

Joint Audit and Governance Committee



Report of Head of Legal and Democratic Services

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To: Joint Audit and Governance Committee

DATE: 6 July 2015

Joint Committee Terms of Reference and Appointment of Sub-Committees

Recommendation

- (1) to note the joint committee's terms of reference, attached at Appendix A, to this report.
- (2) to appoint audit and governance sub-committees as set out in Appendix A to this report.

Purpose of Report

1. To implement the decisions of South and Vale Annual Councils to establish a joint Audit and Governance Committee and to appoint sub-committees to deal with matters relating specifically to each council.

Strategic Objectives

2. To enable both councils to adopt a consistent approach to audit and governance, avoiding duplication of resources and improving joint working.

Background

3. At their respective Annual Meetings on 20th and 21st May 2015, Vale and South Councils agreed to establish a joint Audit and Governance Committee to replace the individual committees, with terms of reference drawn from those of the two committees.
4. The joint committee's terms of reference are attached at Appendix A, for information. However these will be kept under regular review as the roles of the joint committee and its sub-committees are likely to evolve over time.

5. Both councils also agreed to establish sub-committees which will meet as required to discuss and agree matters relating to a single council. The joint committee is asked to formally appoint these sub-committees as set out in Appendix A. They will be chaired by the appropriate co-chair of the joint committee and the membership shall be the four members of the joint committee relevant to each council.

Financial Implications

6. One of the purposes of establishing the joint committee was to avoid duplication of resources. There will also be a reduction in the cost of room bookings.

Legal Implications

7. The joint committee's terms of reference will be kept under review to ensure that both councils carry out their statutory duties.

Other Implications

8. It is anticipated that the establishment of the joint committee will reduce the number of reports being written and the number of meetings staff have to attend and would enable external auditors to attend just one meeting.

Conclusion

9. The councils have appointed a joint committee in order to adopt a consistent approach to audit and governance, avoid duplication of resources and improve joint working. The committee is asked to note the terms of reference attached at appendix A and to appoint sub-committees to deal with matters relating specifically to each council.

Background Papers

None

APPENDIX A

Role and functions of the joint audit and governance committee

1. The joint audit and governance committee will have the following roles and functions in relation to matters applicable to both South and Vale councils:
 - (a) To consider and determine all aspects of the councils' including the approval of the statement of accounts.
 - (b) To receive the external auditor's annual governance report (or equivalent) and review responses to it.
 - (c) To consider corporate governance matters (including but not limited to comments and complaints, Ombudsman investigations and risk management issues) and review responses to them.
 - (d) To agree a governance framework and a local code of governance for inclusion in the constitution.
 - (e) To approve the annual governance statement.
 - (f) To receive external and internal audit reports and review responses to them.
 - (g) To ensure the effective scrutiny of the treasury management strategy, policies and performance.
 - (h) To agree human resources matters relating to the Local Government Pension Scheme. These include changes to the scheme requiring local decisions; responding to consultations for scheme amendments; applying discretionary termination payments to staff, in cases of early retirement on efficiency grounds; and amending or implementing new Council policies on pensions (e.g. discretionary payments policy).
 - (i) The overview of the councils' whistleblowing policy.
 - (j) Having an overview of the standards of conduct framework for councillors, any co-opted members and parish councillors.
 - (k) To determine any other matters delegated to this committee by both councils.

Audit and governance sub-committees

2. Sub-committees for South and Vale will have the following roles and functions:
 - (a) The exercise of (a) to (h) above insofar as they relate specifically to either council
 - (b) Dealing with code of conduct complaints about councillors
 - (c) To grant dispensations to councillors under section 33 of the Localism Act 2011

- (d) To agree up to two consecutive three-month periods of non-attendance at meetings by councillors in the absence of agreement by group leaders

The sub-committees will not discuss matters which go to the joint committee.

Each sub-committee will comprise of all the members of the joint committee from the relevant council. That council's substitutes on the joint committee may act as substitutes on the sub-committee.

Code of conduct and complaints

- 3. Each audit and governance sub-committee may appoint a panel of three eligible members of the sub-committee to determine matters in relation to code of conduct complaints referred by the monitoring officer.

Complaint panels

- 4. Each audit and governance sub-committee:
 - (a) has responsibility for appointing its own panels to make decisions on code of conduct complaints except where the chairman (or vice-chairman) of the sub-committee agrees that the whole sub-committee should be convened when a complaint merits consideration by the full sub-committee.
 - (b) authorises the head of legal and democratic services to invite an appropriate panel to consider code of conduct complaints having regard to members' availability and eligibility to take part;
 - (c) will agree its own procedures for it (or its panels) to deal with code of conduct complaints

Appointment and membership

- 5. Each audit and governance sub-committee shall:
 - (a) appoint panels comprising any three members, or their appointed substitutes, of the audit and governance sub-committee;
 - (b) appoint each member or substitute of the audit and governance sub-committee to serve on any panel which is convened so as to include her or him in its membership;
 - (c) wherever possible, a panel comprising the chairman or vice-chairman of the sub-committee plus two other members of the sub-committee will consider complaints, but that this should not affect the principle that any three members or their substitutes of the sub-committee will constitute a properly appointed panel;
 - (d) A fourth member should be on standby for each hearing in case one of the three members cannot take part for any reason;

Terms of reference

6. To discharge all functions relating to matters referred to the sub-committee in relation to the code of conduct complaints procedure by the council's monitoring officer.
7. Any panel will be known as a complaints panel.