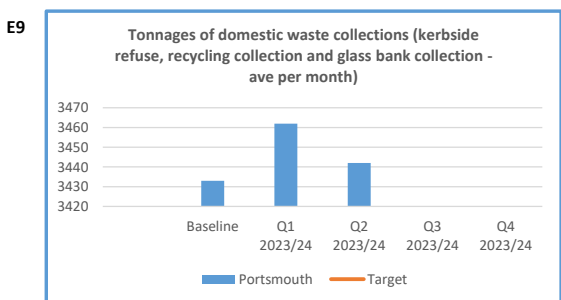
White

RAG against trend

Yellow

COMMENTARY

21/22 rate was confirmed as 27.1%, October 23 - 27.9% is 22/23 provisional - subject to Defra confirmation (usually from October onwards)



RAG against target

White

RAG against trend

Yellow

COMMENTARY

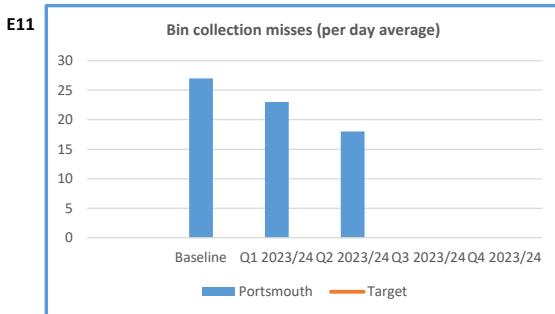
Q2 tonnage stable. Tonnage slightly lower than pre-pandemic levels - this is largely due to introduction of FW. Recycling tonnage has reduced in line with refuse tonnage. FW6 starting in Q1. Q2 refuse tonnage continues to reduce - recycling tonnage also reducing (linked to overall reduction)



RAG against target

RAG against trend

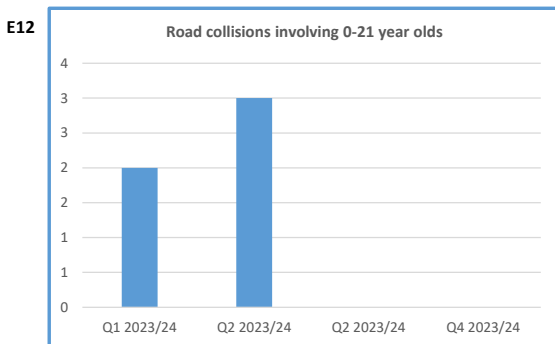
COMMENTARY
Members of the Green Waste Club have increased slightly from last quarter - There is fluctuation in membership as renewals come up throughout the year.



RAG against target

RAG against trend

COMMENTARY
New miss process in place with crews, Q2 level is very low, new measure in place for repeat misses.



RAG against target

RAG against trend

COMMENTARY
Data available from Hampshire Police is reorted up to 9 month retrospectively.
Total road collisions in Portsmouth involving 0-21 year olds for 2021 = 10
Total road collisions in Porstmouth involving 0-21 year olds for 2022 = 15

E13 Improvements to facilities at key junctions to improve cycle safety and LTP 4 2023/24 funding - no funding allocated to Active Travel Improvements
East-West Active Travel Corridor - 2 locations - Bradford Junction tiger crossing and Isambard Brunel Road
LTP3 2021/22 funding - 2 locations - Elm Grove/Waverley road junction and New road/New Road East.
Additionally, early release low level cycle signals have been installed in the city over the past year, with four units being installed in Eastney Road at the junction with Bransbury Road, and four units being installed in Albert Road at the junction with Lawrence Road.

RAG against target

RAG against trend

COMMENTARY
Detailed design completed and moving into construction phases or delivered.

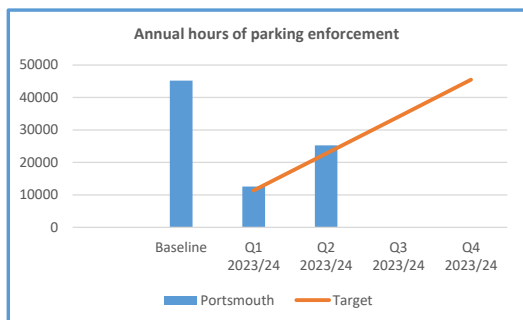
E14 Delivery of local transport schemes to improve journeys
There are a number of schemes that will be delivered through the Portsmouth Transport Strategy (LTP 4). This will be monitored and reported each year through the LTP4 Annual Monitoring Report (LTP4) to the Transport Portfolio decision meeting. A summary of these shemes is available if required, however this is reported at a programme level for the purposes of this report.

RAG against target

RAG against trend

COMMENTARY
Detailed design completed and moving into construction phases or delivered.

E15



RAG against target



RAG against trend



COMMENTARY

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Significant projects

	Project description	Budget	Start date	Completion date	Summary and Progress	RAG - time	RAG - budget
E1	Horsea Country & Ecological Reserve				Planning conditions signed off September 21 - handback of site to PCC being managed by Waste Management through the Waste Disposal Service Contract. Development of site as open space provision being explored with a focus on biodiversity and ecological benefits		
E2	Southsea Flood Defences	£156m + £17.4m awaiting HMT sign off	01-Sep-20	End of year 2028	Construction of new flood defences protecting 10,000 homes and 700 businesses extending 2.5 miles along the Southsea seafront from old Portsmouth to Eastney		
E3	North Portsea Flood Defences	£67m	01/04/2016	01/12/2026	Construction of new flood defences protecting 4,200 homes and 500 businesses extending 5.2 miles from the Mountbatten Centre, clockwise to Milton Common. Programme has been extended by 1 year. Awaiting contractor costs for phase 5 to inform final financial outturn.		
E4	Carbon Action Plan development	n/a	01/04/2023	01/10/2023	Report to Cabinet in Sept/Oct 2023		
E5	Innovate UK - net zero bid	n/a	01/06/2023	08/09/2023	Bid to be submitted for innovative net zero projects in city		
E6	Development of waste management infrastructure		01/01/2018	End of 2023	To offer services which deliver waste reduction, and enable a wider range of opportunities for re-use and recycling.		
E7	City wide food waste roll out		ep 19 - FW1 Sep 20 - FW2 Sept 21 - FW3 Oct 21 - FW4		<p>Food waste 1 trial successfully implemented. Approx. 11,000 residents</p> <p>Second trial rolled out on 28 Sept 2020 following Cabinet decision in Feb.</p> <p>Total of approx. 25,000 properties now included in trials.</p> <p>FW1 - 61% participation, and 19% of black bag waste diverted to recycling</p> <p>FW2 - 42% participation, and 16% of black bag waste diverted to recycling</p>		

E8	AD Plant			2024	EIA scoping submission June 23 - required for ES/outline planning application. July 23 - engaging with Historic England as part of Pre-application prep. Ecological surveys underway.		
E9	Bringing Waste Collection Services in-house			1st April 2024	Project underway to bring waste collection service in house including TUPE staff, vehicle/R&M procurement, IT system procurement, health & safety, fuel and tyre procurement. etc. May 23 - Out to procurement on new RCV fleet and associated R&M contract - tender returns, evaluation and contract award - June 2023, contract awarded June 23 - - ordered placed July 23 Depot extension and refurbishment - contracts for lease and underlease for extension to be signed in June 23, exchange subject to planning expected in Dec 23. Buildings Team underway with site designs. IT system procurement out to tender in July 2023. October 2023 - vehicle order placed, it procurement at standstill period, TUPE prep underway		
E10	Port Health Border Control Post		01/10/2019	Unknown - potentially 2025	The reduction of funding from the government has required resources to be targeted so to ensure that the budget available will not be overspent. Balancing the budget and balancing the needs of the port in relation to port health responsibilities remains a concern. Expect further clarity from govt in Q3 on funding support - this is likely until 30/4/24 after which we will need to commence full cost recovery. Additional financial support likely to be available on application only until 31/7/24 after which all govt support will cease - all TBC in Q3.		
E11	School and Play Streets	School Streets - £80,000. No allocated reveue budget for Play Streets.	01/09/2021	Ongoing - dependent on resources	A seven-week School Streets trial is being introduced in Portsmouth from September 2021. Public Health is supporting the walking and cycling charity Sustrans, who manage the scheme. School Streets limit the amount of non-essential traffic from entering the roads near schools during drop-off and pick-up times. Parents, children, school staff and visitors will be encouraged to walk or cycle to school, resulting in a safer, healthier environment which develops cleaner air and reduces traffic congestion in residential areas. Research has shown that pupils who walk and cycle to school are more alert and ready to start the day than those who travel by car. The trial, which will temporarily limit most motorised traffic around two schools will create a safer route to school and allow the local community to enjoy a safer place to live, study, work and travel. Bramble Infant and Nursery School and St Jude's Church of England Primary School are the first schools to take part in the trial.		

E12	Local Cycling and Walking Infrastructure Plan		2022	Ongoing	To set the strategic direction and delivery plan for walking and cycling in Portsmouth. This was adopted in 2022 at Transport Cabinet meeting. Delivery has commenced on schemes funded through the TCF and further funding has been bid for through the Active Travel Fund 4, Capability Fund and Sustrans.		
E13	Local Transport Plan Strategy		2021	Ongoing	To set the strategic direction for transport in the city. Delivering against PCC's statutory duties to produce a Local Transport Plan under the Transport Act 2008. LTP4 has been adopted by PCC November 2021 by Full Council. Transport are now working towards the delivery of the 3 year implementation plan, and the first year progress will be reported to Transport Cabinet Meeting in August 2023 as part of the LTP4 Annual Monitoring Report. Budget is allocated towards the LTP4 year on year through the capital bidding process.		
E14	South East Hampshire Rapid Transit (SEHRT) project Tranche 2 (formerly known as Transforming Cities Fund)	£56m	01/04/2020	31/03/2024	Strategic Outline Business Case (SOBC) for submission to DfT by 28th November 2019 deadline. Business case was submitted and awarded £56m funding for Portsmouth City Council, Hampshire County Council and Isle of Wight Council to deliver SEHRT through this funding. All councils are now in the delivery phases of this programme by March 2024. Some projects have been descope due to inflationary costs. These have been reported to the DfT accordingly.		
E15	The Hard Bus apron replacement (MARTIN)	£4.9m	autumn 2023	Spring 23 - this is dependent on what closure option is agreed with Transport and bus stakeholders	Design and build a new pavement to sit on the current jetty structure (to replace current defective apron).		
E16	Tipner Transport Hub	£780k	2021	Reserved matters to be submitted no later than June 2025.	Business case was submitted and awarded £56m funding for Portsmouth City Council, Hampshire County Council and Isle of Wight Council to deliver SEHRT through this funding. All councils are now in the delivery phases of this programme by March 2024. Improvements to Rudmore Roundabout have been completed,	Reserved matters and detailed design cannot start due to insufficient funding.	On budget for individual workstreams. Cannot progress due funding constraints.
E17	PFI Expiry	tbc	01/04/2023	30/03/1930	Resourcing and affordability around the last years of the PFI and preparations for "Life after Colas"		

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Our corporate health: These indicators provide a reference point as to the authority's corporate health from a governance and compliance perspective or that are indicators of organisational effectiveness and efficiency. They provide an overview of key risk areas and provide a set of indicators as to the effectiveness of management of risks that cut across all services as opposed to service specific/statutory service risks

Summary

Achievements and positive progress:

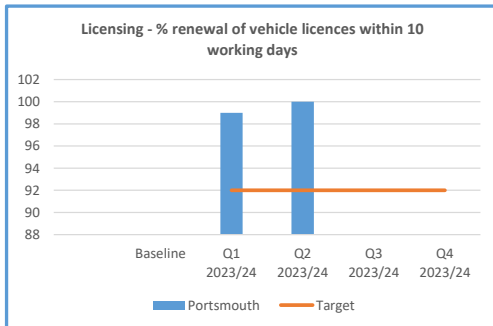
The organisation is up to date with recovery process re Council Tax proceedings following court closures during Covid. The DWP note good performance by PCC regarding benefits. The facility for ebilling re council tax is now available on the website. The hybrid working model is now well embedded across corporate services.

Challenges and risks : Areas of high pressure; Loss of key skills; Senior management changes; Demand vs resources/capacity; Impact of budget pressures across services; External audit delays.

Priorities for the next period : Promotion of council tax ebilling. Planned recruitment of senior management posts; Budget planning and monitoring; 2024/5 budget preparation

Key performance indicators

C1



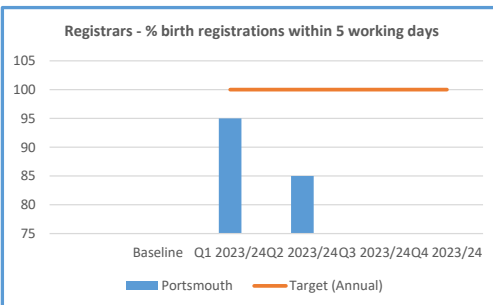
RAG against target

RAG against trend

COMMENTARY

Strong performance maintained.

C2



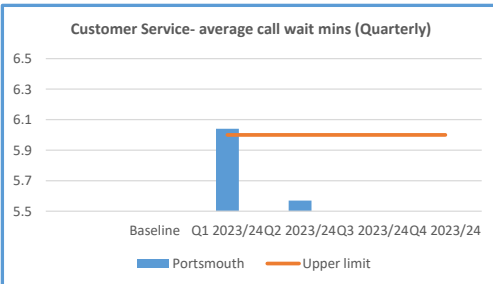
RAG against target

RAG against trend

COMMENTARY

Birth Registrations must be made within 6 weeks of birth. This figure is currently at 85% due to delays with registrations made by Hampshire on behalf of the City. Hampshire take declarations on behalf of PCC for residents who have their baby at QA hospital but reside in the surrounding area and would prefer to register their baby at their local Register Office. There are currently 6 outstanding registrations in the city, the team are chasing the mother and have referred the cases to the GRO.

C3



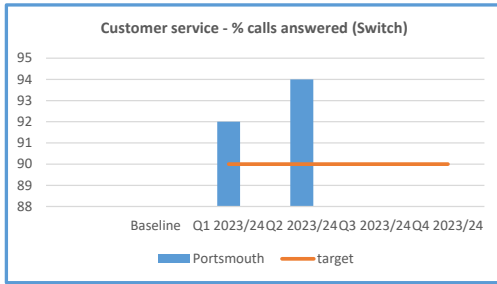
RAG against target

RAG against trend

COMMENTARY

Performance is close to target of less than 6 minutes. new contact centre telephony being implement on 4 September 2023 therefore expect trend to show a reduction in call wait times post implementation

C4

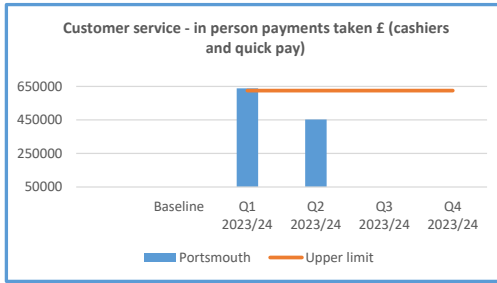


RAG against target

RAG against trend

COMMENTARY
 The higher the number the better. Performance is exceeding target resulting in better customer service.

C5

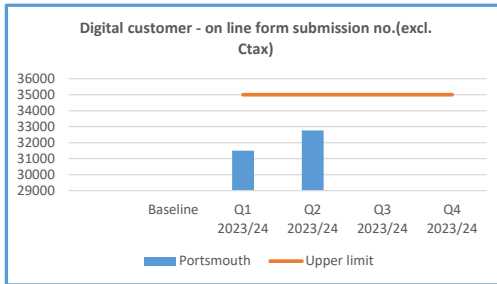


RAG against target

RAG against trend

COMMENTARY
 The lower the number the better. In person payments are very costly to administer. Reduced in person payments frees up customer service staff for the most vulnerable customers

C6

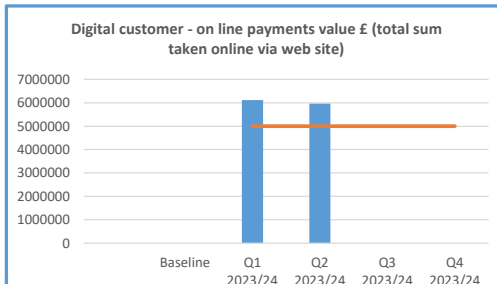


RAG against target

RAG against trend

COMMENTARY
 The higher the number the better. Services that can be accessed digitally enable customers to engage more efficiently and when is most convenient to them and not reliant on council opening hours

C7

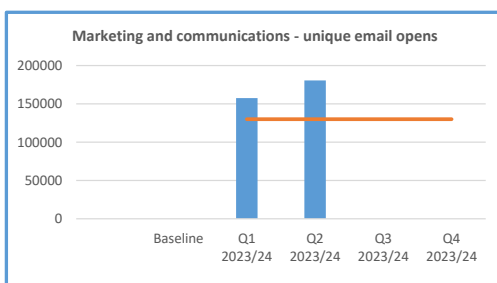


RAG against target

RAG against trend

COMMENTARY
 The higher the number the better. Greater efficiency for PCC. Customers able to make payments on line reduces costs and enables 24/7 access for customers

C8

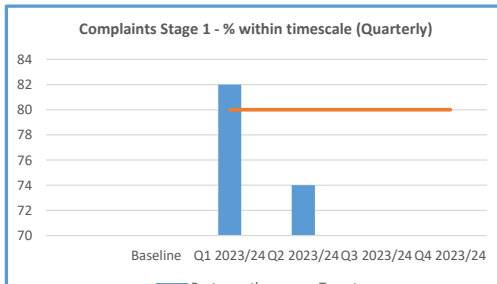


RAG against target

RAG against trend

COMMENTARY
 The higher the number the better. More residents signing up to receive emails from PCC means more residents are informed about council activities and services

C9

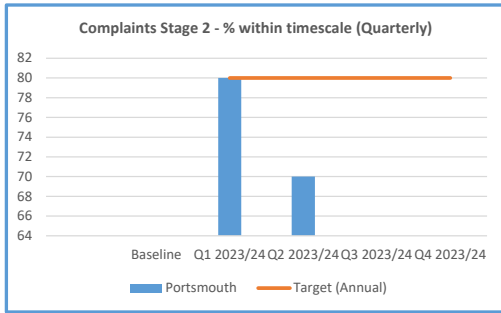


RAG against target

RAG against trend

COMMENTARY
 Slight reduction in performance, with capacity in directorates to deal with complaints affected by unexpected issues and summer annual leave, for context, the difference between 74% and the 80% target is 8 complaints

C10

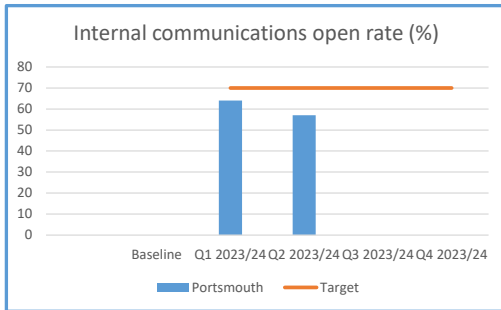


RAG against target

RAG against trend

COMMENTARY
 As above, for context, 10% below target is created by 3 complaints missing the timescale. Performance also reported to GAS

C11

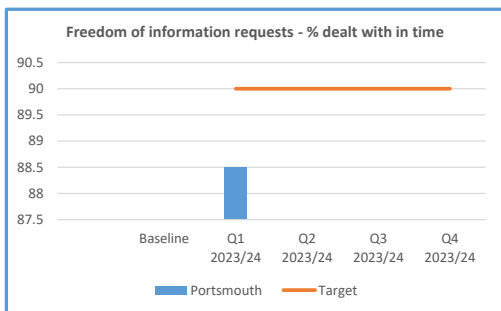


RAG against target

RAG against trend

COMMENTARY
 Key factor in staff wellbeing, productivity and engagement levels. Performance is slightly below target. Work underway to review internal communications approach, branding, channels etc.

C12

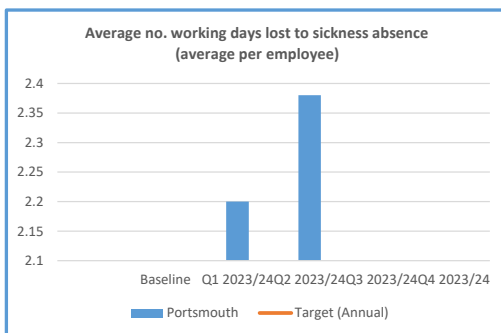


RAG against target

RAG against trend

COMMENTARY
 Performance slightly below target. All services are engaged through corporate information governance panel to address timeliness and good practice.

C13

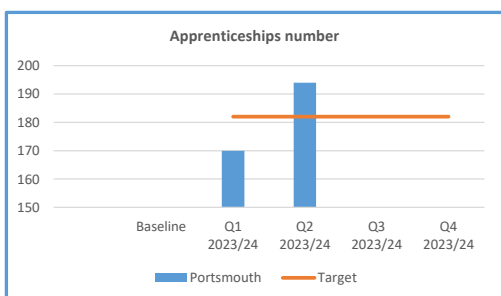


RAG against target

RAG against trend

COMMENTARY
 The lower the number the better. Sickness absence levels are reducing following a change in approach that targets the illnesses of greatest prevalence, coupled with more support for the management population and greater signposting to relevant wellbeing interventions - also reported to Employment Committee

C14

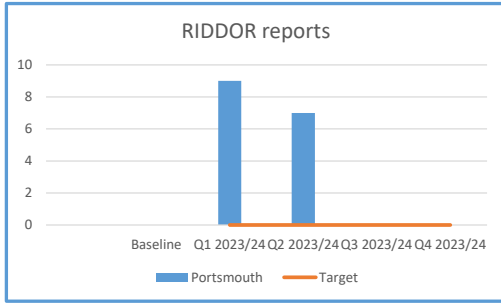


RAG against target

RAG against trend

COMMENTARY
 A slight increase this quarter, this is due to the new Health and Social care apprentices programme going live (a shared programme with NHS) working across the health and social care system

C15

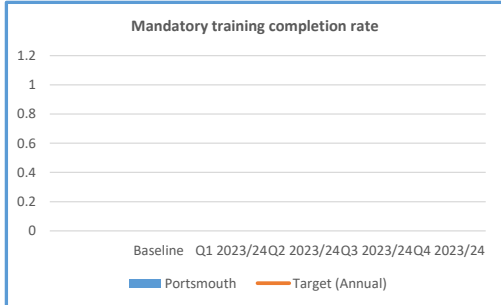


RAG against target

RAG against trend

COMMENTARY
 New metric and work in progress. Benchmarking will identify an appropriate target. Current reporting is manual and work is underway to improve reporting therefore a strong likelihood of an increasing trend in report before the situation stabilises

C16

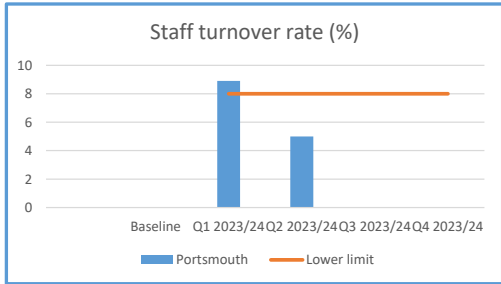


RAG against target

RAG against trend

COMMENTARY
 Pending implementation of learning information system

C17

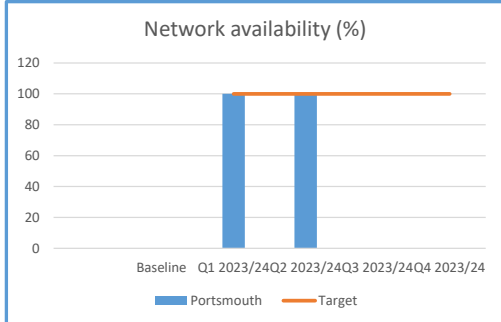


RAG against target

RAG against trend

COMMENTARY
 Staff turnover will vary from service to service. This lower rate reflects the seasonal nature of recruitment with typically less movement over the summer period. The data should be considered as a trend over time and consciously consider the granular data at a service level which could be masked when aggregated to an organisation wide data set. Work is underway to address our recruitment and retention challenges and to provide better data at a more granular level in services.

C18

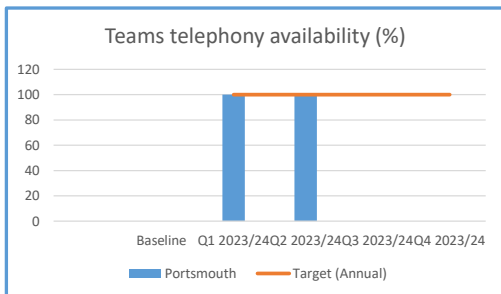


RAG against target

RAG against trend

COMMENTARY
 Performing on target. Reflects all services' ability to access systems from all locations (office, remote, other workbase)

C19

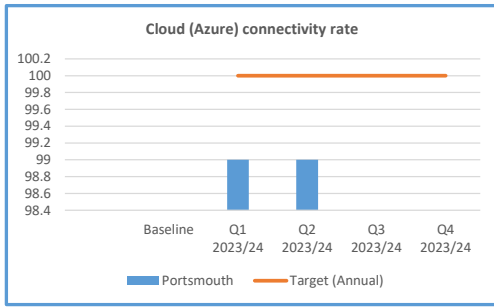


RAG against target

RAG against trend

COMMENTARY
 Performing on target. telephony available for all incoming and outgoing calls - except contact centre/switchboard and lines not supported by IT services

C20

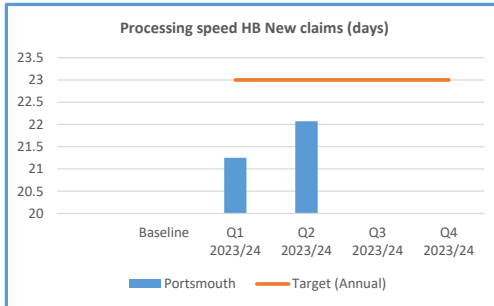


RAG against target
Yellow

RAG against trend
Green

COMMENTARY
Performing on target. On target operation of cloud based applications and line of business systems, providing resilience and security of data

C21

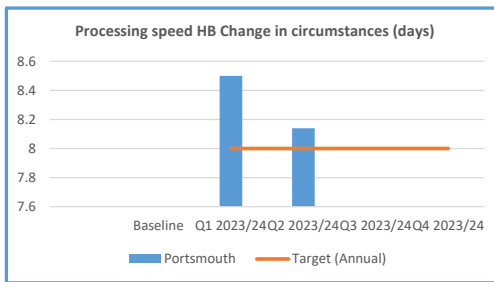


RAG against target
Green

RAG against trend
Green

COMMENTARY
DWP relationship Manager continues to express the department's satisfaction with performance levels, which continues to be as planned.

C22

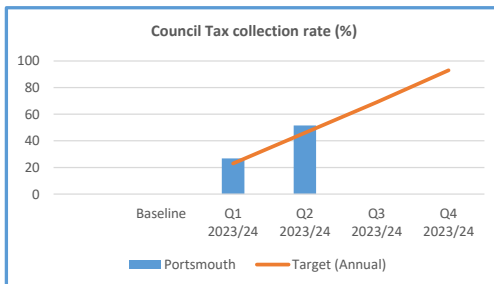


RAG against target
Green

RAG against trend
Green

COMMENTARY
DWP relationship Manager continues to express the department's satisfaction with performance levels, which continues to be as planned

C23

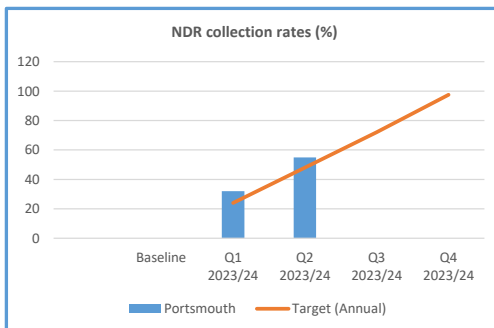


RAG against target
Green

RAG against trend
Green

COMMENTARY
Collection of local taxes was significantly impacted by HM Magistrates Court being unable to convene for liability order hearings throughout the period of the pandemic. Throughout 22/23 and into Q1 23/24 the Council has brought recovery routines up to date, and this is attributed to maintenance of performance so far in 23/24 despite the impact of the cost of living crisis. In year collection is expected to increase this year, but there continues to be some growth needed to return to pre-pandemic levels of collection

C24

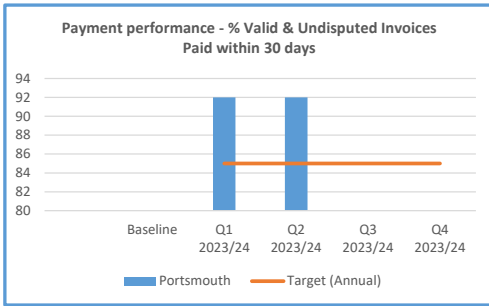


RAG against target
Green

RAG against trend
Green

COMMENTARY
Collection of local taxes was significantly impacted by HM Magistrates Court being unable to convene for liability order hearings throughout the period of the pandemic. Throughout 22/23 and into Q1 23/24 the Council has brought recovery routines up to date, and this is attributed to maintenance of performance so far in 23/24 despite the impact of the cost of living crisis. In year collection is expected to increase this year, but there continues to be some growth needed to return to pre-pandemic levels of collection. Greater efficiency for PCC. Customers able to make payments on line reduces costs and enables 24/7 access for customers

C25

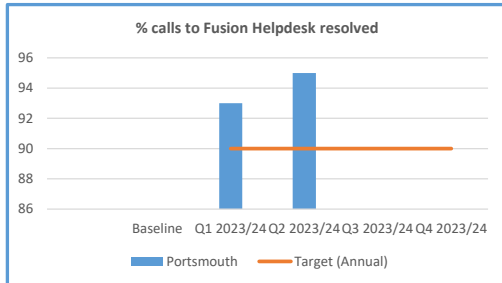


RAG against target
Green

RAG against trend
Green

COMMENTARY

C26



RAG against target
Green

RAG against trend
Green

COMMENTARY

C27

Unqualified audit opinion
No opinion received

RAG against target
Yellow

RAG against trend
Yellow

COMMENTARY
Opinion on 2021/22 still outstanding. Audit for 2022/23 not yet started

C28

Adequacy of reserves
Target of £21.5m

RAG against target
Green

RAG against trend
Green

COMMENTARY
Budget set February 2023

C29

Treasury Management code
Target compliance

RAG against target
Green

RAG against trend
Green

COMMENTARY
Compliance achieved

C30

Closure of accounts
Requirement to meet statutory deadline

RAG against target
Green

RAG against trend
Green

COMMENTARY
Deadline achieved

C31

Annual accounts publication
Target to publcih 31/05/2023; publication achieved 31/07/23

RAG against target

RAG against trend

COMMENTARY
External audit delays on previous years accounts

Significant projects

	Project description	Budget	Start date	Completion date	Summary and Progress	RAG - time	RAG - budget
C1	Civic Office Regeneration	tbc	underway				
C2	M365 phase 2 -Sharepoint on line, security	£1.2k	Underway	Q4 23/24			
C3	Contact Centre Replacement	£80k	underway	Q3 23/24			
C4	Recruitment Operating model and supporting systems	tbc	Q3 23/24	Q3 24/25			
C5	Windows 11 upgrade	£246k					
C6	Wireless Access Network Refresh						
C7	Cloud migration phase 2 and 3						
C8	Values & Behaviour framework	£0	01/01/2023	01/01/2024			
C9	LFFN phse 2	£5m					
C10	Spinnaker Sponsorship	£100k	01-Dec-22	Jun-23			
C11	Learning Management System	£60k	01/04/2023	Dec-23			
C12	Citizens Access Portal	£166k	01/09/2022	Jul-23	The Citizen Access Portal is the next step in an ongoing programme of works to make the hardware and software supporting the Revenues & Benefits function fit for purpose. It follows the rationalisation of systems and a strategic alignment with a market leading supplier. This latest phase's core objective is to deliver improved self-serve opportunities via the website for engagement with our Revenues & Benefit services, as well as delivering e:billing for Council Tax and Business Rates, and e:notifications for Housing Benefits. The project continues to deliver to plan and on budget.		

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Agenda Item 5

Title of meeting:	Governance and Audit and Standards Committee Cabinet City Council
Date of meeting:	Governance and Audit and Standards Committee 22 November 2023 Cabinet 28 November 2023 City Council 12 December 2023
Subject:	Treasury Management Mid-Year Review 2023/24
Report by:	Chris Ward, Director of Finance and Resources (Section 151 Officer)
Wards affected:	All
Key decision:	No
Full Council decision:	Yes

1. Executive Summary

This report outlines the Council's performance against the treasury management indicators approved by the City Council on 14 March 2023.

The Council's Treasury Management activities have remained within the Treasury Management Policy 2023/24 in the period up to 30 September 2023

No borrowing has been undertaken in the first half of 2023/24 or is currently planned for the remainder of this year.

There have been no changes to the Council's risk appetite in its treatment of surplus cash. Investment returns continue to perform better than in previous years and the latest forecast from the Bank of England sets out a view that interest rates are likely to remain at their existing rate for some time, as the Bank of England seeks to control inflation. During the period investment returns have increased as existing investments have matured and have been replaced with new investments with higher returns.

2. Purpose of report

The purpose of the report is to inform members and the wider community of the Council's Treasury Management position, i.e. its borrowing and cash investments at 30 September 2023 and of the risks attached to that position.

Whilst the Council has a portfolio of investment properties and some equity shares which were acquired through the capital programme, these do not in themselves form

part of the treasury management function.

3. Recommendations

It is recommended that the following be noted:

- 3.1 That the Council's Treasury Management activities have remained within the Treasury Management Policy 2023/24 in the period up to 30 September 2023.
- 3.2 That the actual Treasury Management indicators at 30 September 2023 set out in Appendix A be noted.

4. Background

The Council's treasury management operations encompass the following:

- Cash flow forecasting (both daily balances and longer-term forecasting)
- Investing surplus funds in approved cash investments
- Borrowing to finance short term cash deficits and capital payments
- Management of debt (including rescheduling and ensuring an even maturity profile)

The key risks associated with the Council's treasury management operations are:

- Credit risk - that the Council is not repaid, with due interest in full, on the day repayment is due
- Liquidity risk - that cash will not be available when it is needed, or that the ineffective management of liquidity creates additional, unbudgeted costs
- Interest rate risk - that the Council fails to get good value for its cash dealings (both when borrowing and investing) and the risk that interest costs incurred are in excess of those for which the Council has budgeted
- Maturity (or refinancing risk) - this relates to the Council's borrowing or capital financing activities, and is the risk that the Council is unable to repay or replace its maturing funding arrangements on appropriate terms
- Procedures (or systems) risk - that a treasury process, human or otherwise, will fail and planned actions are not carried out through fraud or error

The treasury management budget accounts for a significant proportion of the Council's overall budget.

The Council's Treasury Management Policy aims to manage risk whilst optimising costs and returns. The Council monitors and measures its treasury management position against the indicators described in this report. Treasury management monitoring reports are brought to the Governance and Audit and Standards Committee for scrutiny.

The Governance and Audit and Standards Committee noted the recommendations to Council contained within the Treasury Management Policy 2023/24 on 8 March 2023. The City Council approved the Treasury Management Policy 2023/24 on 14 March 2023.

5. Reasons for Recommendations

To highlight any variance from the approved Treasury Management Policy and to note any subsequent actions.

To provide assurance that the Council's treasury management activities are effectively managed.

6. Integrated impact assessment

An integrated impact assessment is not required as the recommendations do not directly impact on service or policy delivery. Any changes made arising from this report would be subject to investigation in their own right.

7. Legal Implications

The Section 151 Officer is required by the Local Government Act 1972 and by the Accounts and Audit Regulations 2015 to ensure that the Council's budgeting, financial management, and accounting practices meet the relevant statutory and professional requirements. Members must have regard to and be aware of the wider duties placed on the Council by various statutes governing the conduct of its financial affairs.

8. Director of Finance and Resources (Section 151 Officer) comments

All financial considerations are contained within the body of the report and the attached appendices.

.....
Signed by Director of Finance and Resources (Section 151 Officer)

Appendices:

Appendix A: Treasury Management Mid-Year Review 2023/24

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<u>Title of document</u>	Location
1 Treasury Management Records	Financial Services

TREASURY MANAGEMENT MID YEAR REVIEW FOR 2023/24**A1. SUMMARY OF TREASURY MANAGEMENT INDICATORS**

The City Council approved the authorised limit (the maximum amount of borrowing permitted by the Council) and the operational boundary (the maximum amount of borrowing that is expected) when it considered the budget on 28 February 2023. The Council's debt on 30th September was as follows:

Prudential Indicator	Approved £m	Actual £m
Authorised Limit - the maximum amount of borrowing permitted by the Council	1,100	740
Operational Boundary Limit - the maximum amount of borrowing that is expected	1,067	740
Capital Financing Requirement	1,067	925

The maturity structure of the Council's fixed rate borrowing was:

	Under 1 Year	1 to 2 Years	3 to 5 Years	6 to 10 Years	11 to 20 Years	21 to 30 Years	31 to 40 Years	41 to 50 Years
Minimum proportion of loans maturing	0%	0%	0%	0%	0%	0%	0%	0%
Maximum proportion of loans maturing	10%	10%	10%	20%	30%	40%	40%	40%
Actual proportion of loans maturing	1%	1%	4%	13%	15%	8%	31%	27%

The maturity structure of the Council's variable rate borrowing was:

	Under 1 Year	1 to 2 Years	3 to 5 Years	6 to 10 Years	11 to 20 Years	21 to 30 Years	31 to 40 Years	41 to 50 Years
Minimum proportion of loans maturing	0%	0%	0%	0%	0%	0%	0%	0%
Maximum proportion of loans maturing	10%	10%	20%	20%	30%	40%	40%	40%
Actual proportion of loans maturing	2%	2%	7%	12%	24%	26%	13%	15%

Surplus cash invested for periods longer than 365 days on 30 September 2023 was:

	Limit	Quarter 2 Actual
	£m	£m
Maturing after 31/3/2024	130	14
Maturing after 31/3/2025	50	8
Maturing after 31/3/2026	50	5

A2. GOVERNANCE

The Treasury Management Policy approved by the City Council on 14 March 2023 provides the framework within which treasury management activities are undertaken.

There have been no breaches of these policies during 2023/24 up to the quarter ending 30th September 2023.

A3. INTEREST RATE FORECASTS

The Council has appointed Link Group as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates.

The latest forecasts are shown below.

Link Group Interest Rate View		25.09.23											
	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26
BANK RATE	5.25	5.25	5.25	5.00	4.50	4.00	3.50	3.00	2.75	2.75	2.75	2.75	2.75
3 month ave earnings	5.30	5.30	5.30	5.00	4.50	4.00	3.50	3.00	2.80	2.80	2.80	2.80	2.80
6 month ave earnings	5.60	5.50	5.40	5.10	4.60	4.10	3.60	3.10	2.90	2.90	2.90	2.90	2.90
12 month ave earnings	5.80	5.70	5.50	5.20	4.70	4.20	3.70	3.20	3.00	3.00	3.00	3.00	3.00
5 yr PWLB	5.10	5.00	4.90	4.70	4.40	4.20	4.00	3.90	3.70	3.70	3.60	3.60	3.50
10 yr PWLB	5.00	4.90	4.80	4.60	4.40	4.20	4.00	3.80	3.70	3.60	3.60	3.50	3.50
25 yr PWLB	5.40	5.20	5.10	4.90	4.70	4.40	4.30	4.10	4.00	3.90	3.80	3.80	3.80
50 yr PWLB	5.20	5.00	4.90	4.70	4.50	4.20	4.10	3.90	3.80	3.70	3.60	3.60	3.60

PWLB is the Public Works Loans Board

The Bank of England base rate started the preceding quarter at 4.25% but this has risen to 5.25% and possibly now peaked. At the latest Bank of England's monetary policy meeting on 2nd November, interest rates were left unchanged. Link expect the Bank of England to keep interest rates at this level until the second half of 2024, indicating that the Bank of England does not want the markets to decide that a peak in rates will soon be followed by a cut in interest rates, undermining the Banks' attempts to stop inflation pushing upwards.

The latest forecast on 25 September 2023 sets out a view that short, medium and long-dated interest rates will be elevated for some little while the Bank of England seeks to squeeze inflation out of the economy. Financial support packages provided by the government during the energy crisis are now being phased out.

A4. BORROWING ACTIVITY

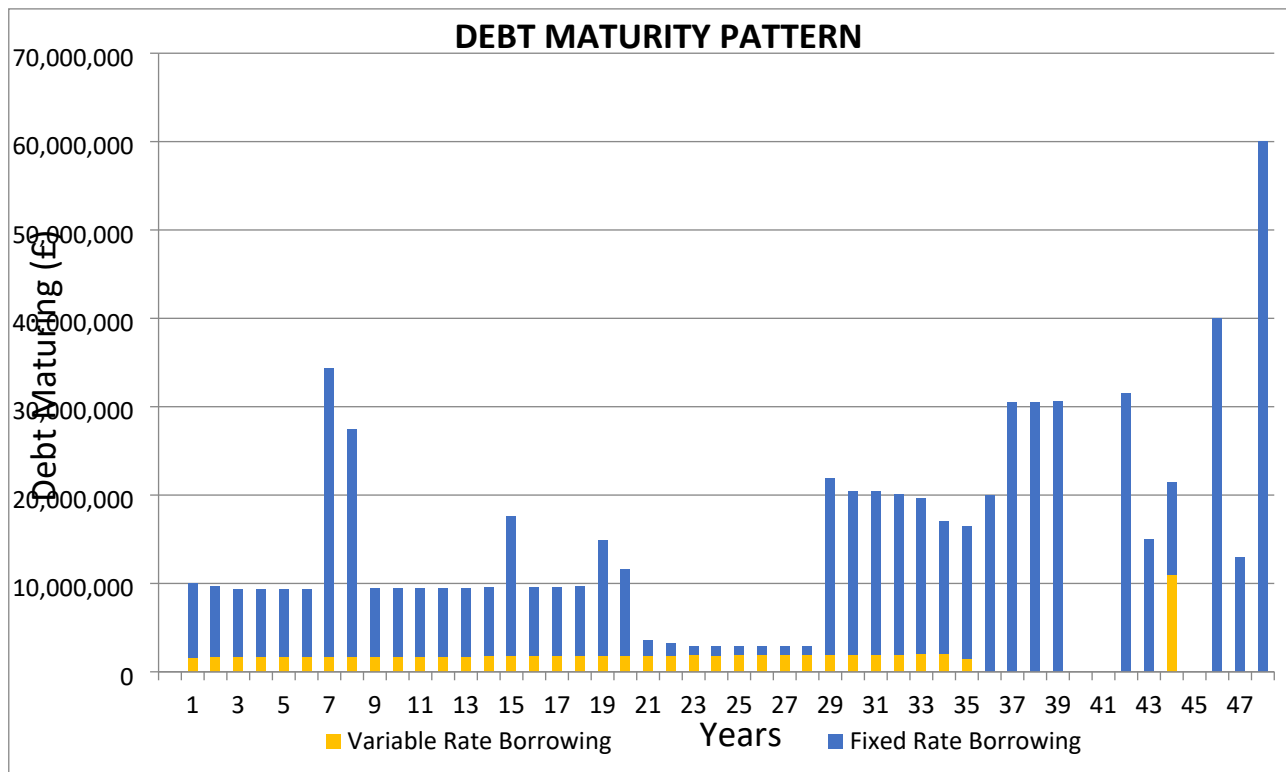
The Council's capital financing requirement (CFR) for 2023/24 is now estimated to be £925m. This denotes the Council's underlying need to borrow for capital purposes. Table A1 shows the Council has borrowings of £740m and it will need to utilize £185m of cash flow funds in lieu of borrowing during this year. This is a prudent and cost-effective approach in the current economic climate but will require ongoing monitoring if further upside risk to yields continues.

No borrowing was undertaken during the first half of 2023/24 and it is anticipated that further borrowing will not be undertaken during this financial year.

The Council's gross borrowing on 30 September 2023 of £740m is within the Council's Authorised Limit (the maximum amount of borrowing approved by City Council) of £1,100m and within the Council's Operational Boundary (the limit beyond which borrowing is not expected to exceed) of £1,067m.

The Council plans for gross borrowing to have a reasonably even maturity profile. This is to ensure that the Council does not need to replace large amounts of maturing borrowing when interest rates could be unfavourable.

The actual maturity profile of the Council's borrowing is within the limits contained within the Council's Treasury Management Policy (see paragraph A1).



Early Redemption of Borrowing

No debt rescheduling or early repayment of debt has been undertaken during the first half of 2023/24 as it has not been financially advantageous for the Council to do so.

A5. INVESTMENT ACTIVITY

In accordance with the Annual Investment Strategy which forms part of the Treasury Management Policy Statement approved by the Council on 14 March 2023, the investment priorities of security first, portfolio liquidity second and then yield are followed. The aim is to achieve the optimum yield that is commensurate with proper levels of security and liquidity within the Council's appetite for risk.

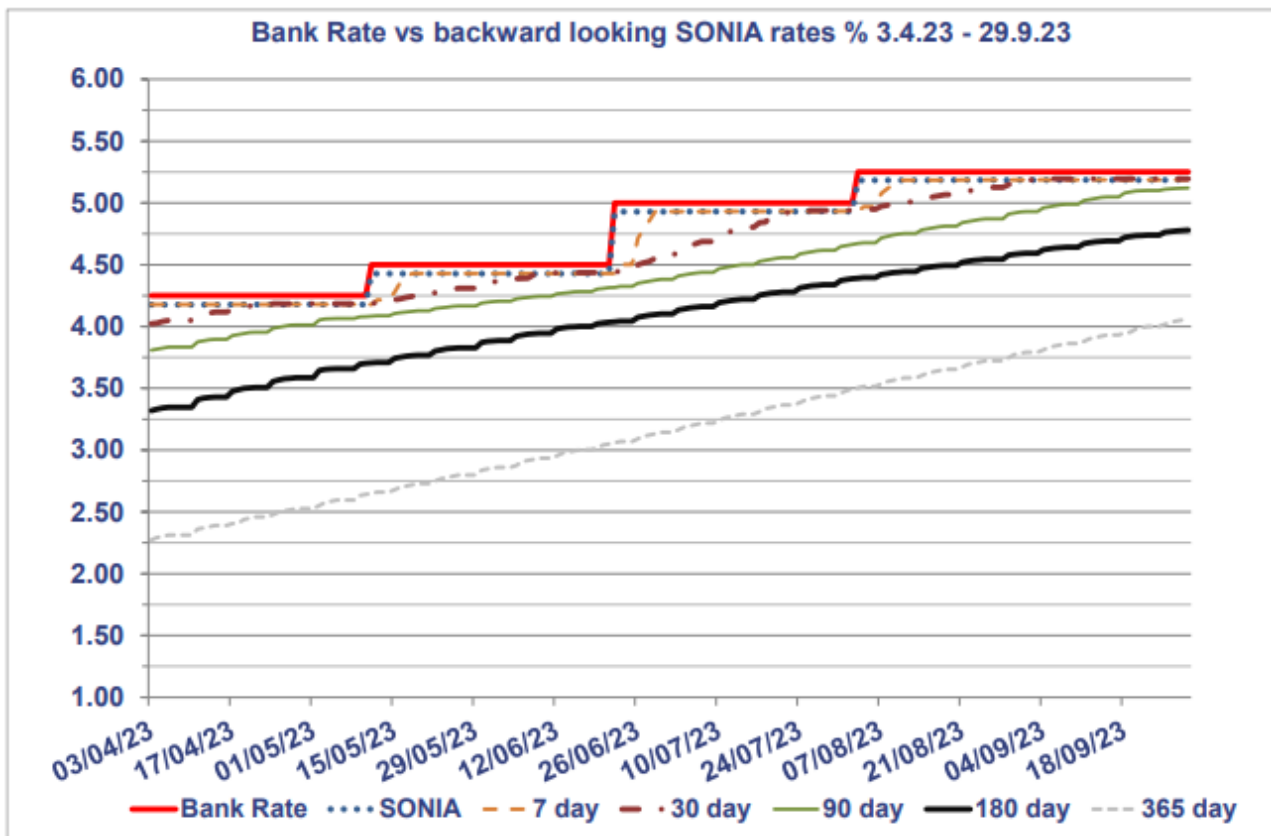
In the current climate, once sufficient investments are kept short-term to cover cashflow requirements, there is a benefit to seek out value available in periods up to 12 months with highly creditworthy counterparties. These counterparties are monitored weekly to ensure that they continue to meet the Council's minimum

requirements and there have been few changes to counterparties during the current quarter. There have been no breaches of the Treasury Policy approved by Council in investments placed with counterparties this quarter.

The average level of funds available for investments was £418m in the 6 months to 30 September 2023. The funds invested made an average annualized return of 4.37% in the first half of the year. This is compared with the performance in prior years in the table below.

	Average Value (Proportion) of Portfolio	Annual Return at 31 March 2023	Annualised Return at 30 June 2023	Annualised Return at 30 September 2023
Externally Managed Funds -Tradable Instruments	£11M (3%)	-6.52%	-8.15%	-1.44%
Tradable Structured Interest-Bearing Deposit	£10M (2%)	-0.10%	2.60%	5.28%
Vanilla Interest Bearing Deposits	£395M (95%)	1.72%	4.15%	4.50%
Overall Return	100%	1.42%	3.75%	4.37%

The above returns can be compared to the backward-looking rates in the graph below which reflects where average market rates were positioned when investments were placed.



As market interest rates increased over the period, the returns achieved on the Council's "Vanilla Interest Bearing Deposits" have also followed a steady upward trend in the second quarter of 2023/24.

With the increases in the base rate, new investments made in the first half of this financial year have had higher returns, and this has helped to increase the overall rate of return on the Council's investments. This is expected to continue in the immediate future as more of the Council's investments, which were made when interest rates were lower, reach maturity and any surplus funds can be reinvested at current rates, subject to considerations around the security and liquidity of the funds.

When interest rates are increasing, the returns on long-term managed funds and tradable structured notes often move in the opposite direction. This is shown by a negative return on the externally managed funds held by the Council, due to the investments trading at a discount below their face value in the period, as the investments were made when rates were lower than they are at present. However, by the end of this second quarter, the value of the tradable structures notes has improved considerably when compared with the values reported at the end of quarter one. This improvement was further enhanced due to one of these notes (£10m), maturing in June with the full value of the investment and the return on the investment being realised, therefore contributing to the improved, positive return achieved in the first half of this year.

A6. COMBINED BORROWING AND INVESTMENT POSITION (NET DEBT)

The Councils net debt position on 30 September 2023 is summarised in the table below.

	Principal	Average Interest Rate	Interest to 30 September 2023
Borrowing (including finance leases & private finance initiative (PFI) schemes)	£740m	3.46%	£12.82m
Investments	(£401m) *	(4.37%)	(£9.09m)
Net Debt / Net Interest	£339m		£3.73m

*Although the Council's investments were £401m on 30 September 2023, the average sum invested over this period was £418m.

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Title of meeting:	Governance & Audit & Standards Committee
Date of meeting:	22 nd November 2023
Subject:	Internal Audit Performance Status Report to 7 th November 2023
Report by:	Chief Internal Auditor
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Summary

- 1.1 This is an Internal Audit Performance Status Report for the 2023-24 planned audit activities. Appendix A includes the detail of progress made against the annual plan and documents individual audit findings.

2. Purpose of report

- 2.1 This report is to update the Governance and Audit and Standards Committee on the Internal Audit Performance for 2023/24 to 7th November 2023 against the Annual Audit Plan, highlight areas of concern and areas where assurance can be given on the internal control framework.

3. Recommendations

- 3.1 That Members note the Audit Performance for 2023-24 to 7th November 2023.
- 3.2 That Members note the highlighted areas of concern in relation to audits completed from the 2023/24 Audit Plan, including follow up work performed.

4. Background

- 4.1 The Annual Audit Plan for 2023-24 has been drawn up in accordance with the agreed Audit Strategy and was approved by this Committee on 8th March 2023 following consultation with Directors and relevant parties. The Plan is reviewed monthly in order to take account of any further changes in risks levels or corporate priorities.

5 Integrated Impact Assessment

5.1 The contents of this report do not have any relevant equalities and environmental impact and therefore an Integrated Impact assessment is not required.

6. Legal Implications

6.1 The City Solicitor has considered the report and is satisfied that the recommendations are in accordance with the Council's legal requirements and the Council is fully empowered to make the decisions in this matter.

6.2 Where system weaknesses have been identified he is satisfied that the appropriate steps are being taken to have these addressed.

7 Finance Comments

7.1 There are no financial implications arising from the recommendations set out in this report.

7.2 The S151 Officer is content that the progress against the Annual Audit Plan and the agreed actions are sufficient to comply with his statutory obligations to ensure that the Authority maintains an adequate and effective system of internal audit of its accounting records and its system of internal control.

.....
Signed by: Elizabeth Goodwin, Chief Internal Auditor

Appendices:

Appendix A – Internal Audit Progress Report

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
1 Accounts and Audit Regulations	http://www.legislation.gov.uk/uksi/2011/817/contents/made
2 Previous Audit Performance Status and other Audit Reports	Refer to Governance and Audit and Standard meetings – reports published online.

3	Public Sector Internal Audit Standards	http://www.cipfa.org/policy-and-guidance/standards/public-sector-internal-audit-standards
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The recommendation(s) set out above were approved/ approved as amended/ deferred/
rejected by on

.....
Signed by:

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Portsmouth
CITY COUNCIL

Internal Audit Progress Report 22nd November 2023

Elizabeth Goodwin, Chief Internal Auditor

1. Introduction

Internal Audit is a statutory function for all local authorities.

The requirement for an Internal Audit function in local government is detailed within the Accounts and Audit (England) Regulations 2015 as to:

Undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance

The standards for ‘proper practices’ are set out in the Public Sector Internal Audit Standards [the Standards – updated 2016].

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation’s operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

This report includes the status against the 2023/24 internal audit plan.

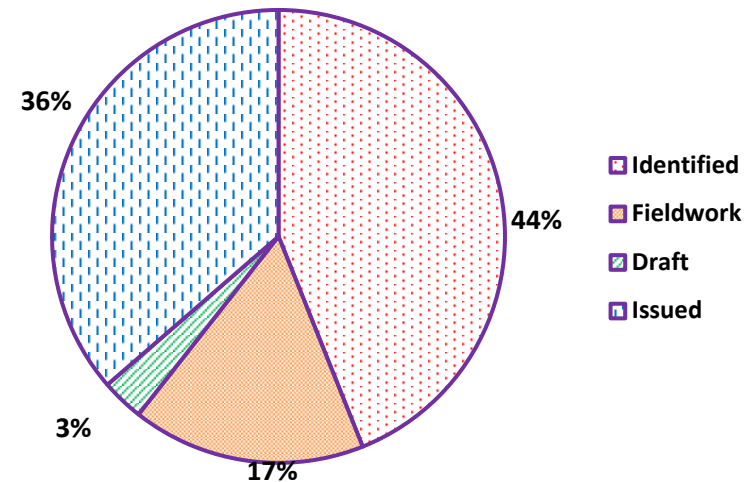
2. Audit Plan Progress as of 7TH November 2023

There are 33 full audits, 17 first follow ups, 6 second follow up reviews, 1 consultancy reviews and 9 grants, in the revised plan for 2023/34, totalling 66 reviews. *

To date, 29 (45%) have been finalised or currently in progress as of 7th November 2023.

Status	Audits
Identified	29
Fieldwork	11
Draft Report	2
Final Report	24

Audit Plan Progress as of 7th November 2023



**Figures are only in relation to PCC audits and are excluding any SLEP or Portico reviews.*

3. Ongoing Internal Audit Involvement

Internal Audit has provided advice, ongoing reviews and is involved work in the following areas. (For reference, advice is only recorded when the time taken to provide the advice exceeds one hour):

- Regulation of Investigatory Powers Act (RIPA) - authorisations. These are reported separately, along with any policy review.
- Anti-Money Laundering - monitoring, reporting and policy review.
- Financial Rules Waivers
- National Fraud Initiative (NFI) to facilitate national data matching carried out by the Cabinet Office
- National Anti-Fraud Network (NAFN) bulletins and intelligence follow up
- Counter Fraud Programme - proactive work to reduce the risk exposure to the authority
- Governance & Audit & Standards Committee - reporting and attendance
- Audit Planning and Consultation
- Risk Management & Annual Governance Statement
- Performance Management
- 122 investigation cases - (includes, corporate, benefit and council tax support cases)
- 8 items of advice

4. Audit Plan Status/Changes.

The original audit plan agreed on the 8th March 2023 had a total of 68 reviews. The following changes have been made since the last progress report.

Audits added to the Audit Plan:

- Family Hub & Start for Life - Grant added into the 2023/24 Audit Plan as Chief Internal Auditor sign off is required.

5. Areas of Concern

No new areas of concerns

6. Assurance Levels

Internal Audit reviews culminate in an opinion on the assurance that can be placed on the effectiveness of the framework for risk management, control and governance designed to support the achievement of management objectives for the area under review.

Assurance Level	Description / Examples
Assurance	<i>No issues or minor improvements noted within the audit but based on the testing conducted, assurance can be placed that the activity is of low risk to the Authority</i>
Reasonable Assurance	<i>Control weaknesses or risks were identified but overall the activities do not pose significant risks to the Authority</i>
Limited Assurance	<i>Control weaknesses or risks were identified which pose a more significant risk to the Authority</i>
No Assurance	<i>Major individual issues identified or collectively a number of issues raised which could significantly impact the overall objectives of the activity that was subject to the Audit</i>
NAT	<i>No areas tested</i>

Audits rated No Assurance are specifically highlighted to the Governance and Audits and Standards Committee along with any Director's comments. The Committee is able to request any director attends a meeting to discuss the issues.

7. Exception Risk Ranking

The following table outline the exceptions raised in audit reports, reported in priority order and are broadly equivalent to those previously used.

Priority Level	Description
Low Risk (Improvement)	<i>Very low risk exceptions or recommendations that are classed as improvements that are intended to help the service fine tune its control framework or improve service effectiveness and efficiency. An example of an improvement recommendation would be making changes to a filing system to improve the quality of the management trail.</i>
Medium Risk	<i>These are control weaknesses that may expose the system function or process to a key risk but the likelihood of the risk occurring is low.</i>
High Risk	<i>Action needs to be taken to address significant control weaknesses but over a reasonable timeframe rather than immediately. These issues are not 'show stopping' but are still important to ensure that controls can be relied upon for the effective performance of the service or function. If not addressed, they can, over time, become critical. An example of an important exception would be the introduction of controls to detect and prevent fraud.</i>
Critical Risk	<i>Control weakness that could have a significant impact upon not only the system function or process objectives but also the achievement of the Council's objectives in relation to: The efficient and effective use of resources, The safeguarding of assets, The preparation of reliable financial and operational information, Compliance with laws and regulations and corrective action needs to be taken immediately.</i>

Any critical exceptions found the will be reported in their entirety to the Governance and Audits and Standards Committee along with Director's comments

8. 2024/24 Audits completed to date (7th November 2023)

Food Health and Safety - Director of Culture, Leisure and Regulatory Services

Exceptions Raised

Critical	High	Medium	Low
0	2	1	0

Overall Assurance Level

Limited Assurance

Agreed actions are scheduled to be implemented by December 2023

Assurance Level by Scope Area

Achievement of Strategic Objectives	Assurance
Compliance with Policies, Laws & Regulations	Reasonable Assurance
Safeguarding of Assets	NAT
Effectiveness and Efficiency of Operations	Limited Assurance
Reliability and Integrity of Data	NAT

Two high risk exceptions were raised in relation to delays in responding to complaints as per the 'Food Complaints' procedure, 9/25 of the sample tested was highlighted as either making contact alter than the required timeframe or not having contacted the complainant within the required timeframe. It was also highlighted that 4 of the sample had long periods of time between last contact with the complainant or premise and the case close date, 1 had a close date prior to initial receipt of complaint and 2 did not have evidence to support any contact or action had been completed. The second high risk relates to Food Hygiene Inspections. A sample of 25 inspections were selected for review using the Uniform System to confirm inspections are being conducted within the required timeframes. Testing highlighted that of the sample tested 5 were conducted within the required timeframe and 13 were intervention reviews conducted outside the required timeframe, with the time after the inspection due date varied from 31 days to 3 years 9 days. The final 7 premises were highlighted as having initial inspections conducted past the required timeframe. Discussion with the Regulatory Service Lead confirmed that the delayed inspections are as a result of lack of resource within the team which is unable to cope with the current demand. It was highlighted that currently the team have 2.1 FTE staff which does not meet the Food Law Code of Practice requirement of 0.75 FTE per 500 premises. One medium risk exception was also raised as a result of this review.

Accounts Receivable - Director of Finance and Resources
Exceptions Raised

Critical	High	Medium	Low
0	0	0	1

Overall Assurance Level

Assurance

Agreed actions are scheduled to be implemented by December 2023

Assurance Level by Scope Area

Achievement of Strategic Objectives	NAT
Compliance with Policies, Laws & Regulations	Assurance
Safeguarding of Assets	Assurance
Effectiveness and Efficiency of Operations	Assurance
Reliability and Integrity of Data	NAT

A low-risk exception was raised in relation to Annual Bespoke Letters not being issued for 8/25 debts. All 8 had a local land change in place however the Accounts Receivable team were waiting for their bespoke letters to be developed in Fusion.

Housing Conditions - Director of Housing Neighbourhoods and Building Services
Exceptions Raised

Critical	High	Medium	Low
0	4	0	0

Overall Assurance Level

Limited Assurance

Agreed actions are scheduled to be implemented by March 2024

Assurance Level by Scope Area

Achievement of Strategic Objectives	NAT
Compliance with Policies, Laws & Regulations	Limited Assurance
Safeguarding of Assets	NAT
Effectiveness and Efficiency of Operations	Limited Assurance
Reliability and Integrity of Data	Assurance

Four high risk exceptions were raised in relation to the management of damp and mould across the Authority's housing stock. The first exception was to implement an approved guidance and policy document in order to ensure consistent practice and record keeping across cases, the Authority was already in the process of drafting a dedicated guidance at the time of the review and will be looking to implement it in early 2024. Two exceptions were raised for a lack of evidence for repairs performed and complaint handling, a sample of 50 repairs, from 1,424 cases between 2019 and 2023, found that only 12/50 had sufficient notes to determine works carried out and only 3 had photographic evidence available on file. For complaints, a sample of 10 was reviewed and found that although final responses to complaints could be located on each case other documentation such as the acknowledgement and correspondence with the tenant was located in multiple areas instead of the centralised SharePoint folder. The complaints process is also under review by the service to standardise the approach and centralise storage of information. The fourth exception raised was in relation to a lack of sufficient evidence for the referral process.

Disabled Facilities Grant (Process) - Housing, Neighbourhood and Building Services

Exceptions Raised				Overall Assurance Level	Assurance Level by Scope Area	
Critical	High	Medium	Low	Reasonable Assurance		
0	0	1	0	Agreed actions are scheduled to be implemented by September 2023	Achievement of Strategic Objectives	NAT
					Compliance with Policies, Laws & Regulations	Assurance
					Safeguarding of Assets	Reasonable Assurance
					Effectiveness and Efficiency of Operations	NAT
					Reliability and Integrity of Data	NAT

One medium risk exception was raised as a result of this review. Discussions with the Housing Renewals Team Leader confirmed that when an applicant signs up to the Home Improvement Agency Service (HIAS) they can request PCC to obtain one or two quotes for the work. Where the HIAS is not used the applicant must obtain two quotes themselves. All 5 within the sample tested under Compliance used the HIAS and only one quote was obtained. Giving the applicant the choice to only ask for one quote will not help the service obtain the best possible value for money.

Application Controls - Director of Finance and Resources

Exceptions Raised				Overall Assurance Level	Assurance Level by Scope Area	
Critical	High	Medium	Low	Limited Assurance		
0	3	2	1	Agreed actions are scheduled to be implemented by November 2023	Achievement of Strategic Objectives	NAT
					Compliance with Policies, Laws & Regulations	NAT
					Safeguarding of Assets	NAT
					Effectiveness and Efficiency of Operations	Limited Assurance
					Reliability and Integrity of Data	NAT

Three high risk exceptions have been raised as a result of this review. The first high risk exception was in relation to the Change Control Process, the Process's effectiveness is eroded by the number of users who can potentially make changes (due to higher than usually observed use of accounts with elevated privileges) the lack of reliance which can be placed on the Change Control Log as a full record of changes (due to the absence of a system generated log of changes) and potentially insufficient integration testing, with changes, for example where managed outside of the core teams (i.e. where staff will be less likely to have the skills/experience to understand what needs to be tested), which increase the possibility for changes to have unforeseen impact on the wider system. The second high risk relates to Administrative/Elevated Privilege Accounts, the standard approach is to limit access to 'setup

and maintenance' activity (i.e., elevated privilege accounts) and to ensure that accounts of this type are not used for day-to-day activity. Neither of these are in place at PCC. There are 32 roles, approximately 80 users outside of IT with access to some elements of 'setup and maintenance' and all staff have single logins. The current position is difficult to address fully, due to the lack of granularity in roles (meaning staff need access to wider functionality which they do not need, in order to gain access to functionality which they do need) and the increase in licensing costs if staff were to be granted multiple logins. The last high risk relates to Delegations, during the finalisation process for this review a specific issue regarding delegation was highlighted to Internal Audit. Automated controls over this functionality are much weaker than normally observed. Internal Audit's understanding is that users are able to delegate the majority of their access to any other member of staff, with no time limiting of delegation and delegations remaining with staff, when they change job roles – for clarity how delegations should be used is set out in guidance for staff, it is the automation of these controls and proactive oversight which is missing. Additional sample testing was carried out by Internal Audit (ten out of a population of 108). This identified that five sample instances had at least one gap, against PCC's expectations regarding delegations. Two medium and one low risk exceptions were also raised as a result of this review.

Disable Facilities Grant - Director of Housing, Neighbourhoods and Building Services

Grant Verification - Sample testing was able to evidence that the terms and conditions had been met which allowed the Chief Internal Auditor to sign the declaration confirming compliance.

Family Hub & Start for Life - Director of Finance and Resources

Grant Verification - Sample testing was able to evidence that the terms and conditions had been met which allowed the Chief Executive and Chief Internal Auditor to sign the declaration confirming compliance.

9.2023/24 Follow-up Audits to date (7th November 2023)

Fieldwork Services - Director of Adult Services

Original Exceptions Raised

Critical	High	Medium	Low
0	1	4	0

Follow Up Exception Position

Critical	High	Medium	Low
0	0	4	0

Original Assurance Level

Limited Assurance

Follow Up Assurance Level

Reasonable Assurance

The new implantation date is schedule to be completed by September 2024

Follow Up Assurance Level by Scope Area

Achievement of Strategic Objectives	NAT
Compliance with Policies, Laws & Regulations	Reasonable Assurance
Safeguarding of Assets	NAT
Effectiveness and Efficiency of Operations	Assurance
Reliability and Integrity of Data	NAT

One high and four medium risk exceptions were raised as part of the original audit review. The follow up has confirmed that the high-risk exception have been closed and verified. The remaining four medium risk exceptions are in progress due to delays in procuring consultants and system issues.

Tangier Road (Children's Home) - Director of Children Families and Education

Original Exceptions Raised

Critical	High	Medium	Low
0	3	4	0

Follow Up Exception Position

Critical	High	Medium	Low
0	0	4	0

Original Assurance Level

Limited Assurance

Follow Up Assurance Level

Reasonable Assurance

The new implantation date is schedule to be completed by December 2023

Follow Up Assurance Level by Scope Area

Achievement of Strategic Objectives	NAT
Compliance with Policies, Laws & Regulations	Reasonable Assurance
Safeguarding of Assets	Reasonable Assurance
Effectiveness and Efficiency of Operations	NAT
Reliability and Integrity of Data	NAT

Original audit testing highlighted three high and four medium risk exceptions. Follow up testing confirmed that the three high risk exceptions have been closed and verified. The four medium risk exceptions are in progress due to a lack of signatory on petty cash reconciliations, a delay in reviewing the petty cash float level with Finance, outstanding mandatory training completion and the personal homes inventory detail not being sufficient.

10. 2023/24 2nd Follow-up Audits to date (7th November 2023)

As raised during the July 2020 Governance & Audits & Standards meeting. Internal Audit has scheduled in 2nd follow-up reviews for all areas where a 1st review highlighted risk exposure/s still unmitigated. The audits below detail the position as at a 2nd review.

Hire Cars (2nd Follow Up) - Director of Regeneration

1st Follow-Up Exceptions Raised

Critical	High	Medium	Low
0	3	0	0

2nd Follow Up Exception Position

Critical	High	Medium	Low
0	3	0	0

1st Follow-Up Assurance Level

Limited Assurance

2nd Follow Up Assurance Level

Limited Assurance

Agreed actions are scheduled to be implemented by July 2024

2nd Follow Up Assurance Level by Scope Area

Achievement of Strategic Objectives	NAT
Compliance with Policies, Laws & Regulations	Reasonable Assurance
Safeguarding of Assets	NAT
Effectiveness and Efficiency of Operations	Limited Assurance
Reliability and Integrity of Data	NAT

Initial follow up testing confirmed that of the exceptions raised in the original audit; three high risk exception were in progress. Testing also confirmed that the risk exposure to the council remains high. The Service were strongly recommended to withhold the permission to utilise hire cars for any member of staff that did not comply with the overall conditions of use, i.e., failure to undertake pre and post vehicle checks and required training. Second follow up testing has confirmed that all three high risk exceptions are in progress. Significant movement has been made by the Fleet service to mitigate risks, which include improved monitoring checks. There are however gaps remaining with compliance across the authority relating to pre/post journey checks as well as delays from the Insurance team in logging and investigating liability for claims.

10. Exceptions

Of the 2023/24 full audits completed, 30 exceptions have been raised. *,

Risk	Total
Critical Risk	0
High Risk	16
Medium Risk	11
Low Risk - Improvement	3

**These figures are excluding Portico and SLEP*

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Title of meeting:	Governance & Audit & Standards Committee
Date of meeting:	22 nd November 2023
Subject:	Regulation of Investigatory Powers Act 2000 (RIPA) and Investigatory Powers Act 2016
Report by:	Elizabeth Goodwin, Chief Internal Auditor
Wards affected:	All
Key decision:	N/A
Full Council decision:	N/A

1. Summary

- 1.1 In June 2023 the Authority were subject to a desktop assessment by the Investigatory Powers Commissioner's Office (IPCO) to assess the arrangements in place relating to Regulatory Investigative Powers Act 2000 (RIPA) and Investigatory Powers Act 2016. The results were positive with one minor point noted below. Two RIPA application have been approved since the last reporting period and the RIPA policy had been updated to incorporate changes in legislation.

2. Purpose of report

- 2.1 To update Members on the IPCO desktop exercise, the Authority's use of Regulatory Powers for the period from 6th January 2021 to 8th November 2023 and policy changes.

3. Recommendations

It is recommended that Members of the Governance and Audit and Standards Committee

- 3.1 **Note the desktop inspection carried out by IPCO Surveillance Inspector and results presented.**
- 3.2 **Note that there have been two RIPA applications authorised since the last report to this Committee on the 15 January 2021.**
- 3.3 **Note the changes highlighted within the policy following legislative changes.**

4. Background

- 4.1 Since 1st September 2017 the Investigatory Powers Commissioner's Office (IPCO) took over the inspection and oversight functions in the single independent function which had been carried out by previous commissioners' offices', (Office of the Surveillance Commissioner - OSC, Chief Surveillance, Interception of Communications, and Intelligence Services Commissioners).
- 4.2 On an approximate three year cycle the Authority is subject to inspections by IPCO. The previous on-site inspection was carried out in February 2020 and a desktop exercise was performed in June 2023. One minor point was raised following the latter relating to an approval for surveillance for one month, when the code of practice requires approval for a three-month period. Any authorised surveillance can be subject to cancellation at any time within the three-month period. The next inspection is due to be carried out by IPCO during 2026.
- 4.3 Two RIPA applications have been authorised during the period 6th January 2021 to 8th November 2023. The Protection of Freedoms Act 2012 requires that Local Authorities seeking RIPA authorisation are subject to judicial approval. This means that approval of the RIPA authorisation or renewal of an authorisation must be approved by a judicial authority in the local Magistrates Court.
- 4.4 PCC has Policy and Procedures to ensure that officers comply with the Regulation of Investigatory Powers Act 2000 requirements to mitigate any risk of legal challenge. These documents are updated when there are changes in the codes of practice or legislation, including case law and personnel. These were last updated in January 2021 and are updated again and highlighted in yellow on the accompanying policy document.

.....
Signed by: Elizabeth Goodwin, Chief Internal Auditor (Senior Responsible Officer for RIPA).

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
1 Covert Surveillance Code of Practice Issued by the Home Office and Covert Human Intelligence sources Code of Practice issued by the Home Office	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/742041/201800802_CSPI_code.pdf

2	Regulation of Investigatory Powers Act 2000	http://www.legislation.gov.uk/ukpga/2000/23/contents
3	Protection of Freedoms Bill	http://www.homeoffice.gov.uk/publications/about-us/legislation/protection-freedoms-bill/

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Policy Title: Corporate Policy and Procedure on the Regulation of Investigatory Powers Act 2000 (RIPA)

ID	<i>Counter Fraud -RIPA</i>
Last Review Date	<i>November 2023</i>
Next Review Date	<i>When any changes in personnel, legislation or Codes of Practice</i>
Approval	<i>Governance and Audit and Standards Committee.</i>
Policy Owner	<i>Elizabeth Goodwin, Chief Internal Auditor & Senior Responsible Officer for RIPA</i>
Policy Author	<i>Paul Somerset (Deputy Chief internal Auditor & Authorising Officer)</i>
Advice & Guidance	<i>Paul Somerset, Tel: 023 9284 4673 Deputy Chief Internal Auditor paul.somerset@portsmouthcc.gov.uk</i>
Location	<i>Policy Hub</i>
Related Documents	<i>Covert Surveillance and Property Interference Code of Practice 2018; Covert Human Intelligence Sources Code of Practice 2022; Communications Data Code of Practice 2018; Regulation of Investigatory Powers Act 2000; Investigatory Powers Act 2016; Protection of Freedoms Act.</i>
Applicability	<i>All PCC Staff & Contractors (acting on behalf of the Authority, i.e., an agent)</i>

Summary:

1. Controls on covert surveillance were introduced as a consequence of the Human Rights Act 1998, which enshrined the European Convention and Human Rights into UK law and came into effect on 2 October 2000.
2. The Regulation of Investigatory Powers Act 2000 (RIPA), RIPA (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 and **The Investigatory Powers Act 2016 (IPA)** aim to ensure that public bodies respect the privacy of members of the public when carrying out their investigations and that there is an interference with privacy only where the law permits it and there is a clear public interest justification in the prevention or detection of crime.
3. The Protection of Freedoms Act 2012 requires that Local Authorities seeking RIPA authorisation are subject to judicial approval. This means that approval of the RIPA authorisation or renewal of an authorisation must be approved by a judicial authority in the local Magistrates Court.
4. The Regulation of investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) Order 2012 has stated that RIPA can only be used for criminal offences that could attract a custodial sentence of 6 months or more or are related to the **underage sale of alcohol and tobacco or nicotine inhaling products**, Local Authorities can only consider applications in the context of prevention & detection of crime. **Local authorities cannot authorise directed surveillance for the purpose of preventing disorder unless this involves a criminal offence(s) punishable by a maximum term of at least 6 months' imprisonment. Local authorities may therefore continue to authorise the use of directed surveillance in more serious cases providing the other tests are met – i.e., that it is necessary and proportionate and where prior approval from a JP has been granted.**
5. RIPA controls the use of various methods of investigation, in particular the use of covert surveillance, covert human intelligence sources (CHIS). **The IPA controls the use of methods for accessing communication data. RIPA & IPA both define what constitute these activities.**
6. If the activities proposed by investigating officers fall within the terms of RIPA **and/or IPA** (see Section 3) then this policy, procedures and the **relevant** Code of Practice must be followed. If investigating officers have any doubts about the application or meaning of its provisions, they must obtain advice from the Authorising Officers before proceeding. (see Appendix A)
7. RIPA is not concerned with overt surveillance. Most of the surveillance carried out by or on behalf of Portsmouth City Council will be overt. That is, there will be nothing secretive, clandestine, or hidden about it. In many cases for officers, it will be business as usual i.e., going about Council business openly e.g., a Trading Standards Officer visiting a market to look for sales of counterfeit goods. Where it is targeted, that is a specific stall holder is to be the focus of covert surveillance, it becomes directed surveillance and requires a RIPA authorisation.
8. All directed surveillance, use of a CHIS, or **acquisition of** communications data must be properly authorised. Failure to secure proper authorisation or to comply with this procedure could lead to evidence being excluded by the court, significant costs being awarded against the City Council and complaints against the City Council. The City Council is subject to audit and inspection by the Investigatory Powers Commissioners Office (IPCO) and it is important that compliance with RIPA and with the Guide can be demonstrated in every case.

Contents

1. Policy Statement
2. Objectives
3. Terms explained
4. Procedure
5. CHIS (Covert Human Intelligence Sources)
6. CCTV & Aerial Covert Surveillance
7. Communications Data
8. Non-RIPA Surveillance
9. Record Keeping & Error Reporting
10. Product Management Process
11. Impact Risk Assessment
12. Further Guidance
13. Oversight
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[Appendix A: List of Authorised Persons](#)

[Flowchart 1: Surveillance, guidance.](#)

[Flowchart 2: CHIS guidance.](#)

[Flowchart 3: Accessing communications data](#)

[Impact Risk Assessment Form](#)

[Surveillance an aid to investigation](#)

[RIPA Application for Directed Surveillance](#)

[RIPA Application review form](#)

[RIPA Cancellation Form](#)

[Application for judicial approval for authorisation to obtain or disclose communications data, to use a covert human intelligence source or to conduct directed surveillance.](#)

[Regulation of Investigatory Powers Act 2000 sections 23A, 23B, 32A, 32B.](#)

Further information including forms and codes of practice:

<http://www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers/ripa-codes-of-practice/>

<https://www.gov.uk/government/collections/ripa-codes>

1. Policy Statement

- 1.1 In some circumstances, it may be necessary for Portsmouth City Council employees or contractors, in the course of their duties, to make observations of a person or person(s) in a covert manner, i.e., without that person's knowledge. By their nature, actions of this sort may constitute an interference with that person's right to privacy and may give rise to legal challenge as a potential breach of Article 8 of the European Convention on Human Rights and the Human Rights Act 1998 ('the right to respect for private and family life').
- 1.2 The Regulation of Investigatory Powers Act (2000) [RIPA] provides a legal framework for covert surveillance activities by public authorities, (including local authorities), and an independent inspection regime to monitor these activities.
- 1.3 Portsmouth City Council employees and contractors (where applicable) will adhere to the authorisation procedure before conducting any covert surveillance and if in doubt will seek advice from an Authorising Officer.
- 1.4 Employees and contractors (where applicable) of Portsmouth City Council will **not** carry out intrusive surveillance within the meaning of the Regulation of Investigatory Powers Act 2000 [refer to Terms Explained Section 3 paragraph 3.7] nor will they interfere with property or wireless telegraphy.
- 1.5 Officers of Portsmouth City Council may only authorise or engage in covert surveillance, CHIS, and access to communication data to prevent or detect criminal offences that are either punishable, whether on summary conviction or indictment, by a maximum term of at least 6 months' imprisonment or are related to the underage sale of alcohol and tobacco or nicotine inhaling products. The Council cannot authorise directed surveillance for the purpose of preventing disorder **unless** this involves a criminal offence(s) punishable by a maximum term of at least 6 months' imprisonment. Portsmouth City Council may continue to authorise use of directed surveillance in more serious cases as long as the other tests are met – i.e., that it is necessary and proportionate and where prior approval from a JP has been granted.
- 1.6 This Policy makes a number of references to confidential information. The revised Covert Surveillance and Property Interference Code of Practice, which was revised in August 2018, the CHIS Code of Practice revised in December 2022, and the Communications Data Code of Practice which came into effect in November 2018 each require the highest levels of authorisation where 'confidential information' is likely to be acquired and at Portsmouth City Council this is the Chief Executive. [Refer to Definitions in Section 3]
- 1.7 **Portsmouth City Council** will make arrangements to ensure that the relevant Code of Practice is complied with, including having Member and Senior Officer oversight to ensure that compliance and the appropriate training is given to officers.
- 1.8 Statutory Instrument 2010 No 521 restricts authorising officers in local authorities to prescribed offices of no lower a level than **Director, Head of Service, Service Manager or equivalent.**

2. OBJECTIVES

- 2.1 The objective of this Policy and Procedures is to ensure that all work involving directed surveillance by Portsmouth City Council employees is carried out effectively, while remaining in accordance with the law. It should be read in conjunction with the Regulation of Investigatory Powers Act (2000), RIPA (Directed Surveillance and Covert Human Intelligence Sources) Order 2010, **the Investigatory Powers Act 2016**, The Protection of Freedoms Act 2012 and the **relevant** Code of Practice on Covert Surveillance, Use of Covert Human Intelligence Sources and **Communications data**.

3 TERMS EXPLAINED

- 3.1 **Authorising Officer** is the person(s) in the Organisation who is entitled to give an authorisation for directed surveillance, **use of CHIS, and approvals of applications for acquisition of communications data** in accordance with RIPA, **IPA, and relevant Code of Practice**. For covert surveillance and use of CHIS prior approval by a Magistrate is required before any activity can begin.
- 3.2 **CHIS (Covert Human Intelligence Source)**. A CHIS is someone who establishes or maintains a relationship with a person for the purpose of covertly obtaining or disclosing information. In practice, this is likely to cover the use of an informant, volunteer, or Council officer in striking up a relationship with someone as part of an investigation to obtain information “under cover”.
- 3.3 Someone who volunteers information to Portsmouth City Council, either as a complainant or out of civic duty, is not likely to be a covert human intelligence source. i.e., if someone is keeping a record, say, of neighbour nuisance, this will not itself amount to the use of a CHIS. The use of a CHIS consists of any action on behalf of the Council to induce, ask or assist a person to engage in the conduct of a CHIS, or to obtain information by means of the conduct of a CHIS. In addition, Officers need to consider whether any information passed to the Council has been obtained in the course of a personal or other relationship, such as a relative, friend or work colleague, even if that relationship was not established or maintained for the purpose of obtaining it. In this event advice should be sort immediately from an Authorising Officer.
- 3.4 **Collateral intrusion** means the obtaining of private information about persons who are not the intended subject of the surveillance. This could include their family, colleagues, and associates, anyone who is seen with and interacts with the subject during the surveillance operations. The fact that covert surveillance occurs in a public place or on business premises does not mean that it cannot result in the obtaining of private information about a person.
- 3.5 Every effort should be made to minimise unnecessary intrusion, however, where collateral Intrusion is unavoidable, the identified risk must be recorded for consideration on the RIPA application so that a proportionality test can be applied.
- 3.6 For example, prolonged surveillance targeted on a person will undoubtedly result in the obtaining of private information about him/her and others that he/she

comes into contact, or associates, with. However, strict rules must be complied with before such surveillance may be authorised.

- 3.7 Similarly, although overt, public space CCTV cameras do not normally require authorisation. If however the camera is tasked for a specific purpose, which involves targeted surveillance on a particular person, or a group of people, authorisation must be obtained.
- 3.8 **Confidential Material** Confidential information consists of matters subject to legal privilege, confidential personal information, or confidential journalistic material, or where information identifies a journalist's source, where material contains confidential personal information or communications between Members of Parliament and another person on constituency business. So, for example, extra care should be given where, through the use of surveillance, it would be possible to acquire knowledge of discussions between a minister of religion and an individual relating to the latter's spiritual welfare, or where matters of medical or journalistic confidentiality or legal privilege may be involved.
- 3.9 **Covert surveillance Covert (or 'hidden') surveillance.** Covert surveillance is carried out in a manner calculated to ensure that the person subject to the surveillance is not aware it is taking place. That is, it is done secretly.
- 3.10 **Directed surveillance** Surveillance is undertaken if the following are all true:
- it is covert, but not intrusive surveillance,
 - it is conducted for the purposes of a specific investigation or operation,
 - it is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation),
 - it is conducted otherwise than by way of an immediate response to events or circumstances, the nature of which is such that it would not be reasonably practicable for an authorisation to be sought.

Thus, the planned covert surveillance of a specific person, where not intrusive, would constitute directed surveillance if such surveillance is likely to result in the obtaining of private information about that, or any other person. (*Please note - "private information" is explained at 3.14 below*).

- 3.11 **Intrusive Surveillance** This is covert surveillance of anything taking place on residential premises or in a private vehicle that involves the presence of an individual on the premises or in the vehicle, or is carried out by means of a surveillance device capable of providing information of the same quality and detail as might be expected to be obtained from a device actually present on the premises or in the house.

Only the police and certain other law enforcement agencies may carry out intrusive surveillance. Council officers, or anyone on behalf of the Council, **must not** carry out intrusive surveillance.

An example of intrusive surveillance is planting a listening or other device ('bug') in a person's home or in their private vehicle or using a

sophisticated listening device (eg. DAT) outside a person's home or in their private vehicle that will provide results equivalent to being "on-site". N.B. Interference with property or wireless telegraphy is also forbidden to the Council.

- 3.12 **Necessity.** An authorisation for Directed Surveillance and or CHIS by Portsmouth City Council is necessary if it is for the purpose of preventing or detecting crime.
- 3.13 **Overt (or 'open') surveillance.** Surveillance will be overt if the subject has been told that it will happen. Note: you do have to be careful however about obtaining private information on others that have not been informed. Examples of overt surveillance are,
- Police Officer, Street Warden, Enforcement Officer, or Ranger on routine patrol
 - Sign-posted public space CCTV cameras (in normal use)
 - Recording noise coming from outside the premises, after the occupier has been warned in writing, that this will occur if the noise persists.
 - An Officer may act overtly when test purchasing as there is no forming of a relationship with the retailer (i.e., the officer behaves no differently from a normal member of the public).
 - CCTV cameras providing general traffic crime or public safety information
- 3.14 **Private information** includes any information relating to a person's private or family life. As a result, private information is capable of including any aspect of a person's private or personal relationship with others, such as family and professional or business relationships. Information which is non-private may include publicly available information such as books, newspapers, journals, TV and radio broadcasts, newswires, web sites, mapping imagery, academic articles, conference proceedings, business reports, and more. Such information may also include commercially available data where a fee may be charged, and any data which is available on request or made available at a meeting to a member of the public.
- 3.15 **Private vehicle** means any vehicle that is used primarily for the private purpose of the person who owns it or of a person otherwise having the right to use it. This does not include a person whose right to use a vehicle derives only from his having paid, or undertaken to pay, for the use of the vehicle and its driver for a particular journey. A vehicle includes any vessel, aircraft, or hovercraft.
- 3.16 **Proportionality** involves balancing the seriousness of the intrusion into the privacy of the subject of the operation (or any other person who may be affected) against the need for the activity in investigative and operational terms. The fact that a suspected offence may be serious will not alone render the proposed actions proportionate. Similarly, an offence may be so minor that any deployment of covert techniques would be disproportionate. No activity should be considered proportionate if the information which is sought could reasonably be obtained by other less intrusive means.
- 3.17 **Residential premises** means any premises occupied or used, however temporarily, for residential purposes or otherwise as living accommodation.

- 3.18 **Surveillance** is monitoring, observing, or listening to persons, their movements, their conversations or other activities or communications; recording anything monitored, observed or listened to in the course of surveillance; or Surveillance by or with the assistance of a surveillance device.

4. THE PROCEDURE

Scope

- 4.1 This procedure applies in all cases where `directed surveillance` is being planned or carried out. Directed surveillance is defined in the code of Practice as surveillance undertaken "for the purposes of a specific investigation or operation" and "in such a manner as is likely to result in the obtaining of private information about a person" for the prevention and detection of crime.
- 4.2 The procedure does not apply to:
- Ad-hoc covert observations that do not involve the systematic surveillance of specific person(s)
 - Observations that are not carried out covertly, or
 - Unplanned observations made as an immediate response to events
- 4.3 In cases of doubt, the authorisation procedures described below should be followed.

Test Purchases

- 4.4 An impact assessment prior to covert test purchases being made should be carried out **and the Age-Related Sales - Code of Practice 2014 followed**. If the test purchase is simply entering a business premise, making a purchase and leaving then it is unlikely to require a RIPA. Where any service wishes to carry out covert operations that they try to make overt, by writing to vendors in advance of an operation, they should write to vendors no more than two weeks in advance. Any more than this and it may be construed as covert surveillance and an impact assessment/ RIPA authorisation may be required.

Children as Juvenile Sources

- 4.5 Special safeguards must be put in place when test purchases are being made by children (anyone under 18 years of age). **Any consideration to using a child as a CHIS must include reference to Chapter 4 of CHIS Code of Practice 2022. Children should only be authorised to act as CHIS in exceptional circumstances and subject to an enhanced risk assessment process. The need to safeguard and promote the best interests of the child is a primary consideration in all such CHIS deployments, both when deciding whether to grant the authorisation and during the conduct of any subsequent operation.**

Note: Children should only be authorised to act as CHIS in exceptional circumstances and subject to the enhanced risk assessment process set out in Article 5 of the Juveniles Order. Portsmouth City Council has in place existing child safeguarding guidance, policies and procedures of general application, and have regard to these if a child as juvenile sources is ever considered.

Note: PCC should ensure that before authorising a child as a CHIS it has in place existing child safeguarding guidance, policies and procedures of general application, and regard should be had to these where relevant.

Drive Bys

- 4.6 Where an officer, as part of an investigation, intends to drive by a property to establish the location of a property then a RIPA is unlikely to be required however if the drive by is to assess for signs of occupation and a record is made it is likely a RIPA will be required. An impact risk assessment should be completed initially and if it shows that collateral intrusion is likely to arise a full RIPA application should be made prior to any activity.

Online Covert Activity.

- 4.7 The Home Office revised Code of Practice 3.10 to 3.17 states:
'The growth of the internet, and the extent of the information that is now available online, presents new opportunities for public authorities to view or gather information which may assist them in preventing or detecting crime or carrying out other statutory functions, as well as in understanding and engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation; use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered'.
- 4.7.1 'Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed'. In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place'.
- 4.7.2 'Depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings'.
- 4.7.3 'Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information'.
- 4.7.4 'Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activity in relation to that information. Simple reconnaissance of such sites (i.e., preliminary examination with

a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online'.

4.7.5 'In order to determine whether a directed surveillance authorisation should be sought for accessing information on a website as part of a covert investigation or operation, it is necessary to look at the intended purpose and scope of the online activity it is proposed to undertake. Factors that should be considered in establishing whether a directed surveillance authorisation is required include:

- Whether the investigation or research is directed towards an individual or organisation.
- Whether it is likely to result in obtaining private information about a person or group of people.
- Whether it is likely to involve visiting internet sites to build up an intelligence picture or profile.
- Whether the information obtained will be recorded and retained.
- Whether the information is likely to provide an observer with a pattern of lifestyle.
- Whether the investigation or research is part of an ongoing piece of work involving repeated viewing of the subject(s).
- Whether it is likely to involve identifying and recording information about third parties, such as friends and family members of the subject of interest, or information posted by third parties, that may include private information and therefore constitute collateral intrusion into the privacy of these third parties.

4.8 Internet searches carried out by a third party on behalf of a public authority, or with the use of a search tool, may still require a directed surveillance authorisation.

4.9 The setting up of false identities is not allowed and an application and authorisation for the use and conduct of CHIS is necessary if a relationship is established or maintained.

Employee Investigations

4.10 For employment investigations of non-criminal activity if covert surveillance is proposed, a RIPA is not required. However, an assessment should always be made to ensure that it is lawful, collateral intrusion is minimised and the action is proportionate and necessary.

Confidential Material

4.11 Applications where there is a reasonable likelihood of acquiring confidential material will always require the approval of the Chief Executive. In reality this is likely to be very rare due to the nature of the Council's work, which is unlikely to conduct the sort of investigations whereby confidential material could be obtained but it must be considered at the outset.

4.12 Confidential material consists of:

- Matters subject to legal privilege, (for example between professional legal advisor and client)
- Confidential personal information, (for example relating to a person's physical or mental health), or
- Confidential journalistic material or where material identifies a journalist's source, or
- Confidential constituent information relates to communications between a Member of Parliament and a constituent in respect of constituency business.

Juvenile or vulnerable Adult CHIS's

- 4.13 Applications for CHIS using either Juveniles or vulnerable adults must be referred to the Chief Executive for Authorisation (See item 6).

Authorisation Procedure

- 4.14 Applications for directed surveillance will be authorised by either the Deputy Chief Internal Auditor or the Corporate Strategy Manager. The relevant Authorising Officer must see the process (from authorisation, review & cancellation) through for any applications they have authorised. If they are not able to do so because of sickness, then another authorising officer can continue with the process, but a record must be made of that fact.
- 4.15 There should never be a time when neither of the Authorising Officers are available due to unforeseen circumstances but if this should occur and the application for activity cannot wait for a week or so then the Senior Responsible Officer must designate an officer of suitable rank to act as an Authorising Officer and reasons for this and the absence of the Authorising Officers should be recorded. Under no circumstances can the Senior Responsible Officer act as Authorising Officer.
- 4.16 The Authorising officer should avoid authorising their own activities (i.e., where they are responsible for the activity or involved in the operation) wherever possible and only do so in exceptional circumstances. Where it becomes necessary to do so, a record to that effect must be made on the central record.
- 4.17 All applications for directed surveillance authorisations will be made on the official form. The applicant in all cases should complete this. They must demonstrate the who, what, why, where, when and how of an operation giving details of any and all technical equipment to be used and all options considered with reasons why this is the most reasonable and effective approach. Copying information from a previously authorised application is discouraged as it could be seen that insufficient thought has been applied and there is a danger of copying over incorrect information.
- 4.18 The proposed seizure of any items as part of the RIPA application must comply with PACE and relevant RIPA sections, although these will usually be in conjunction with the Police.
- 4.19 Once the RIPA application has been authorised the authorising officer will go through what has been authorised with the applicant in accordance with the ruling of R v Sutherland 2000. There must be no doubt about what has been

specifically authorised. The investigating officer can only carry out the actions that have been authorised in the RIPA application once approved by a Magistrate. It will be the Investigating Officer's responsibility to submit the application to the Magistrate following the Council's Authorising Officers' authorisation.

- 4.20 All requests to Magistrates will be on the forms as provided on the Home Office Website (<https://www.gov.uk/government/collections/ripa-forms>) The date when approved by the Magistrate is recorded on the Councils central record as well as the date authorised by the Authorising Officer.
- 4.21 All applications for directed surveillance renewals will be made on the official form (see link above 4.20). The applicant in all cases should complete this where the surveillance requires continuation beyond the previously authorised period (including previous renewals). Renewals must also be authorised by the authorising officer and approved by a Magistrate.
- 4.22 Portsmouth City Council will want to consider who is best able to answer the JP's questions on the policy and practice of conducting covert operations and the details of the case itself. It is envisaged that the case investigator will be able to fulfil this role. The investigator will know the most about the investigation and will have determined that the use of a covert technique is required to progress a particular case. (Ch 4 para 43 of the Home Office guidance to local authorities in England and Wales on the judicial approval process for RIPA and the crime threshold for directed surveillance) The case investigator must report back promptly to the Authorising Officer any comments made by the magistrate. Comments must be recorded by the Authorising Officer and action taken to incorporate or address them.
- 4.23 Where an authorisation ceases to be either necessary or appropriate the authorising officer will cancel an authorisation using the official form.
- 4.24 Any person giving an authorisation for the use of directed surveillance must set out in their own words why they believe the activity is necessary and proportionate stating that:
- Account has been taken of the likely degree of intrusion into the privacy of persons other than those directly implicated in the operation or investigation, (collateral intrusion). Measures or mitigation action have been taken, wherever practicable, to avoid unnecessary intrusion into the lives of those affected by collateral intrusion.
 - The authorisation is necessary.
 - The authorised surveillance is proportionate.
 - It is for a specific targeted criminal offence that carries a maximum sentence of 6 months or more, imprisonment, or is one of the exemptions.

Urgent Cases

- 4.25 There is no longer the power for Portsmouth City Council to make urgent oral authorisations. All authorisations, even if urgent, (where life or an operation is in jeopardy) must be in writing and approved by a magistrate. However, it is not

envisaged that there will be urgent cases as activities at PCC are unlikely to involve such scenarios.

Necessity

- 4.26 An authorisation for Directed Surveillance and/or CHIS is necessary if it is for the purpose of preventing or detecting crime.

Effectiveness

- 4.27 Surveillance operations shall be undertaken only by suitably trained or experienced employees, or under their direct supervision.

Proportionality

- 4.28 The use of surveillance shall not be excessive, i.e., it shall be in proportion to the significance of the matter being investigated and balance the intrusiveness of the activity on the target and others who might be affected by it against the need for the activity in operational terms. The activity will not be proportionate if it is excessive in the circumstances of the case or if the information which is sought could reasonably be obtained by other less intrusive means.

The following elements of proportionality should therefore be considered,

- balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or harm
- explaining how and why the methods to be adopted will cause the least possible intrusion on the subject and others,
- considering whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the information sought,
- evidencing, as far as reasonably practicable, what other methods had been considered and why they were not implemented, or have been implemented unsuccessfully.

Authorisation

- 4.29 All directed surveillance shall be authorised in accordance with this procedure.

Time Periods - Authorisations

- 4.30 Written authorisations expire after 3 months from the day the activities were permitted to start, which is the day the JP / Magistrate approves the granting of the authority.

Review

- 4.31 The Authorising Officer should determine how often a review should take place of an authorisation and this should be as frequently as is considered necessary and practicable. A review of an authorisation should be undertaken regularly to

assess the need for the surveillance to continue. The results of the review are to be recorded on the central record.

Time Periods - Renewals

- 4.32 If at any time before an authorisation would expire, the Authorising Officer considers it necessary for the authorisation to continue for the purpose for which it was given, it may be renewed in writing for a further period of 3 months beginning with the day on which the previous authorisation ceases to have effect. Applications for renewal should only be made shortly before the authorisation is due to expire and must be submitted to a Magistrate by the Investigating Officer for judicial approval before they can be effective.
- 4.33 Any person entitled to authorise may renew authorisations. They may be renewed more than once, provided they continue to meet the criteria for authorisation and must be approved by a Magistrate to become effective.
- 4.34 All applications for the renewal of an authorisation for directed surveillance must record:
- Whether this is the first renewal or every occasion on which the authorisation has been renewed previously
 - Any significant changes to the information
 - The reasons why it is necessary to continue with the directed surveillance
 - The content and value to the investigation or operation of the information so far obtained by the surveillance
 - The results of regular reviews of the investigation or operation

Cancellation

- 4.35 The Authorising Officer who granted or last renewed the authorisation must cancel if they are satisfied that the directed surveillance no longer meets the criteria upon which it was authorised.
- 4.36 The cancellation should include how the surveillance assisted the investigation and details regarding direction of the product.

Monitoring

- 4.37 Each Service or discrete location within Services must maintain a record of all applications for authorisation, (including refusals), renewals, reviews, and cancellations.

Security and Retention of Documents

- 4.38 Documents created under this procedure are highly confidential and shall be treated as such. Services shall make proper arrangements for their retention, security and destruction, in accordance with the requirements of the Data Protection Act 1998 and the relevant Code of Practice.

- 4.39 The Chief Internal Auditor will be responsible for the creation and maintenance of an up-to-date Central Register of Authorisations containing the following information:
- The type of authorisation
 - The date the authorisation was given
 - Name and title of the authorising officer
 - The unique reference number of the investigation or operation
 - The title of the investigation or operation including a brief description and whether the urgency provisions were used and if so why
 - If the authorisation is renewed when it was renewed and who authorised including the name and title of the authorising officer
 - Whether the investigation or operation is likely to result in obtaining confidential information
 - The date the authorisation was cancelled and outcome
 - Whether or not it was self authorised i.e., authorised by an authorising officer involved in, or responsible for, the investigation or operation being authorised.
 - The date of Magistrates approval
- 4.40 The Chief Internal Auditor shall also be responsible for retaining the original:
- Authorisation application forms along with any supplementary documentation and notification of the approval given by the authorising officer including a record of the periods over which surveillance took place
 - The magistrate's approval form
 - The frequency of reviews prescribed by the authorising officer and a record of the result of each review of the authorisation
 - Of any renewal forms authorised together with any supporting documentation submitted when the renewal was requested
 - Cancellation forms.
- 4.41 Where the product of surveillance could be relevant to pending or future criminal or civil proceedings it should be retained in accordance with established disclosure requirements.
- 4.42 Generally, all original forms will be retained for at least six years from the date of cancellation. In all cases records will not be destroyed without the authority of the Senior Responsible Officer. Records must be destroyed in accordance with the principles of the Data Protection Act and The Code of Practice.

5. COVERT HUMAN INTELLIGENCE SOURCE (CHIS)

Definition

- 5.1 The Definition of a Covert Human Intelligence Source (CHIS) under the 2000 Act states that a person is a 'CHIS' if:
- (a) They establish or maintain a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraph (b) or (c)
 - (b) They covertly use such a relationship to obtain information or to provide access to any information to another person or

(c) They covertly disclose information obtained by the use of such a relationship or as a consequence of the existence of such a relationship

5.2 A relationship is established or maintained for a covert purpose if and only if it is conducted in a manner calculated to ensure that one of the parties to the relationship is unaware of the purpose.

5.3 A relationship is used covertly, and information obtained is disclosed covertly if and only if the relationship is used or the information is disclosed in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use or disclosure in question.

Risk Assessment - Duty of Care

5.4 When the decision has been taken that the use of 'CHIS' is necessary the Authority has a duty of care to ensure the safety and welfare of the 'CHIS' whilst they carry out the designated actions or tasks.

5.6 Before any action is taken, a full Risk assessment should be undertaken by the Authority to consider all the foreseeable consequences to the CHIS, both during the task, and after the cancellation of the authorisation. Consideration should be given to all appropriate eventualities, including, if the role of the CHIS becomes known. The risk assessment should be updated throughout the tasking to reflect any developments. The ongoing security and welfare of the CHIS should remain a priority.

Authorisation for CHIS

5.7 The conduct or use of a CHIS requires authorisation.

- **Use** of a CHIS is: inducing, asking, or assisting a person to act as a CHIS or to obtain information by means of the conduct of a CHIS
- **Conduct** of a CHIS is: establishing or maintaining a personal or other relationship with a person for the covert purpose of (or incidental to) obtaining, accessing or disclosing information.

5.8 The Council can use CHIS's if, and only if, RIPA procedures are properly followed (see flow chart 2).

5.9 Care must always be taken to ensure that the CHIS is clear on what is/is not authorised at any given time and that all the CHIS's activities are properly risk assessed.

Urgent advice should be sought from an authorising officer should the use and conduct of a CHIS be considered.

5.10 Where a CHIS is used the following records must be kept for each source:

- The identity of the source
- The identity where known used by the source
- Any relevant investigating authority other than the authority maintaining the records
- The means by which the source is referred to

- Any other significant information connected with the security and welfare of the source
- Any confirmation made by a person granting or renewing an authorisation for the conduct or use of a source that the information regarding identity reference has been considered and that any identified risks to the security and welfare of the source have where appropriate been properly explained to and understood by the source
- The date when and the circumstances in which the source was recruited
- The identities of the persons who in relation to the source are discharging or have discharged the functions mentioned in s29(5)(a) to (c) of the 2000 Act (Handler and Controller)
- The periods during which those persons have discharged their responsibilities
- The tasks given to the source and the demands made of them in relations to their activities as a source
- All contacts or communications between the source and a person acting on behalf of PCC
- The information obtained by PCC by the conduct or use of the source
- Any dissemination by PCC of information obtained by the conduct or use of the source
- In the case of a source who is not an undercover operative every payment, benefit or reward and offer of payment, benefit or reward that is made or provided by PCC in respect of the source's activities for the benefit of PCC.

5.11 Every source must have a designated Handler and Controller in accordance with s29 (5) (a) to (e) of the RIPA 2000 Act. This states that:

29 (5) For the purposes of this Part there are arrangements for the source's case that satisfy the requirements of this subsection if such arrangements are in force as are necessary for ensuring—

(a) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have day-to-day responsibility for dealing with the source on behalf of that authority, and for the source's security and welfare;

(b) that there will at all times be another person holding an office, rank or position with the relevant investigating authority who will have general oversight of the use made of the source;

(c) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have responsibility for maintaining a record of the use made of the source;

(d) that the records relating to the source that are maintained by the relevant investigating authority will always contain particulars of all such matters (if any) as may be specified for the purposes of this paragraph in regulations made by the Secretary of State; and

(e) that records maintained by the relevant investigating authority that disclose the identity of the source will not be available to persons except to the extent that there is a need for access to them to be made available to those persons.

Children as Juvenile Sources / Vulnerable adults

- 5.12 Special safeguards apply to the use or conduct of a child juvenile CHIS (a person under 18 years old). An authorisation for the conduct or use of a juvenile source may not be granted or renewed, unless
- (a) an enhanced risk assessment has been undertaken. The risk assessment must demonstrate that,
 - (i) the risk of any type of physical injury and its impact upon the source, which may occur as a result of carrying out the conduct, has been identified and evaluated and
 - (ii) the risk of any psychological distress and its impact upon the source which may occur as a result of carrying out the conduct has been identified and evaluated,
 - (b) the Authorising Officer has considered the risk assessment and is satisfied that any risks identified are justified **and**, that they have been properly explained to and understood by the source and
 - (c) the Authorising Officer knows whether the relationship to which the conduct or use is to relate between the source and a relative, guardian or person who has for the time being assumed responsibility for the source's welfare, and, if it is, has given particular consideration to whether the authorisation is justified in the light of that fact.

On **no** occasion can a child under 16 years of age be authorised to give information against their parents or any person who has parental responsibility for them.

Where a source is under the age of sixteen, an appropriate adult must be present at all meetings which take place between the source and Council investigators. An appropriate adult is,

- (a) The parent or guardian of the source,
- (b) Any other person who for the time being has assumed responsibility for their welfare, or
- (c) If (a) or (b) not available any responsible person aged 18 or over who is neither a member of nor employed by any relevant investigating authority.

The duration of any authorisation is one month from the time of grant or renewal (instead of twelve months), and the authorisation should be subject to frequent reviews.

- 5.13 Special safeguards also apply to the authorisation of a vulnerable adult as a CHIS. A vulnerable adult is a person aged 18 or over who by reason of mental disorder or vulnerability, other disability, age, or illness, is or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation. Where it is known or suspected that an adult may be vulnerable, they should only be authorised to act as a CHIS in exceptional circumstances.

- 5.14 A vulnerable adult will only be authorised to act as a source in the most exceptional of circumstances and the authorising officer is satisfied that
- (a) they have considered the results of an appropriate risk assessment,
 - (b) they believe that the risks of harm identified by that risk assessment have been properly explained to and understood by the vulnerable adult source, and
 - (c) they have taken into account the need to safeguard and promote the best interests of the vulnerable adult source.
- 5.15 A juvenile source or vulnerable adult source will only be authorised by the Chief Executive Officer or in their absence the person acting as the Head of Paid Service.

Test Purchases and CHIS's

- 5.16 Carrying out test purchases will not generally require the purchaser to establish a relationship with the supplier with the covert purpose of obtaining information and, therefore, the purchaser will not normally be a CHIS. For example, authorisation would not normally be required for test purchases carried out in the ordinary course of business e.g., walking into a shop and purchasing a product over the counter.
- 5.17 Developing a relationship with a person in the shop, to obtain information about the seller's suppliers of an illegal product e.g., illegally imported products will require authorisation as a CHIS. Similarly, using mobile, hidden recording devices or cameras to record what is going on in the shop will require authorisation as directed surveillance. Note that a CHIS may be authorised to wear a hidden camera without the need for an additional directed surveillance authorisation.

6. CCTV & Aerial Covert Surveillance

CCTV

- 5.1 The use of CCTV must be accompanied by clear signage in order for monitoring to be overt. If it is intended to use CCTV for covert monitoring e.g. by using either hidden cameras or without any signs CCTV is in operation then RIPA authorisation is likely to be required. In any case CCTV must be used in accordance with the Codes of Practice and Protection of Freedoms Act.

Aerial Covert Surveillance

- 6.2 Where surveillance using airborne crafts or devices, for example helicopters or unmanned aircraft (colloquially known as 'drones'), considerations should be made to determine whether a surveillance authorisation is appropriate. In considering whether the surveillance should be regarded as covert, account should be taken of the reduced visibility of a craft or device at altitude. If in doubt please contact an Authorising Officer to seek additional clarity.

7. COMMUNICATIONS DATA

Definition

- 7.1 The Investigatory Powers Act 2016 (IPA) is the legislation governing the acquisition

of Communications Data (CD) by Portsmouth City Council.

Section 60A of the Act provides for the independent authorisation of communications data requests by the Investigatory Powers Commissioner (IPC). The National Anti-Fraud Network (NFN) provides the services of a dedicated SPoC for acquisition of CD (among other functions). The Office for Communications Data Authorisations (OCDA) provides the independent authorisation role on behalf of IPC. An authorising officer in OCDA can authorise any request, for any purpose requested from Portsmouth City Council provided it meets the correct application criteria.

7.2 The IPA has introduced new definitions of categories of Communications Data which replace those previously described within RIPA. The new categories Are Entity Data and Events Data. The definitions are,

- Entity Data relates to the association between an entity and a telecommunications service or telecommunications system and could provide description and identification of an entity. Entity Data is considered to be less intrusive than Events Data. It can be obtained for the prevention and detection of crime.
- Events Data is any data which identifies or describes an event, (whether or not by reference to its location) on, in or by means of a telecommunications system where the event consists of one or more entities engaging in a specific activity at a specific time. Event data can only be obtained for the prevention and detection of SERIOUS crime. Serious Crime is defined as,
 - An offence by a person who is not an individual (i.e. a corporate body)
 - Violence, substantial financial gain, large number of persons in pursuit of a common purpose or person of 18 years with no previous convictions could reasonably be expected to be sentenced to 12 months or more imprisonment.
 - An offence which involves, as an integral part of it, the sending of a communication.
 - An offence which involves, as an integral part of it, a breach of a person's privacy.
 - Internet connection records. – not for local authorities.

7.3 Portsmouth City Council is entitled to acquire entity and event data where criteria apply data **except for** Internet Connection Records.

Examples of entity data are,

- i. Subscriber checks,
- ii. Subscribers or account holders account information,
- iii. Information about the connection, disconnection, and reconnection of services for the subscriber or account holder,
- iv. Information about devices used or available to the subscriber or account holder and,
- v. Information about selection of preferred numbers or discount calls.

Examples of event data are,

- i. information tracing the origin or destination of a communication including incoming call records,
- ii. information identifying the location of apparatus when a communication is, has been or may be made or received.

- iii. information identifying the sender or recipient (including copy recipients) from data in or attached to the communication,
- iv. routing information identifying apparatus through which a communication is or has been transmitted.
- v. itemised telephone call records and timings and duration.
- vi. information about amounts of data downloaded and/or uploaded,
- vii. information about services which the user is allocated or has subscribed to e.g., conference calling, call messaging / waiting / barring.

Accessing Communications Data

- 7.4 Portsmouth City Council use the National Anti-Fraud Network (NAFN) as the SPOC (Single Point of Contact). Applications are approved by the designated person (currently Deputy Chief Internal Auditor or Corporate Strategy Manager). The approved application is sent to NAFN who facilitate the process of obtaining authority by OCDA. NAFN notify PCC of the decision and will liaise with the CD providers to obtain the material.

8. NON-RIPA Surveillance

- 8.1 As a matter of law RIPA does not apply to investigations that do not form part of Portsmouth City Council core functions, but this does not preclude the Council's investigators from using DS or CHIS in such other circumstances. As an example, disciplinary investigations are NON-RIPA activities. The application of RIPA investigatory techniques would normally fail to meet the threshold of being necessary, proportionate, and lawful. However, there may be circumstances where the threshold is reached, e.g., in cases of serious misconduct or criminal activity, particularly matters relating to the Councils' cash assets, and where covert monitoring may be used to gather evidence in a way which would not prejudice a criminal investigation or be prejudicial to the Councils interests (see further the Councils Code of Conduct and Communications & Information Systems Use policies)
- 8.2 It is the policy of this Council that, in so far as the law allows, the covert techniques covered by this policy shall **NOT** be undertaken unless authorised in accordance with RIPA. There will be circumstances where covert techniques are required but (normally due to the investigation being into ordinary functions of the Council) they may not be authorised under RIPA. In order to ensure proper adherence to human rights principles in all investigations, it is the policy of this Council to apply RIPA principles to NON-RIPA investigations. In the event that an investigation into a non-core function requires the use of these techniques, the investigator must apply in the same way, using the same forms, to the same Authorising Officer, endorsing the forms clearly in red ink, "NON-RIPA". Where disciplinary matters are concerned, the advice of Human Resources should also be sought. (It should be noted that such NON-RIPA activities would be undertaken at the Council's own risk, as they are not afforded the legal protection provided by RIPA. In any case of doubt as to how NON-RIPA activities should be conducted, the Council's RIPA Monitoring Officer should be contacted for advice and assistance). Portsmouth City Council shall ensure that officers with responsibility for authorising or carrying out surveillance or accessing communications data are aware of their obligations to comply with RIPA and with this policy and any associated procedures. Furthermore, officers shall receive appropriate training and/or be appropriately supervised in order to carry out functions under RIPA. All those involved in the type of activities covered by this

policy (especially Authorising Officers) are instructed to bring any suggestions for continuous improvement of this policy to the attention of the RIPA Coordinator.

9 Record keeping and error reporting.

9.1 Portsmouth City Council should have centrally retrievable records of authorisations for a minimum period of three years from the end of each authorisation (Portsmouth City Council's retention policy for documents is 6yrs as per 4.42 above). The information held within the centrally retrievable records should be regularly updated and made available to the IPC and IPT upon request.

9.2 An error must be reported if it is a "relevant error" to the IPC as soon as reasonably practicable and no later than ten working days after its identification. A relevant error is where the Council errs in complying with requirements imposed by RIPA or IPA. If the IPC considers that the error is a serious error and that it is in the public interest to do so, they will inform the subject of that error.

10 Product Management Processes.

10.1 The Council will ensure that the handling of private information obtained by Covert surveillance or CHIS authorisation comply with relevant legal frameworks, so that any interference with the right to private and family life is justified in accordance with Article 8(2) ECHR.

Use of material as evidence.

10.2 Subject to provisions in the Codes of Practice material obtained through directed surveillance, CHIS, or acquisition of CD may be used as evidence in criminal proceedings. Ensuring the continuity and integrity of evidence is critical. The Council should be able to demonstrate how the evidence has been obtained and managed to the extent required by the relevant rules of evidence and disclosure.

10.3 All material obtained through a RIPA / IPA authorisation must be handled in accordance with safeguards aligned to the requirements of the Code of Practice. These safeguards should be made available to the IPC. Breaches of these safeguards must be reported to the IPC in a fashion agreed with him or her. Any personal data breaches should also be reported to the Information Commissioner in accordance with the requirements of the applicable data protection regime.

10.4 Dissemination, copying and retention of material obtained through a RIPA / IPA authorisation must be limited to the minimum necessary for the authorised purposes which are that it is,

- Or is likely to become, necessary for any of the statutory purposes set out in the RIPA 2000 in relation to covert surveillance or authorisation of a CHIS,
- Necessary to do so for facilitating the carrying out of the functions of Portsmouth City Council,
- Necessary to do so for facilitating the functions of the Judicial Commissioners or the Investigatory Powers Tribunal,
- Necessary to do so for the purposes of legal proceedings,
- Necessary to do so to fulfil the functions of any person by or under any enactment.

Storage

10.5 Material obtained through RIPA, IPA or acquisition of CD and all copies, extracts and summaries of it, must be handled and stored securely to minimise the risk of loss or theft. It must be inaccessible to people without the required level of security clearance. This requirement applies to all those who are responsible for the handling of the material.

In particular, the Council must apply the following protective security measures,

- physical security to protect any premises where the information may be stored or accessed,
- IT security to minimise the risk of unauthorised access to IT systems,
- an appropriate security clearance regime for personnel.

Destruction

10.6 Information obtained through RIPA, IPA or acquisition of CD, and all copies, extracts, and summaries which contain such material, should be scheduled for deletion or destruction and securely destroyed as soon as they are no longer needed for the authorised purpose. If such information is retained, it should be reviewed at appropriate intervals to confirm that the justification for its retention is still valid.

Confidential personal information, privileged material and confidential constituent information.

10.7 Particular consideration should be given in cases where the subject of the investigation or operation might reasonably assume a high degree of confidentiality. This includes where the material contains information that is legally privileged, confidential journalistic material or where material identifies a journalist's source, where material contains confidential personal information or communications between a Member of Parliament and another person on constituency business. Separate guidance on each of these categories is available in the relevant Code of Practice and should be referred to as and when required.

Oversight.

10.8 The IPC, and those that work under their authority, will ensure compliance with the law by inspecting public authorities and investigating any issue which they believe warrants further independent scrutiny. The IPC will have unfettered access to all locations, documentation and information systems as necessary to carry out their full functions and duties. Council employees using investigatory powers must provide all necessary assistance to the IPC or relevant representative.

10.9 The Investigatory Powers Tribunal (IPT) has jurisdiction to investigate and determine complaints against the Council's use of investigatory powers.

11 IMPACT RISK ASSESSMENTS

11.1 When considering whether to carry out surveillance it is recommended that an 'impact risk assessment' is carried out and recorded to establish if the proposed course of action is a proportionate response to the problem it seeks to address. An impact risk assessment should be carried out on all activities including those that will not require RIPA authorisation.

11.2 The impact risk assessment involves;

- Identifying clearly the **purpose(s)** behind the monitoring arrangements and the benefits it is likely to deliver.
- Identifying any likely **adverse impact** of the monitoring arrangement
- Considering **alternatives** to monitoring or different ways in which it might be carried out
- Taking into account the **obligations** that arise from monitoring (especially on collateral intrusion)
- Judging whether the monitoring is **justified**

11.3 Adverse Impact- consideration should be given to:

- What intrusion, if any will there be into the private lives of workers and others, or interference with their private activities, emails, telephone calls or other correspondence.
- Whether those who do not have a business need to know will see information that is confidential, private or otherwise sensitive.
- In the case of surveillance on an employee, what impact, if any, will there be on the relationship of mutual trust and confidence that should exist between workers and their employer?

11.4 Alternatives – questions that should be asked:

- Are there other methods of obtaining the required evidence/information without carrying out covert surveillance, e.g. intelligence gathered from elsewhere.
- Has consideration been given to writing to the individual(s) informing them of the issue and advising that monitoring will be carried out over a specified period? (remember collateral intrusion could still apply to their colleagues or family etc)
- Has consideration been given to carrying out overt surveillance as part of officers' normal duties?
- Can established or new methods of supervision, effective training and or clear communication from managers, rather than electronic or other systemic monitoring, deliver acceptable results?
- Can monitoring be limited to those individuals and workers about whom complaints have been received, or about whom there are other grounds to suspect of wrongdoing?
- Can monitoring be automated? If so, will it be less intrusive, e.g. does it mean that private information will be 'seen' only by a machine rather than by other workers?
- Can spot-checks be undertaken instead of using continuous monitoring?

11.5 Obligations – means considering the following:

- Whether and how individuals or employees will be notified about the monitoring arrangements.
- How information about the individual or employee collected through monitoring will be kept securely and handled in accordance with the Act and

DPA requirements.

- The implications of the rights that individuals have to obtain a copy of information about them that has been collected through monitoring.

11.6 Justified – involves considering:

- The benefit of the method of monitoring/surveillance
- Any alternative method of monitoring/surveillance
- Weighing these benefits against any adverse impact
- Placing particular emphasis on the need to be fair to the individual worker or person
- Ensuring, particularly where monitoring electronic communications of employees' is involved, that any intrusion is no more than absolutely necessary

12. FURTHER GUIDANCE

12.1 Guidance is provided as a reminder of the authorisation process (the Magisterial approval process is in addition to these) and can be located as appendices to this document

[Flowchart 1: Surveillance, guidance.](#)

[Flowchart 2: CHIS guidance.](#)

[Flowchart 3: Accessing communications data](#)

[Surveillance an aid to investigation Guidance](#)

12.2 Appendix A of this document provides the relevant contact details of the officers who may authorise surveillance, the use of a CHIS and give advice on accessing communications data.

13 OVERSIGHT AND IPCO GUIDANCE

Senior Responsible Officer

13.1 The Senior Responsible Officer (currently at Portsmouth City Council – Elizabeth Goodwin - Chief Internal Auditor) must review each authorised RIPA to ensure that they are being authorised in accordance with the Code and to identify any training requirements.

13.2 Requests for guidance from The Investigatory Powers Commissioner's Office (IPCO) must only originate from the Senior Responsible Officer. The IPCO has made it clear that it does not give legal advice and any opinion given in a reply to a request for guidance does not constitute legal advice and should not be cited as the definitive advice of the IPCO.

Members

13.3 The RIPA Policy must be reviewed when there are any changes in personnel, legislation or codes of practice and any amendments must be approved by the Governance and Audit and Standards Committee.

13.4 Regular reports of Authorised applications must be submitted to the Governance

and Audit and Standards Committee by the Senior Responsible Officer along with an opinion on any training requirements or where the Code has not been followed.

Investigatory Powers Commissioners Office

- 13.5 The Investigatory Powers Commissioner's Office provides independent oversight of the use of the powers contained within the Regulation of Investigatory Powers 2000. This oversight includes inspection visits by Inspectors appointed by the IPCO.

14 COMPLAINTS

The Regulation of Investigatory Powers Act 2000, (the UK Act), establishes an independent Tribunal. This has full powers to investigate and decide any cases within its jurisdiction. Details of the relevant complaints procedure can be obtained from:

Investigatory Powers Tribunal
PO Box 33220
London
SW1H 9ZQ - Tel: 020703537111

Appendix A

CONTACTS

Authorising Officers:

RIPA & Approved Ranked Officer

Paul Somerset. Deputy Chief Internal Auditor

paul.somerset@portsmouthcc.gov.uk

Tel: 023 9283 4673

RIPA & Approved Ranked Officer

Paddy May, Corporate Strategy Manager

paddy.may@portsmouthcc.gov.uk

Tel: 023 9283 4020

Senior Responsible Officer:

Elizabeth Goodwin, Chief Internal Auditor

elizabeth.goodwin@portsmouthcc.gov.uk

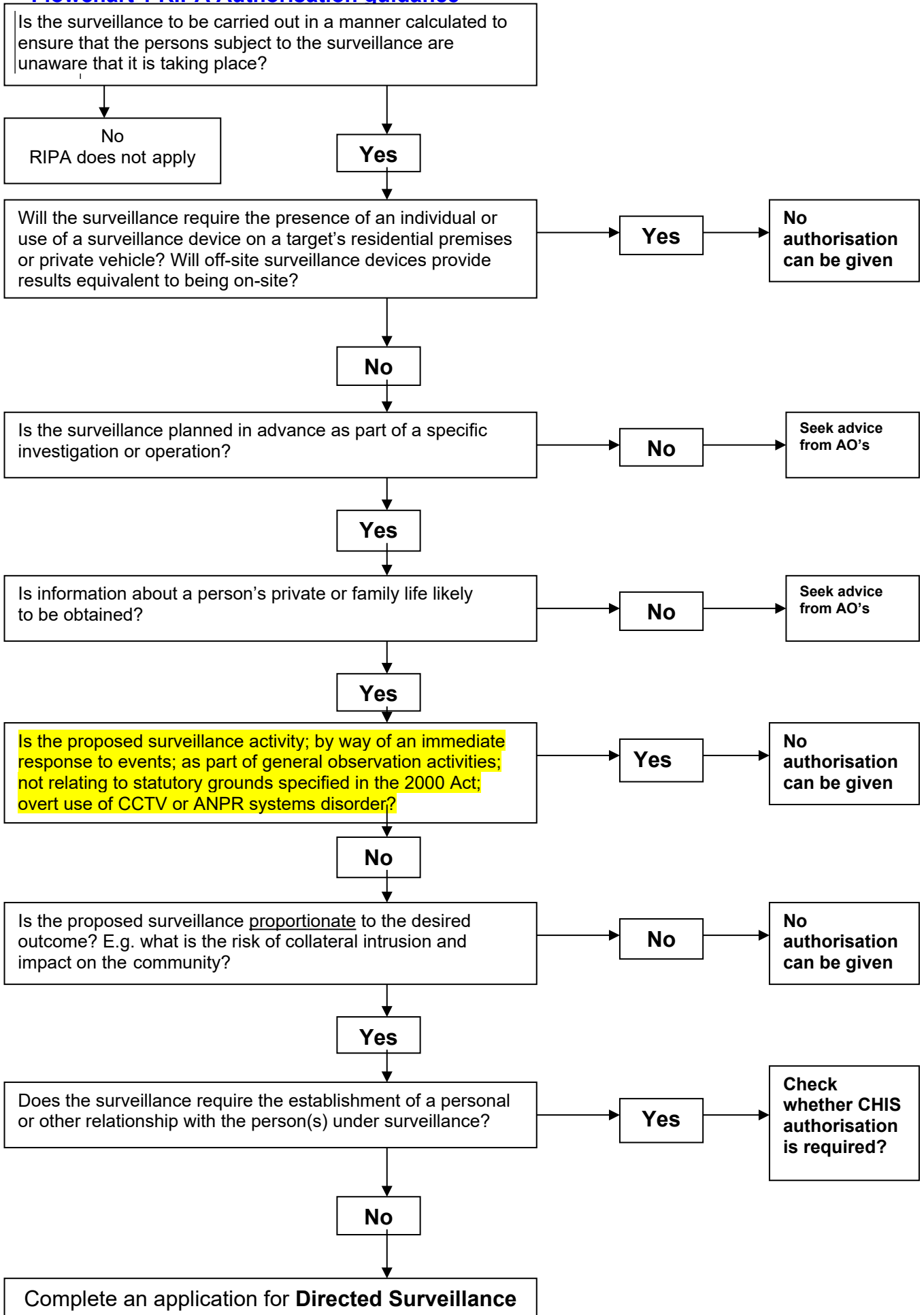
Tel: 023 9283 4682

Monitoring Officer:

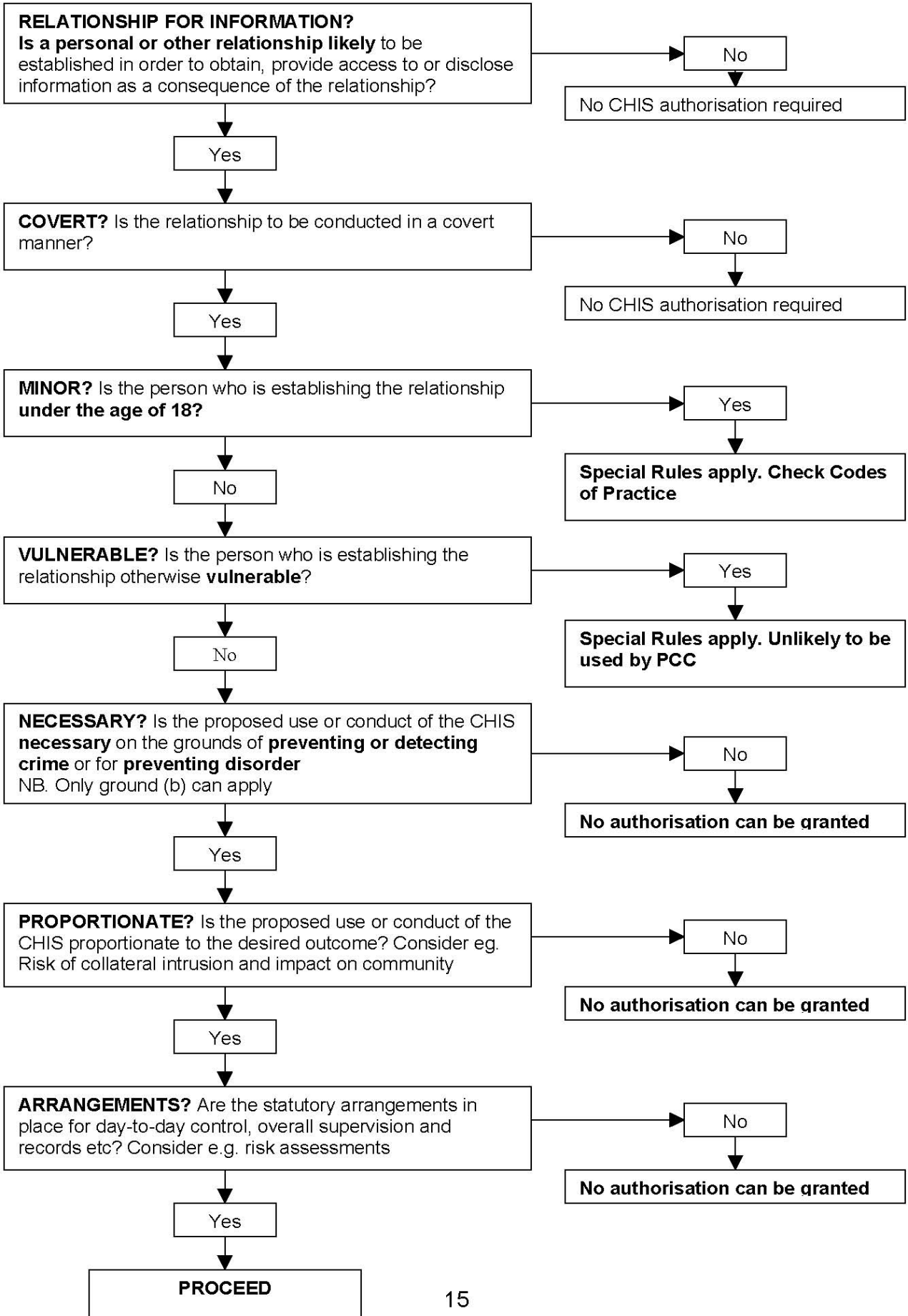
Peter Baulf, City Solicitor & Monitoring Officer

Peter.baulf@portsmouthcc.gov.uk

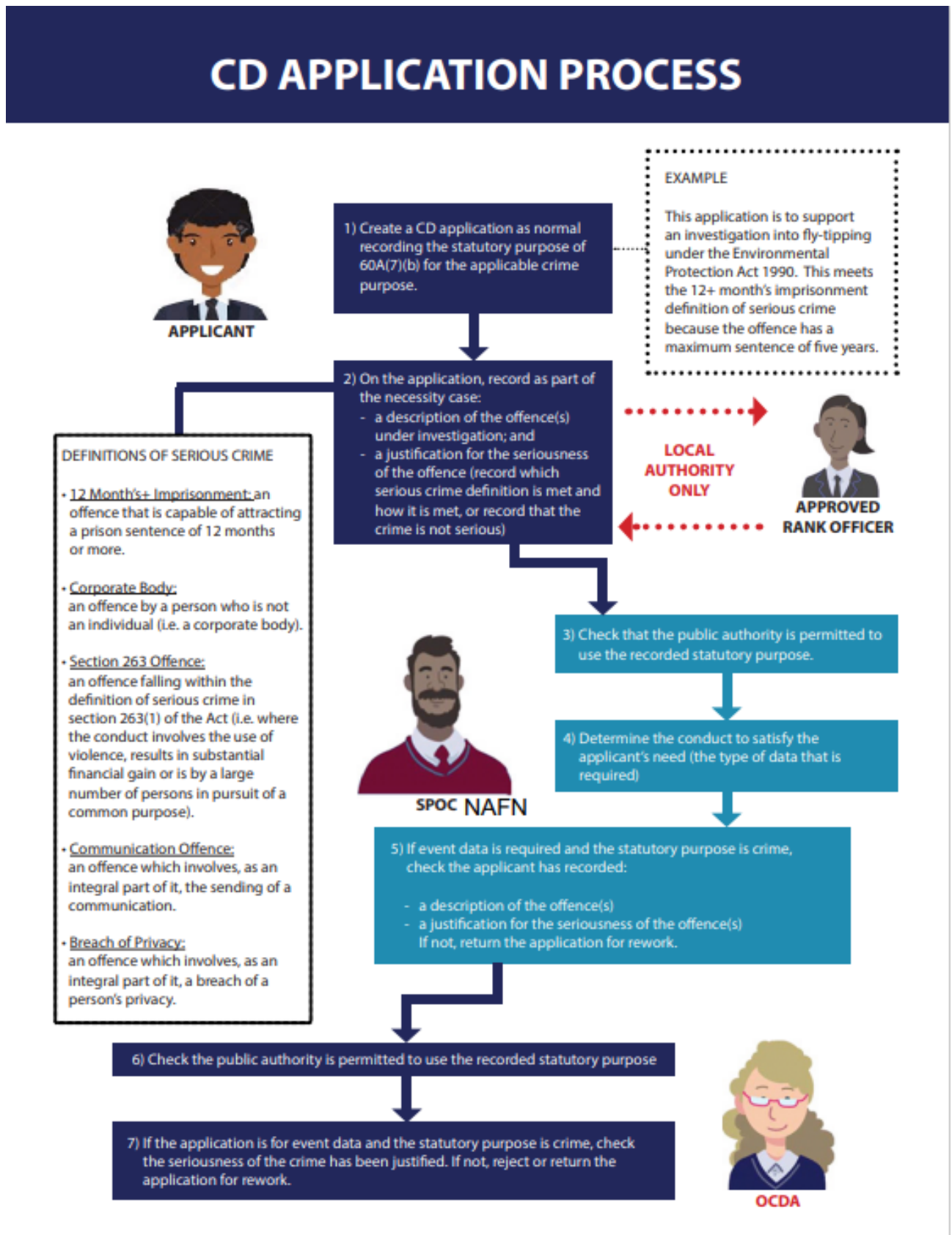
Flowchart 1 RIPA Authorisation guidance



Flowchart 2 – CHIS Guidance



Flowchart 3 – Accessing Communications Data



Note: If at any time during the process, the data is no longer required for any reason. The SPOC officer should be informed and the Designated Person will complete the relevant cancellation notice (ACD819) which is forwarded to the Data service Provider

Impact Risk Assessment Form

Date and Time:
Name and Title:
Details of the operation / investigation
Details of the offence(s) / Breach(s)
Proposed actions
Purpose of the proposed actions and benefits it is likely to deliver
Identify any likely adverse impact of these actions
Are there any alternatives i.e., different ways in which the desired outcome could be achieved?

Are there any obligations that arise from the proposed actions?

How are these actions justified?

Does RIPA need to be considered?

Signature

Date and Time

SURVEILLANCE - AN AID TO INVESTIGATION

DEFINITION

1. Surveillance is the continuous watching (overt or covert) of persons, vehicles, places or objects to obtain information concerning the activities and identities of individuals.

OBJECTIVES OF SURVEILLANCE

2. Surveillance operations can have some of the following objectives:
 - a. To obtain evidence of a crime.
 - b. To locate persons by watching their haunts and associates.
 - c. To obtain detailed information about a subject's activities.
 - d. To check on the reliability of informants.
 - e. To obtain information for search warrants*.
 - f. To prevent an offence or to *arrest a subject in commission of an offence.
 - g. To obtain information for later use in an interview.
 - h. To develop leads and information received from other sources.
 - i. To know at all times the whereabouts of an individual.
 - j. To obtain evidence for use in court.

TYPES OF SURVEILLANCE

3. The following types of surveillance can be carried out:
 - a. Covert Surveillance
A secretive watch where the subject is not aware of our presence.
 - b. Overt Surveillance
An open observation where we deliberately expose the operatives to a subject. (Used as a deterrent).
 - c. Static Surveillance
The use of a vehicle, building or street furniture (for a short time only) as an observation post (OP) from which to observe a subject or premises or to act as the "trigger" for foot or mobile surveillance.
 - d. Mobile Surveillance
The use of cars to follow a subject who is travelling by vehicle. Motorcycles can be used as part of a mobile surveillance operation.

e. Technical Surveillance*

The use of technical equipment such as "bugs" to monitor the activities of a subject(s). This is a very specialised skill. ***not applicable n.b. Portsmouth City Council do not have the legal powers to do this**

The neumonic ADVOKATE is a useful aid to ensure that any information gained by carrying out surveillance will stand up to cross-examination in court.

A Amount of time

How long was the subject actually in view?

D Distance

How far away from you was the subject?

Did you have to use binoculars?

Did you have to avoid the subject's gaze?

V Visibility

What is your vision like?

Do you have to wear glasses - and were you wearing them at the time?

Were you looking through a windscreen or into a vehicle mirror?

Were the mirrors misted up?

What was the weather like - foggy; where was the sun?

O Obstacles

Were there any obstacles to your vision - bushes, cars, people?

K Known

Is the subject known to you?

If so, how?

If not - how did you recognise the subject?

A Any reason to remember the subject?

Brightly coloured or unusual clothes.

Looked like a famous person.

T Time

How long after seeing the subject did you make notes?

Could you have forgotten or confused anything since you last saw the subject?

E Errors

Could you have made a mistake in identifying the subject?

If not, why not?

DESCRIPTION OF PEOPLE

- A** Age
Approximate within 4 years, ie 20-24

- B** Build
Qualify by example if possible

- C** Clothing
Uniforms, brands, logos, etc

- D** Distinguishing Marks
Tattoos, scars, complexion

- E** Elevation/Height
Approximate within 4", ie, 5`2 - 5`6

- F** Face
Complexion, facial hair, glasses, jewellery

- G** Gait
How they walk

- H** Hair
Style, colour, length, etc

DESCRIPTION OF VEHICLE

- S** Shape
Saloon, estate, mpv, etc

- C** Colour
Basic/metallic

- R** Registration
Full/part

- I** Identifying Marks
Dents, alloy wheels, lights, etc

- M** Make and Model

PRE-SURVEILLANCE CHECKLIST

Before carrying out a surveillance operation the following factors need to be checked by a ground reconnaissance or, if this is not possible, a map study.

DO YOU REALLY NEED TO CARRY OUT SURVEILLANCE - CAN YOU OBTAIN THE NECESSARY INFORMATION BY OTHER MEANS?

IF NOT, SOME OF THE THINGS TO CONSIDER FIRST BEFORE DEPLOYING....

ROUTES IN AND OUT

LIKELY DROP OF POINTS (DOPs)

BEST APPROACHES

FROM WHERE CAN YOU SEE THE TARGET CLEARLY?

CAN ALL APPROACHES/EXITS BE SEEN?

CAN YOU BE OBSERVED OR OVERLOOKED?

WILL YOU BE OBVIOUS?

WHERE CAN ANY BACK-UP BE LOCATED?

ARE COMMUNICATIONS REQUIRED?

DO ALL COMMUNICATIONS WORK?

IS AN EMERGENCY RV REQUIRED - IF SO, WHERE WILL IT BE LOCATED?

ARE ANY SPECIAL PREPARATIONS REQUIRED?

IS THERE ANY SPECIAL EQUIPMENT REQUIRED?

WHERE ARE THE MOST APPROPRIATE REST AREAS, FOOD SOURCES, TOILETS ETC?

A GUIDE TO PREPARATION AND USE OF SURVEILLANCE LOGS

1. Surveillance logs constitute original notes of evidence and as far as practicable it is essential that they are prepared and preserved strictly in accordance with rules of evidence, ie, where items have been deleted they must be initialed by the person making the entry. Each entry must follow consecutively with no spaces left.
2. Where a dedicated loggist is appointed, it is his/her responsibility to accurately record events as they are transmitted or reported to him/her.
3. The loggist will be responsible for completing daily, at the commencement of the surveillance, details of the persons employed. These details will be recorded on the opening page.
4. The loggist will record the date, time, his/her name and the fact he/she is performing the duty of loggist. On being relieved, regardless of the length of absence, he/she will "sign off" adopting the same procedure as that when signing on. When it is not practical to conform strictly to these procedures, eg, where the loggist has to leave his/her vehicle in order to participate in the surveillance, such facts should be recorded as soon as practicable.
5. The person who witnesses a particular event will, if it is not his/her own entry, initial alongside the entry where his/her name appears at the first available opportunity. He/she must also sign and date the log at the conclusion of the notes. In the cases where a dedicated loggist is not appointed or where it is not possible to communicate with the loggist, the person witnessing must record details of the event at the time or as soon as practicable.
6. Where notes are not made at the time of the occurrence they must be made as soon as practicable. Notes will be followed by the date, time and place the notes are made.
7. Where two or more persons are present at an occurrence, there is no objection to them collaborating when preparing their notes so that the notes may be as full and comprehensive as possible. Where notes have been made by only one person, there is no objection to these notes being used by another person when giving evidence, provided the person who has not written the notes, reads them as soon as possible after they are made, accepts that they are accurate, and signs and dates them. A note whether made in collaboration with a colleague or otherwise, or if made by a colleague, must only reflect the person's genuine personal observation and recollection.
8. The taking of original notes is of the utmost importance because the notes may later have to be produced in court or referred to by the person long after they were made.
9. The general preference is that the 24 hour clock is used in the log book.
10. No erasure or obliteration of notes is permissible at any time and once an entry in a book has been signed, it cannot be altered in way, either by adding, deleting or changing any particulars. Any corrections made before presentation are to be initialed. If additional or corrected information is obtained subsequently, a further and separate entry is to be made.
11. The pages of the log book are to be numbered. A page-numbered book should be used for this purpose. No pages may be removed. At the conclusion of the operation, the log book should be stored with the remainder of the papers for future production as required.

12. Unnecessary spaces will be avoided between words or at the end of lines. Unused spaces should be struck out and, if a space is left after recording, a line drawn to the end and initialed.
13. Overwriting is forbidden. If a mistake is made, eg, if a wrong word is used or if a word is mis-spelt, it must be struck out and initialed and the letter "A" inserted. At the foot of the page, before it is signed, the letter "A" is again to be inserted followed by the correction. If a second or third mistake is found, the letter "B" and "C" are to be used as necessary. If there is no room at the foot of the page, the corrections may be added at the end of the log for the day.
14. The log book should be available for production if required by the court, or Counsel who desire to examine them. Copies of notes must not be taken to Court; the original must be used in every case. If it should be necessary to make an original note on a loose piece of paper and subsequently copy it into the log book, the original note must be carefully preserved for production if required.

REMEMBER!

In the event of criminal proceedings taking place against a subject, a poorly maintained or inaccurate surveillance log can result in a case being dismissed with many, many hours of wasted effort.

**PART II OF THE REGULATION OF INVESTIGATORY
POWERS ACT (RIPA) 2000
APPLICATION FOR AUTHORISATION TO CARRY OUT
DIRECTED SURVEILLANCE**

<https://www.gov.uk/government/publications/application-for-use-of-directed-surveillance>

**PART II OF THE REGULATION OF INVESTIGATORY
POWERS ACT (RIPA) 2000
REVIEW OF A DIRECTED SURVEILLANCE AUTHORISATION**

<https://www.gov.uk/government/publications/review-of-use-of-directed-surveillance>

**PART II OF THE REGULATION OF INVESTIGATORY
POWERS ACT (RIPA) 2000
CANCELLATION OF A DIRECTED
SURVEILLANCE AUTHORISATION**

<https://www.gov.uk/government/publications/cancellation-of-use-of-directed-surveillance-form>

Application for judicial approval for authorisation to obtain or disclose communications data, to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 23A, 23B, 32A, 32B.

Local authority:.....

Local authority department:.....

Offence under investigation:.....

Address of premises or identity of subject:.....

.....

.....

Covert technique requested: (tick one and specify details)

Communications Data

Covert Human Intelligence Source

Directed Surveillance

Summary of details

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Note: this application should be read in conjunction with the attached RIPA authorisation/RIPA application or notice.

Investigating Officer:.....

Authorising Officer/Designated Person:.....

Officer(s) appearing before JP:.....

Address of applicant department:.....

.....

Contact telephone number:.....

Contact email address (optional):.....

Local authority reference:.....

Number of pages:.....

Order made on an application for judicial approval for authorisation to obtain or disclose communications data, to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 23A, 23B, 32A, 32B.

Magistrates' court:.....

Having considered the application, I (tick one):

- am satisfied that there are reasonable grounds for believing that the requirements of the Act were satisfied and remain satisfied, and that the relevant conditions are satisfied and I therefore approve the grant or renewal of the authorisation/notice.
- refuse to approve the grant or renewal of the authorisation/notice.
- refuse to approve the grant or renewal and quash the authorisation/notice.

Notes

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Reasons

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Signed:

Date:

Time:

Full name:

Address of magistrates' court:



Title of meeting:	Governance & Audit & Standards Committee
Date of meeting:	22 November 2023
Subject:	Compliance with Gifts & Hospitality protocol
Report by:	City Solicitor
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

To update Members on any issues regarding compliance with Gifts & Hospitality protocol and to advise on remedies.

2. Recommendations

- 2.1. That the Committee considers whether or not to make any recommendations for change.
- 2.2. That in the absence of any changes, the report is noted.

3. Background

- 3.1. The protocol for Gifts & Hospitality was approved by Standards Committee on 12 September 2007 subject to review and full approval on 31 March 2008. The protocol and Frequently Asked Questions have subsequently been regularly reviewed.
- 3.2. The protocol requires an annual report by the City Solicitor on compliance to enable this committee to make any necessary recommendations for change - this report addresses that requirement.
- 3.3. The Gifts & Hospitality policy was last reviewed October 2023.

4. Reasons for recommendations

- 4.1. A breakdown of entries in the Gifts & Hospitality system are contained in the appendices to support the following assessments of protocol compliance.
- 4.2. The total number of entries for staff for the period 1 October 2022 to 30 September 2023 (via the Gifts & Hospitality system) is 112. Specific data for the Directorates are included within the appendices to this report.

All Gifts

Directorate	TOTALS (Gifts & Hospitality)	Gifts Accepted	Gifts Rejected	Gifts Donated
Corporate Services	2	2	0	0
Housing, Neighbourhood and Building Services	55	36	15	4
Children Families and Education	2	1	1	0
Culture, Leisure and Regulatory Services	6	5	0	1
Executive	8	1	0	0
Finance & Resources	7	6	0	0
Regeneration	9	1	0	1
Portsmouth International Port	6	1	0	0
Adult Social Care*	17	13	0	3
Sum totals	112	66	16	9

All Hospitality

Directorate	Hospitality Accepted	Hospitality Rejected	Hospitality Donated
Corporate Services	0	0	0
Housing, Neighbourhood and Building Services	0	0	0
Children Families and Education	0	0	0
Culture, Leisure and Regulatory Services	0	0	0
Executive	2	5	0
Finance & Resources	1	0	0
Regeneration	6	1	0
Portsmouth International Port	4	1	0
Adult Social Care*	1	0	0
Sum totals	14	7	0

The main requirements of the protocol are as follows:

4.3. Items which may be accepted

Under the protocol these items must be under £25 in value for gifts and under £40 in value for hospitality (£5 for staff in Adult Social Care). They must be given without ulterior motive. There should not be any danger of misinterpretation by the public and there must not be a frequent occurrence of repeat gifts.

4.4. Items which may not be accepted

These include:

- Where the value exceeds the limits noted above
- Gifts of cash (including vouchers)
- Gifts from persons with whom the Council is in contract negotiations (or could be) and those where we regulate or monitor services

4.5. For the period covering this report, the following will be considered in turn:

Gifts and Hospitality received within policy (section 4.6)
 Gifts registered over £25 (*£5 for Adult Social Care) limit (section 4.7)
 Hospitality registered over £40 (4.8)

A lever-arch folder held by the City Solicitor of Adult Social Care (from Care homes) of gifts below within policy of below £5 received throughout the year, from those without access to Gifts and Hospitality system (provided quarterly).

There do not appear to be any other entries elsewhere other than set out below that do not adhere to the principles contained in the protocol.

Note that registrations by Members are contained in Appendix 6 but these are subject to a separate protocol - see paragraph 4.12

4.6. Gifts and Hospitality received within Policy

The total number of Gifts and Hospitality offered during this reporting period total 90, of which those received as accepted within Policy across all service areas equals 66.

Gifts Under £25 (*£5 for Adult Social Care)

Directorate	TOTAL	Accepted	Rejected	Donated
Corporate Services	2	2	0	0
Housing, Neighbourhood and Building Services	52	36	14	2
Children Families and Education	2	1	1	0
Culture, Leisure and Regulatory Services	6	5	0	1
Executive	0	0	0	0
Finance & Resources	6	6	0	0
Regeneration	1	1	0	0
Portsmouth International Port	1	1	0	0
Adult Social Care*	9	9	0	0
Sum totals	79	61	15	3

Of the three donated gifts, these when to:

- Two to the Lord Mayor's Appeal
- One to Leigh Park Housing Office Christmas raffle.

Hospitality Under £40 (*£5 for Adult Social Care)

Directorate	TOTAL	Accepted	Rejected	Donated
Corporate Services	0	0	0	0
Housing, Neighbourhood and Building Services	0	0	0	0
Children Families and Education	0	0	0	0
Culture, Leisure and Regulatory Services	0	0	0	0
Executive	5	1	4	0
Finance & Resources	0	0	0	0
Regeneration	1	0	1	0
Portsmouth International Port	4	3	1	0
Adult Social Care*	1	1	0	0
Sum totals	11	5	6	0

4.7. Gifts registered over £25 limit.

The total number of entries registered for gifts over the £25 (*£5 for Adult Social Care) limit is 12.

Directorate	TOTAL	Accepted	Rejected	Donated
PCC Corporate Services	0	0	0	0
Housing, Neighbourhood and Building Services	3	0	1	2
Children Families and Education	0	0	0	0
Culture, Leisure and Regulatory Services	0	0	0	0
Executive	1	1	0	0
Finance & Resources	0	0	0	0
Regeneration	1	0	0	1
Portsmouth International Port	0	0	0	0
Adult Social Care*	7	4	0	3
Sum totals	12	5	1	6

- a) Five gifts were accepted,
 - i. One by the retiring Chief Executive
 - ii. Four by Adult Social Care staff under exceptional circumstances and to avoid causing offence.

- b) Six gifts were accepted and donated to:
 - i. Three were donated to the Lord Mayor's Appeal
 - ii. One to the communal lounge for the residents of Nicholson Gardens
 - iii. One to Royal Albert Day Centre
 - iv. One to Barnardo's Charity

4.8. Hospitality registered over £40 limit.

Of the 21 entries registered for hospitality, 10 were over the £40 limit.

Directorate	Totals Over £40	Accepted	Rejected	Donated
Executive	2	1	1	0
Finance & Resources	1	1	0	0
Regeneration	6	6	0	0
Portsmouth International Port	1	1	0	0
Sum totals	10	9	1	0

- a) One was accepted by the retiring Chief Executive
- b) Two was accepted based on the role of the officer, that it would be both relevant and appropriate to attend.
- c) One was accepted as is related to Twinning activities.
- d) Four were accepted related to attendance at national awards.
- e) One was accepted as a key networking event.

One offer was rejected by Chief Executive, invited to represent the Council but due to other commitments, was unable to attend.

4.9. Entries for Cash and Vouchers registered

The total number of entries registered for cash and vouchers is 26. Of these:

- a) 11 offers were rejected;
- b) 3 offers were donated (2 to Lord Mayor's Appeal, 1 to Another Charity)
- c) 12 offers were accepted, of which comprise of a variety of chocolates/cakes; flowers; prayer beads and posters.

4.10. Entries for Donated Gifts

The total number of entries registered for donated gifts is 10. Of these:

- 6 have been donated to the Lord Mayor's Appeal;
 4 items were donated to "Other":
- a) 1 to Royal Albert Day Care
 - b) 1 to Barnardo's Charity
 - c) 1 to communal lounge for the residents of Nicholson Gardens
 - d) 1 to the Leigh Park Housing Office Christmas raffle

4.11. Portico Shipping Limited

Portico Shipping Limited is on a separate network to the Council and therefore not able to make entries on the Council's Gift and Hospitality system. Portico keeps its

own register. If Members would like to see a copy of Portico's register they should enquire directly to the Finance Manager responsible for Portico.

4.12. Gifts and Hospitality for Members

Members are required to declare any gifts or hospitality from any single donor over the value of £50 as set out in the Councillors Code of Conduct section 4.1e and the Code of Conduct in respect of councillors and planning applications section 12.5.

Only one Members' gifts and hospitality declarations for the period 1 October 2022 - 30 September 2023 has been received.

The value is estimated to be below the protocol limits, so has been declared.

5. Integrated impact assessment

An integrated impact assessment is not required as the recommendations do not directly impact on service or policy delivery. Any changes made arising from this report would be subject to investigation in their own right.

6. Legal implications

The City Solicitor's comments are embedded within this report.

7. Director of Finance's comments

There are no financial implications arising from the recommendations contained within this report.

.....
Signed by: City Solicitor

Appendices:

- Appendix 1 - Corporate Services
- Appendix 2 - Housing, Neighbourhood and Building Services
- Appendix 3 - Children Families and Education
- Appendix 4 - Culture, Leisure and Regulatory Services
- Appendix 5 - Executive
- Appendix 6 - Finance & Resources
- Appendix 7 - Regeneration

Appendix 8 - Portsmouth International Port
 Appendix 9 - Adult Social Care
 Appendix 10 - Members' gifts and hospitality register

*Personal data has been redacted from these appendices.

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/
 rejected by on

.....
 Signed by:

Chair of Governance & Audit & Standards Committee

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PCC Corporate Services

Date Received	Value Desc	Receiver	Description	Classification	Action	Donor Name	Donor Interests	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
11/09/2023	Under £5	Jane McGrath	300g bag of Roses chocolates	Gift	Accepted	REDACTED	Pays £150 every week to his NRC bill (non residential care) at cashiers desk in the Civic Offices	REDACTED only uses sign language or written notes and he was insistent that we kept them and shared them.	Natasha Edmunds	Yes	11/09/2023	low value
02/03/2023	Under £5	Jane McGrath	Packet of hob nob biscuits to apologise for previous behaviour at counter last year when bus pass was refused, tried to hand them back but insisted I took them and was getting upset by me not taking them. Once she had given the biscuits we then looked into renewing her bus pass and as she had the correct information this was renewed.	Gift	Accepted	REDACTED		Customer insisted we took them and was visibly upset by me not taking them	Natasha Edmunds	Yes	02/03/2023	low value of gift

PCC Housing, Neighbourhood and Building Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
19/04/2023	£5 - £25		Rachel Rodwell	£2.00 - Baby Hats £3.99 - Baby Muslins £3.99 - Baby Blanket Officer is pregnant and they provided this as a gift alongside a card.	Gift	Other	Accepted	REDACTED	Tenant and partner	TRUE			Refusal would come across as rude and could be distressing. Resident also dropped this off quickly whilst officer was in conversation and left before refusal could be made.	James Hill	Yes	20/04/2023	As per policy
13/12/2022	£5 - £25		Amanda Lodge	1 tub of chocolates & 1 box of biscuits	Gift	Other	Accepted	REDACTED	Resident of Arthur Dann Court	TRUE			Valued at £7 - these gifts should have been rejected given the £5 limit - Scheme Manager advised	James Hill	Yes	05/01/2023	As per policy
29/11/2022	Under £5		Hannah Goward	1 x tub of celebrations 650g.	Gift	Other	Accepted	REDACTED		TRUE			REDACTED was very insistent that I accepted the chocolates as a thanks for all of mine and Jane Pooles help recently. I did refuse initially but accepted due at the insistence of my tenant.	James Hill	Yes	29/11/2022	as per policy
13/12/2022	£5 - £25		Valerie Williams	2 tubs of chocolate & 1 box of biscuits	Gift	Other	Accepted	REDACTED	Resident of Arthur Dann Court	TRUE			Gifts valued at £10 - these should have been rejected given £5 limit - Scheme Manager advised	James Hill	Yes	05/01/2023	As per policy
04/10/2022	£5 - £25		Amanda Thomson	2 x Tubs Chocolate	Gift	Cash / Voucher	Accepted	REDACTED	None	TRUE			Gift for support given and as a thank you. Will share with team if agreed.	James Hill	Yes	05/10/2022	As per policy
24/07/2023	Under £5		Lynda Thomas	2nd hand book (brought from Charity Shop) Helen Rollason "Life's too short" 3x 30ml hand cream collection	Gift	Other	Accepted	REDACTED		TRUE			Accepted from tenant	James Hill	Yes	21/08/2023	As per policy
22/02/2023	Under £5		Jackie Lee	A bunch of flowers	Gift	Other	Accepted	REDACTED		TRUE			The flowers were a thank you for helping them	James Hill	Yes	22/05/2023	As per policy
16/05/2023	£5 - £25		Rebecca Nicolou	A small bunch of flower and a bottle of wine	Gift	Other	Accepted	REDACTED		TRUE			Refusal would offend Tenant	James Hill	Yes	22/05/2023	As per policy
30/11/2022	£5 - £25		Vincent Aymer	Bottle of Baileys	Gift		Accepted	REDACTED		TRUE			Gratitude	James Hill	Yes	19/12/2022	As per policy
24/05/2023	£5 - £25		Kirsty Pottinger	Bouquet of flowers and a card	Gift	Cash / Voucher	Accepted	REDACTED		TRUE			Didn't want to offend tenant by rejecting the gift	James Hill	Yes	05/06/2023	As per pollycy
09/05/2023	£5 - £25		Jane Poole	Box of 300g of Celebration Chocolates and bunch of tulips	Gift	Other	Accepted	REDACTED	PCC Tenant	TRUE			Refusal would cause offence	James Hill	Yes	22/05/2023	As per policy
30/12/2022	£5 - £25		Kellie Bryant	Box of chocolates	Gift	Other	Accepted	REDACTED		TRUE			Did not want to offend REDATED and have shared amongst the PRS Team	James Hill	Yes	13/02/2023	Approved
15/03/2023	£5 - £25		Hannah Riley	Box of chocolates and card	Gift	Other	Accepted	REDACTED		TRUE			Didn't want to offend tenant, he wanted to thank me for supporting him with his benefit application	James Hill	Yes	22/05/2023	As per policy
17/05/2023	Under £5		Suzanne Winter	Box of chocolates plus 2 Dairy Milk Chocolate Bars	Gift	Cash / Voucher	Accepted	REDACTED		TRUE			Did not want to offend the resident, she insisted Suzi have them.	James Hill	Yes	22/05/2023	As per policy
04/10/2022	£5 - £25		Jane Poole	Box of Quality Street and Box of Roses Chocolates	Gift	Other	Accepted	Mr George Thornton		FALSE			Would cause offence to decline	James Hill	Yes	17/10/2022	As per policy
22/02/2023	£5 - £25		Toslma Akhtar	Box of Thortons chocolates	Gift	Other	Accepted	REDACTED	Tenant	TRUE			Box of chocolates given to Toslma as a thank you. Accepted and shared amongst the staff in the office	James Hill	Yes	22/05/2023	As per policy
31/01/2023	£5 - £25		Rebecca Nicolou	Box of Thortons chocolates and a bottle of Prosecco	Gift	Other	Accepted	REDACTED	Tenant of PCC	TRUE			Did not want to offend tenant being stored in Landport Housing Office until a decision is made	James Hill	Yes	31/01/2023	approved
15/06/2023	Under £5		Nicola Ellson	bunch of flowers	Gift	Cash / Voucher	Accepted	REDACTED		TRUE			flowers presented at appointment	James Hill	Yes	16/06/2023	As per policy

PCC Housing, Neighbourhood and Building Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
19/09/2023	Under £5		Jane Herrington	bunch of flowers	Gift	Other	Accepted	REDACTED	PCC tenants	TRUE			They wanted to thank me for helping sort out their debts	James Hill			
11/09/2023	£5 - £25		Jodie Rook	Flowers and chocolates	Gift	Other	Accepted	REDACTED	Tenant	TRUE			Tenant brought gifts into the office for help and support given to them. Tried to decline but tenant insisted. Chocolates to be shared with office.	James Hill	Yes	25/09/2023	As per policy
24/04/2023	Under £5		Ruth Cheater	Flowers and chocolates	Gift	Other	Accepted	REDACTED		TRUE			Tenant wanted to express gratitude for tenancy support provided. Did not want to offend by refusing.	James Hill	Yes	22/05/2023	As per policy
30/11/2022	£5 - £25		Karen Tugby	Gift bag including candle, chocolates, mug to thank Karen for money advice and help. Karen was not in the office when gift was brought in.	Gift	Other	Accepted	REDACTED		TRUE			Resident was insistent on handing over gift for Karen.	James Hill	Yes	19/12/2022	As per policy
03/08/2023	Under £5		Joy Yates	Small artificial flower arrangement	Gift	Other	Accepted	REDACTED	Tenant	TRUE			it was purchased for me as she was very grateful	James Hill	Yes	21/08/2023	As per policy
27/10/2022	£5 - £25		Lynda Thomas	Small bouquet of flowers from Carousel Florist "Just to say a big thank you for all your help and care over the years. A great big thank you!"	Gift	Other	Accepted	REDACTED		TRUE			Flowers were delivered via Florist Delivery: Carousel Florist	James Hill	Yes	28/10/2022	As per policy
28/02/2023	Under £5		Kirsty Pottinger	Small bunch of flowers	Gift	Cash / Voucher	Accepted	REDACTED	Late tenants NOK	TRUE			NOK were very grateful for my support	James Hill	Yes	22/05/2023	As per policy
04/09/2023	Under £5		Joy Yates	Small crystal approximately 1cm x 1cm	Gift	Other	Accepted	REDACTED	Tenant	TRUE			To prevent the tenant from being upset by the refusal.	James Hill	Yes	25/09/2023	As per policy
14/02/2023	Under £5		Rebecca Edmonds	Tamasine left me a card and a box of chocolates as she has appreciated my support towards her and her family	Gift	Other	Accepted	Tamasine Gordon	Tenant	FALSE			Tamasine had wanted to express her thanks to me, I have shared the gift of the chocolates in the office.	James Hill	Yes	22/05/2023	As per policy
29/11/2022	Under £5		Alana Dow	Tenant brought in a bottle of prosecco to apologise for being uncharacteristically rude and out of character to Alana when in housing office.	Gift	Other	Accepted	REDACTED		TRUE			Alana advised it was not necessary but he insisted so did not want to offend him.	James Hill	Yes	19/12/2022	As per policy
01/12/2022	£5 - £25		Jackie McCafferty	Thorntons Continental Chocolates and a Bottle of Prosecco	Gift	Other	Accepted	REDACTED		TRUE			Did not wish to offend client I had been supporting as he transitioned from the Rough Sleeping Pathway to his own tenancy.	James Hill	Yes	19/12/2022	As per policy
23/11/2022	£5 - £25		Jane Poole	Tin of Quality Street	Gift	Other	Accepted	REDACTED		TRUE			Refusal would cause offence	James Hill	Yes	28/11/2022	As per policy
16/12/2022	£5 - £25		Amanda Lodge	tub & box of chocolates	Gift	Other	Accepted	REDACTED	Resident of Arthur Dann Court	TRUE			Valued at £7 - should have been rejected given £5 limit - Scheme Manager advised	James Hill	Yes	05/01/2023	As per policy
08/11/2022	£5 - £25		Kerry Weatherley	Tub of celebrations and small bouquet of flowers	Gift		Accepted	REDACTED		TRUE			Tub of sweets opened and shared with the office	James Hill	Yes	28/11/2022	As per policy

PCC Housing, Neighbourhood and Building Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
11/04/2023	Under £5		Jackie Davis-Smith	Tub of chocolates	Gift	Other	Accepted	REDACTED	Was re-housed via Portsmouth Housing Register	TRUE			Would offend customer to refuse this gift.	James Hill	Yes	11/04/2023	as per policy
11/04/2023	Under £5		Jackie McCafferty	Tub of Quality Street	Gift	Other	Accepted	REDACTED		TRUE			Did not wish to offend customer	James Hill	Yes	11/04/2023	As per policy
11/04/2023	Under £5		Nicola Ellson	Tub of Quality Street	Gift	Other	Accepted	REDACTED	Customer	TRUE			Did not wish to offend customer	James Hill	Yes	11/04/2023	As per policy
06/09/2023	Under £5		Jimmy Massey	Variety pack of chocolate	Gift	Other	Accepted	REDACTED		TRUE			Left at the cash office with my name on it and under £5 in value, shared amongst team	James Hill	Yes	25/09/2023	As per policy
26/10/2022	£5 - £25		Ben Page	Bottle of Gin	Gift	Other	Donated	REDACTED	new tenant	TRUE	Lord Mayor Appeal		A thank you for help and support provided. Refusal would have caused offence to the customer. To be donated to the Lord Mayors appeal.	James Hill			
21/02/2023	Over £25 (specify)	£30	Katrin Stoetzel	Bunch of flowers - offered after Patricia's husband passed away as a thank you to staff	Gift	Other	Donated	REDACTED	Resident of Nicholson Gardens where Katrin works	TRUE	Other	Flowers placed in the communal lounge for the residents of Nicholson Gardens to enjoy	Too difficult to refuse the gift given the circumstances, so placed in the communal lounge	James Hill			
22/05/2023	Over £25 (specify)	£59	Emily Peach	Necklace from H.Samuel	Gift	Other	Donated	REDACTED		TRUE	Lord Mayor Appeal		Gift value over accepted amount for my role at PCC	James Hill			
05/06/2023	£5 - £25		Carrie Harrison	Tenant gave Carrie a bottle of Smirnoff Vodka as a thank you.	Gift	Other	Donated	REDACTED	n/a	TRUE	Other	Carrie is donating it to the Leigh Park Housing Office Christmas raffle.	Tenant wouldn't accept it back	James Hill			
16/02/2023	£5 - £25		Jessica Wearn	£10 cash	Gift	Cash / Voucher	Rejected	REDACTED	Sheltered scheme resident where Jessica works as a Support Assistant	TRUE			Cash cannot be accepted	James Hill			
23/12/2022	£5 - £25		Lisa Jackson	£30 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of St Clares Court	TRUE			Cash cannot be accepted	James Hill			

PCC Housing, Neighbourhood and Building Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
02/12/2022	£5 - £25		Emily Peach	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
17/12/2022	£5 - £25		Mandie White	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
17/12/2022	£5 - £25		Sylvia Wearn	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
15/12/2022	£5 - £25		Valerie Williams	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
15/12/2022	£5 - £25		Tracy Murrinan	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
14/12/2022	£5 - £25		Amanda Lodge	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
12/12/2022	£5 - £25		Stevie Bateman	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
21/11/2022	£5 - £25		Emily Peach	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Arthur Dann Court	TRUE			Cash cannot be accepted	James Hill			
02/08/2023	£5 - £25		Shirley Hobbs	£5 cash	Gift	Cash / Voucher	Rejected	REDACTED	Resident of Bresler House where Shirley Hobbs works	TRUE			Cash cannot be accepted	James Hill			
22/02/2023	Over £25 (specify)	Estimated £100	Toslina Akhtar	Lancome La vie est belle L'eau de parfum estimated value £100	Gift	Other	Rejected	REDACTED	Tenant	TRUE			Box of perfume was wrapped at the time and tenant advised Housing Officer that it isn't much in there. Toslima opened the gift in presence of line manager Alex Mingay and discovered the perfume. We requested the tenant to come back and they have collected the perfume.	James Hill			
22/06/2023	£5 - £25		Alison Rimmer	Large bag of dog chews	Gift	Other	Rejected	REDACTED	Resident of Hale Court where Alison works as a Support Assistant	TRUE			Valued at £15 - so above £5 limit for sheltered housing	James Hill			

PCC Housing, Neighbourhood and Building Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
19/06/2023	£5 - £25		Emma Hobbs	Peace lilly	Gift	Other	Rejected	REDACTED	Resident of Nicholson Gardens where Emma Hobbs works as Scheme Manager	TRUE			£5.99 - so rejected as above £5 limit for sheltered housing.	James Hill			
08/06/2023	£5 - £25		Lisa Jackson	River Island purse containing £5.00	Gift	Other	Rejected	REDACTED	Resident of St Clares Court where Lisa works as Scheme Manager	TRUE			Valued at £22 - so rejected as above £5 limit.	James Hill			

PCC Children Families and Education

Date Received	Value Desc	Receiver	Description	Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason	Director
08/06/2023	£5 - £25	Claire Young	Bottle of wine	Gift	Accepted (Refused)	REDACTED	Foster carer	TRUE	No longer to be working with this client moving forward, my involvement has now ended and did not wish to offend her by refusing. Update: Gift returned.	Sarah Daly	No	09/06/2023	Whilst I appreciate the challenge of this situation we cannot accept.	Alison Jeffery
06/02/2023	£5 - £25	Gemma Jones	Flowers and chocolates to say thank-you.	Gift	Accepted	REDACTED	I have finished working with the family and this was a thank-you gift.	TRUE	I have worked closely with the family and supported mum through some emotion times. This was her way of saying thank-you and good-bye.	Sarah Daly	Yes	06/02/2023	Low level value - already accepted.	Alison Jeffery

PCC Culture Leisure and Regulatory Services

Date Received	Value Desc	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
08/02/2023	£5 - £25	Donna Cook	bottle of wine	Gift	Other	Accepted	REDACTED	Conservation Volunteers	TRUE		Don't want to offend group	Stephen Baily	Yes	15/02/2023	Refusal would offend
16/01/2023	£5 - £25	Claire Looney	Box of Japanese biscuits from Maizuru City Council	Gift	Other	Accepted	REDACTED		TRUE		Non acceptance of the box of biscuits would have caused significant offence to a representative of our Japanese twin city. The biscuits were shared with staff in Cultural, Leisure & Regulatory Services	Stephen Baily	Yes	15/02/2023	Refusal would offend
07/12/2022	£5 - £25	Clare Liddell	Two Christmas tea towels given as thanks for leading reading group	Gift	Other	Accepted	REDACTED	Not known	TRUE		Rejection would cause offence.	Stephen Baily	Yes	15/02/2023	Reusal would offend
04/11/2022	£5 - £25	Catherine Burland	I said I'd take some old cinema posters from the Uni Recruitment Fayre back to the library to distribute/use for arts and crafts/displays-then 2 complimentary vouchers for the cinema arrived on my desk	Gift	Cash / Voucher	Accepted	REDACTED	Not sure what this means	TRUE		(I'm not sure what they're worth in monetary value) They've arrived on my desk without me being here and I asked management for advice :)	Stephen Baily	Yes	30/01/2023	Refusal would offend
04/10/2022	£5 - £25	Ross Fairbrother	Hat and Jute bag bag from Wild Atlantic Way.	Gift	Other	Accepted	REDACTED	Donor was visiting museum to understand redevelopment project to inform similar projects in Ireland.	TRUE		Accepted as not to offend. Gift was offered as a thank you for our time and host in showing museum and talking about project and operation of museum.	Stephen Baily	Yes	15/02/2023	Refusal would offend
02/02/2023	£5 - £25	Jo Baker	A bottle of wine, as a thank you gift	Gift	Other	Donated	REDACTED	REDACTED organises events to which he invites the Lord Mayor.	TRUE	Lord Mayor Appeal	Donated to the Lord Mayor's Appeal as a raffle prize. Working for the Lord Mayor means I am aware that the appeal is always in need of such items for raffles and helps raise money for worthy causes.	Stephen Baily			

PCC Executive

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Action	Donor Name	Donor Interests	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
16/08/2023	£25 - £40		David Williams	Invitation to a celebration dinner to mark the start of the Clipper 2023-24 Round the World Yacht Race, and to view the departure ceremony	Hospitality	Rejected	Clipper Ventures plc	Organisers of the Clipper 2023-24 Round the World Yacht Race	Networking event - invited as a representative of the City Council.	Chris Ward			
15/08/2023	Over £40 (specify)	Approximately £140, including 3 adult tickets @ £36	David Williams	Three tickets to the Portsmouth v Exeter City match (15 August 2023) and three pre-match suppers	Hospitality	Accepted	Portsmouth Football Club	The city's football club, works in partnership with the City Council	A gesture of thanks from the Football Club on David Williams' retirement as Chief Executive of the City Council, in recognition of his support and advice given to the club over the past 16 years.	Chris Ward	Yes	17/08/2023	Relatively low value. To refuse may offend and damage future relationships. The Chief Executive is retiring and therefore the gift can not be considered as any form of influence over future dealings with the Council.
02/06/2023	Over £40 (specify)	£80 for standard day ticket	David Williams	Invitation to see behind the scenes at the Festival build site or event day; invitation to attend a day at the Festival	Hospitality	Rejected	Victorious Events	Organisers of the annual Victorious Festival	Invited as a prominent member of Portsmouth's business community	Chris Ward			
14/06/2023	£5 - £25		David Williams	Invitation to the launch of the Spinnaker Tower's Sky Bar	Hospitality	Rejected	Continuum Heritage Projects - Spinnaker Tower	Operators of the Spinnaker Tower	Networking event and launch of a new local attraction. Invited as a representative of the City Council.	Chris Ward			
30/03/2023	£5 - £25		David Williams	Invitation to the launch of the Dive the Mary Rose 4D exhibition, including refreshments.	Hospitality	Rejected	Mary Rose Museum	Visitor attraction in the city.	Invited as a representative of the City Council. Unable to attend.	Chris Ward			
15/03/2023	£5 - £25		Kelly Nash	Lunch as part of a wider group	Hospitality	Accepted	Louise Wilders	Portsmouth Creates	Prepaid as part of a wider group	Paddy May	Yes	15/03/2023	Was part of a wider group discussing work issues and paid in one transaction

PCC Executive

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Action	Donor Name	Donor Interests	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
14/02/2023	£25 - £40		David Williams	Invitation to a working dinner with Historic England's Historic Places Panel.	Hospitality	Rejected	Historic England		Working and networking event - unable to attend.	Chris Ward			

PCC Finance and Resources

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
21/09/2023	Under £5		Gerry Keely	Small box of M & S chocolate brazil nuts	Gift	Cash / Voucher	Accepted	REDACTED	Mother of a client	She wanted to thank me for assisting with her sons move to a care home.	Andy Biddle	Yes	21/09/2023	Small gift, would have been inappropriate to refuse, shared with colleagues .
21/09/2023	Under £5		Shona Peacock	Small gift bag containing following boxes of chocolates, 1x after eights, 1x quality street and 1x small celebrations and a thank you card.	Gift	Other	Accepted	REDACTED	DHP for removals paid.	it was a small gesture of thanks.	Chris Ward	Yes	21/09/2023	Approved - decline could have caused offence
20/04/2023	Over £40 (specify)	AM break £22.00, lunch £50.17, PM break £22.00 GBP, reception £30.00, for a total of £124.17	Kieron Edmunds	Refreshments and Lunch during the day as part of my general attendance at Oracle Cloud World at London ExCel on 19-Apr-2023. Oracle event showcasing technical solutions, product development and trade stands for a variety of Oracle partner organisations.	Hospitality		Accepted	Oracle Corporation	Software / Cloud Systems Provider (to PCC)	To remain aware of the direction of travel for Cloud products, networking and attendance at a variety of sessions throughout the day including a specific Public Sector stream.	Chris Ward	Yes	24/04/2023	Attendance is relevant to the role and the hospitality offered is proportionate so it is appropriate to attend
25/01/2023	£5 - £25		Jude Taylor	Aftershave	Gift	Other	Accepted	REDACTED	Ratepayer within Portsmouth	Visited office to discuss non domestic rates, gave as gift for resolving situation.	Chris Ward	Yes	29/01/2023	Low value. To refuse would offend
11/01/2023	£5 - £25		Gerry Keely	Box of Dairy Milk Chocolates	Gift	Cash / Voucher	Accepted	REDACTED	None	My Client REDACTED was very grateful for all my help and support over the past 18 months. We are just about to relinquish our Deputyship my mutual agreement.	Andy Biddle	Yes	11/01/2023	as per previous
10/01/2023	Under £5		Gerry Keely	Small box of chocolate truffles	Gift	Cash / Voucher	Accepted	REDACTED	None	REDACTED wanted to say thank you for the service given to REDACTED, I told her not to bother but she bought small gift none the less.	Andy Biddle	Yes	10/01/2023	Shared with the team, refusal would have caused offence
09/12/2022	Under £5		Sarah Kirby	Tub of celebrations	Gift	Other	Accepted	REDACTED	Claiming HB	Accepted and opened for the whole team	Stephen Baily	Yes	09/03/2023	Refusal would offend

PCC Regeneration

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Donated To	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
28/02/2023	£5 - £25		Greg Crowe	Jasmine Tea Longhao. Chinese Tea Leaves.	Gift	Other	Accepted	REDACTED	Donor applied for parking permits at Ferry Road which he received. This is standard procedure. However REDACTED insisted on sending a gift for helping him.		I sent a email to REDACTED saying no need to send a gift. However he sent the gift in the post using my address on my email signature.	Chris Wotton	Yes	12/03/2023	Shared by team
19/12/2022	Over £25 (specify)	circa £60	Vernon Nash	Four bottles of wine	Gift	Cash / Voucher	Donated	REDACTED	Construction firm	Lord Mayor Appeal	One bottle of wine accepted at nominal value £5-£25 Three bottles of wine donated	Tom Southall			
25/09/2023	Over £40 (specify)	£100	Jane Lamer	2 evening meals 3 light buffet lunches	Hospitality		Accepted	REDACTED	Economic development partnerships		As part of the sister city arrangements visit 24th to 28th September. Budget covered our travel and hotel rooms but we were guests for dinners x 2 and for lunch arrangements each day (Monday - Wednesday)	Ian Maguire	Yes	10/10/2023	Necessary networking for the role
13/09/2023	Over £40 (specify)	£487	Paul Walker	Invitation to attend the National Transport Awards on 5th October in London where Stagecoach South has been nominated for Bus Operator of the Year by Transport Focus. The value includes entry and a meal and overnight accommodation	Hospitality		Accepted	Marc Reddy - Managing Director of Stagecoach South	Bus Operator		Portsmouth City Council have been working closely through an adopted legal Enhanced Partnership with both Portsmouth bus operators and delivering bus service improvements for the city through central government funding. This is an important opportunity to showcase the city with funders and peers. The other Portsmouth commercial bus operator, First Bus, have not been nominated for this award by Passenger Focus.	Martin Lavers	Yes	13/09/2023	For the reasons given above and the opportunity they provide for significant future funding opportunities that will benefit Portsmouth

PCC Regeneration

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Donated To	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
20/08/2023	Over £40 (specify)	Award ceremony entry, meal and accommodation - £487.00	Felicity Tidbury	Invitation to attend the National Transport Awards on 5th October in London where Stagecoach South has been nominated for Bus Operator of the Year by Transport Focus. The value includes a meal and overnight accommodation.	Hospitality		Accepted	Marc Reddy - Managing Director of Stagecoach South	Bus Operator		Portsmouth City Council have been working closely through an adopted legal Enhanced Partnership with both Portsmouth bus operators and delivering bus service improvements for the city through central government funding. This is an important opportunity to showcase the city with funders and peers. The other Portsmouth commercial bus operator, First Bus, have not been nominated for this award by Passenger Focus.	Kerri Farnsworth	Yes	13/09/2023	Approved for the reasons given above which in themselves may lead to opportunities for future multimillion pound funding.
01/08/2023	Over £40 (specify)	£414.00	Peter Shelley	Invitation to the Route One Awards for the bus industry in Birmingham on 8 November, where Stagecoach South's Engineering Director has been nominated for an award. The gift includes the award dinner and accommodation. I will meet my own travel costs.	Hospitality		Accepted	REDACTED	Portsmouth City Council has established an Enhanced Partnership with the two operators in the city, Stagecoach South and First South to improve bus services for residents. Working effectively together has brought significant Government funding to the city,		Accepted after agreement with the Director. Seen as an opportunity to strengthen our relationship with local bus operators and showcase the city. An invitation to attend the awards was accepted in 2022 from First South so both operators are being treated the same.	Kerri Farnsworth	Yes	18/09/2023	I have spoken to the Director of Transport and agreed this is appropriate as the award nomination relates to services delivered in Portsmouth and is part of an essential working relationship with local bus operators
18/10/2022	Over £40 (specify)	£478.52	Peter Shelley	Invitation to attend the Route One Awards in Birmingham on 2 November where Marc is a finalist for Bus Manager of the Year. Portsmouth City Council provided a letter of support for his nomination. The value comprises a meal and overnight accommodation. I would meet my own travel costs.	Hospitality		Accepted	REDACTED	First provide bus services, mainly commercially without subsidy, as one of two bus operators in Portsmouth but also operate local bus contracts through a competitive tendering process.		REDACTED is no longer at First Hampshire, Dorset and Berkshire, but worked effectively in partnership with the City Council on recent bids for Government funding and delivering local bus services.	Tristan Samuels	Yes	18/10/2022	important opportunity to showcase the city with funders and peers

PCC Regeneration

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Donated To	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
10/10/2022	Over £40 (specify)	£70	Tristan Samuels	Matchday Hospitality at Fratton Park (29/10/22)	Hospitality		Accepted	REDACTED	owner of Portsmouth Football club		Key networking event with the owners and local stakeholders, who are attending for the first-time post pandemic	David Williams	Yes	10/10/2022	Approved as within policy - important networking opportunity with the owners and management.
15/11/2022	£25 - £40		Adrian Legg	Christmas lunch	Hospitality		Rejected	REDACTED	Project Management/Consultancy		REDACTED are being considered for the employer's agent role at Cabbagefield Row and this could count against that award.	Kerri Farnsworth			

PCC Portsmouth International Port

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Action	Donor Name	Donor Interests	Reason	Approver
20/12/2022	£5 - £25		Rachel McMinn	Small basket of food items, jam, biscuits, chocolate bar and shortbread.	Gift	Accepted	REDACTED	Audio branding	Accepted and agreed by Mike Sellers due to low value of items. Shared amongst the Port Communications Team. The paperwork for this is saved in port folder N:\Adminis\GiftsandHospitality\2022 due to not being able to upload this on the system, due to Outlook issues - PCC IT are aware.	Mike Sellers
05/09/2023	Over £40 (specify)	£70 approximately	Ben McInnes	VIP guest to 2023 Formula Kite European Championships, Visit to Beach Club and board Seafin motor yacht to sail to the race area. Lunch and drinks will be served all afternoon	Hospitality	Accepted	REDACTED	Royal Yachting Association	Mike Sellers has authorised Ben to attend as his role in Harbour Master. The email can be seen in Filestream under Ben's folder. This is because it cannot be uploaded here, PCC IT and Port IT aware.	Mike Sellers
03/09/2023	£25 - £40		Ben McInnes	Front row seat at start of the departure ceremony and race start, lunch reception and light afternoon tea included. Invitation was extended to Mike Sellers but he was unable to attend so passed to Ben McInnes.	Hospitality	Accepted	REDACTED	Sponsoring event and hospitality - Clipper Round the World Event 2023/24	Ben attended on behalf of the Port Director. This hospitality email trail will be saved on Filestream at the port, as cannot be uploaded on this site due to port IT issues, PCC aware.	Mike Sellers
31/05/2023	£25 - £40		Andrew Williamson	Networking event and future business opportunities	Hospitality	Accepted	Clement Mousset	Future cruise customer	Business potential for the Port. Cannot upload the form due to technical issues that cannot be resolved by PCC IT. It is saved in N Drive/G&H/2023	Mike Sellers
17/01/2023	£25 - £40		Ian Palacio	Invite to Mike Sellers to attend the Southampton Master Mariners Club Sea Pie Supper, black tie event. Mike was unable to attend so extended this to Ian Palacio.	Hospitality	Accepted	REDACTED	Stakeholder of Portico Shipping Company	Shipping, towage facilities. Due to not being able to save attachments due to PCC/IT issues, the email trail for this is saved in Adminis folder N:\Adminis\Giftsandhospitality\2023	Mike Sellers

PCC Portsmouth International Port

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Action	Donor Name	Donor Interests	Reason	Approver
24/11/2022	£25 - £40		Joseph Jordan	Site visit to review security procedures including watching a sporting event at the end of the visit.	Hospitality	Accepted	REDACTED		Port use Carlisle, Ian Diaper approved this as Joe's line manager. This has been entered late due to issue with IT trying to sort access to Alison Broomfield to enter. Cannot attach the original signed form so this has been saved in N:Old Drive/Adminis/G&H/2022 at the Port	Mike Sellers
17/01/2023	£25 - £40		Mike Sellers	Shipping, towage facilities. Due to not being able to save attachments due to PCC/IT issues, the email trail for this is saved in Adminis folder N:Adminis\Giftsandhospitality\2023	Hospitality	Rejected	REDACTED	Stakeholder, provides pilot boats for Portico	Mike Sellers was unable to attend so has referred this to Ian Palacio, Business Development Manager to attend on his behalf.	David Williams

PCC Adult Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
21/09/2023	Under £5		Helen Bence	Bottle of white wine	Gift	Other	Accepted	REDACTED	Client	TRUE			Client gave OT gift, when OT was leaving client's property, to express her thanks for all the work that has been completed with her over the last 10 months.	Andy Biddle			
30/06/2023	Under £5		Mark Chamberlain	Heroes chocolate.	Gift	Other	Accepted	REDACTED		TRUE			Gift to team under £5.	Andy Biddle	Yes	05/07/2023	Shared with team, avoiding offence
15/06/2023	Under £5		Jack Holt	Prayer beads	Gift	Cash / Voucher	Accepted	REDACTED	ASC Client	TRUE			Gift accepted at insistence of client to thank me for the work we had completed together.	Andy Biddle	Yes	15/06/2023	Agreed, small value and resident wanted to make the gift
18/05/2023	£5 - £25		Christine Bates	Cake- shared by 4 of us on the visit. A bunch of flowers	Gift	Cash / Voucher	Accepted	Jessica Cooke		FALSE			Cake and flowers offered by a client on my leaving ASC after being her Social Worker for aprox 14 years. It would have been disrespectful to refuse. Team Manager advised to update this list.	Andy Biddle	Yes	19/05/2023	Extraordinary set of circumstances
15/05/2023	Under £5		Zuzana Okonkwo	1 pear	Gift	Other	Accepted	REDACTED		TRUE			REDACTED was very persistent and if I did not accept the pear, he would be offended and upset.	Andy Biddle	Yes	16/05/2023	For reasons above.
15/05/2023	Under £5		Zuzana Okonkwo	1 pear	Gift	Other	Accepted	REDACTED		TRUE			REDACTED was very persistent and if I did not accept the pear, he would be offended and upset.	Andy Biddle	Yes	24/09/2023	As above, avoiding offence
27/04/2023	Under £5		Emma Davies	Photo frame	Gift	Other	Accepted	REDACTED		TRUE			Client wanted to express gratitude, following my support, referrals to external services + completion of major adaptations. I did not want to cause offence by declining.	Andy Biddle	Yes	27/04/2023	Accepted so as not to cause offence
31/03/2023	Under £5		Katie Trubridge	A thank you card and a small pot rose.	Gift	Other	Accepted	REDACTED	Occupational Therapy clients	TRUE			Mr and Mrs REDACTED wanted to thank OT for the support and input they have received.	Andy Biddle	Yes	02/04/2023	No personal benefit for the member of staff concerned, a living gift would be difficult to donate to LM charity.

PCC Adult Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
21/03/2023	£5 - £25		Helen Bence	Am embroidered tablecloth and plate mat	Gift	Other	Accepted	REDACTED	Donor was a client under OT services	TRUE			Client presented gift to OT at the end of the last OT visit. The gift was wrapped and OT was informed that client had brought it back with her from a recent visit home to Iran as thanks for all the work OT had completed for client and her husband. OT thanked client and her husband and brought the gift into the office. Informed supervisor.	Andy Biddle	Yes	06/04/2023	Approved to mitigate offence
21/03/2023	£5 - £25		Helen Bence	Am embroidered tablecloth and plate mat	Gift	Other	Accepted	REDACTED	Donor was a client under OT services	TRUE			Client presented gift to OT at the end of the last OT visit. The gift was wrapped and OT was informed that client had brought it back with her from a recent visit home to Iran as thanks for all the work OT had completed for client and her husband. OT thanked client and her husband and brought the gift into the office. Informed supervisor.	Andy Biddle	Yes	24/09/2023	approved
17/01/2023	£5 - £25		Zuzana Okonkwo	Box of chocolates	Gift	Other	Accepted	REDACTED	REDACTED told me she got a small gift for me as a 'thank you' for the service given to her. I told her not to bother but she already bought it	TRUE			Shared with the team, refusal would have caused offence	Andy Biddle	Yes	18/01/2023	As above
13/01/2023	Under £5		Jordan Pullinger	Small bunch of flowers for team.	Gift	Other	Accepted	REDACTED		TRUE			Attempted refusal, client became upset and advised they would end up in the bin if I didnt take them.	Andy Biddle	Yes	13/01/2023	As per the reason for action

PCC Adult Services

Date Received	Value Desc	Specified Value	Receiver	Description	Classification	Sub Classification	Action	Donor Name	Donor Interests	Hide Donor Details?	Donated To	Donated To Other	Reason	Approver	Approved By Approver	Approver Decision Date	Approver Reason
28/12/2022	Under £5		Valentina Capitano	Aroma diffuser (1.75 £)	Gift	Other	Accepted	REDACTED		TRUE			I explained that I could not accept gifts from clients. She said she understood it. However she said she would like I kept it, as it was only a little present to thank me for supporting her.	Andy Biddle	Yes	22/01/2023	As above, would cause offence if rejected
10/03/2023	£5 - £25		Jessica Tutt	Bush Rose Large Easter Egg Sketch Books	Gift		Donated	REDACTED	client wanted to shower appreciation for support given, they are aware that items will be donated on.	TRUE	Other	Royal Albert Day Centre	items would be used by Royal Albert Day Centre before expiration.	Andy Biddle			
14/02/2023	£5 - £25		Alison McLean	REDACTED gave me 10 pounds as a gift in the middle of a coffee shop to say thank you. He became upset and angry when I refused and told me to give it to charity if it made me feel better.	Gift	Cash / Voucher	Donated	REDACTED	Husband of client open to adult services	TRUE	Other	Banado's Charity	To have refused would have caused an incident in a public place which would have escalated if I hadn't taken the money	Andy Biddle			
12/12/2022	£5 - £25		Emma Ralston	Food & Drink Gift Hamper - inclusive of biscuits, coffee, tea, wine, fudge, chocolate, breadsticks and crisps.	Gift	Other	Donated	REDACTED	Domiciliary care agency to ASC clients.	TRUE	Lord Mayor Appeal		Donation exceeds gift policy for ASC, donated to the Lord Mayor's charity as it benefits local residents.	Andy Biddle			
30/08/2023	Under £5		Jessica Tutt	we met in a cafe, client purchased me a drink before I arrived.	Hospitality		Accepted	REDACTED	Nil	TRUE			not to cause offence.	Andy Biddle	Yes	31/08/2023	not something that could or should have been refused

CODE OF CONDUCT - MEMBERS' GIFTS & HOSPITALITY REGISTER

Portsmouth City Council

Councillor	Estimated Value	Gift(s) and/or Hospitality details			
		Name of Donor(s)	Address of Donor(s)	Nature of Gift/Hospitality	Date Received
Steve Pitt	Unknown (<£50)	Delegation from Zhuhia, China	Zhuhai, China	Ladies square silk scarf	23/08/23



Title of meeting:	Governance & Audit & Standards Committee
Date of meeting:	22 November 2023
Subject:	Consideration of the political balance rules in relation to the constitution of Sub-Committees considering complaints against Members.
Report by:	City Solicitor
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1 Purpose of Report

The Committee is asked to consider whether it wishes to continue to disapply the political balance rules in respect of its Sub-Committees which consider complaints against Members and to agree that the same rule shall apply to the Initial Filtering Panel.

2 Recommendation

It is recommended that the political balance rules are disapplied in respect of Governance and Audit and Standards Sub-Committees which are considering complaints against Members and also the same arrangement should apply in respect of Initial Filtering Panel membership.

3 Background

- 3.1 The Committee previously consistently agreed to "disapply" the political balance rules in respect of Sub-Committees of Governance and Audit and Standards Sub-Committees when dealing with member complaints. This meant the Sub-Committees' membership has not been proportional as the political groups as represented on the Council. Instead it was agreed that the Sub-Committees would be "cross party as far as reasonably practicable". This was considered important to ensure the greatest transparency in the decision making of these Sub-Committees where complaints against members were considered. It was also agreed that the same rule would apply to the make-up of the Initial Filtering Panel which is not a formal Sub-Committee of Governance and Audit and Standards.
- 3.2 Section 17 (2) Local Government and Housing Act 1989¹ provides that any decision not to apply the political balance rules shall come to an end if there is any change in the make-up of a committee where they have been disapplied.

¹ <http://www.legislation.gov.uk/ukpga/1989/42/section/17>

3.3 The decision is one which only this Committee can make but it must be made without any of the Members present voting against it.

4 Reasons for recommendations

As a result of the change to the political appointments to this Committee, at the full Council meeting held on 17 October 2023, Members are asked to reconsider this decision. As the previous decision to disapply the political balance rules, made on 19 July 2023 no longer apply. If Members decide to disapply the political balance rules then this shall apply for the remainder of the municipal year, or until there is any change in the make-up of the committee.

5 Integrated Impact Assessment

An integrated impact assessment is not required as the recommendations do not directly impact on service or policy delivery. Any changes made arising from this report would be subject to assessment in their own right.

6 Legal implications

The City Solicitor's comments are included in this report.

7 Director of Finance's comments

There are no financial implications arising from the recommendations set out in this report.

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Signed by: City Solicitor

Appendices: None

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
None	N/A