

Joint Audit and Governance Committee procedure rules

Purpose of the Joint Audit and Governance Committee

1. The councils have appointed a Joint Audit and Governance Committee, responsible for managing risk and maintaining an effective control environment. It considers reports on financial and non-financial performance.

Role and function

2. The Joint Audit and Governance Committee will have the following roles and functions in relation to matters applicable to both South Oxfordshire and Vale of White Horse District Councils:
 - (a) to consider and determine all aspects of the accounts of the authorities 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) to have an overview of the councils' whistleblowing policy;
 - (j) to have an overview of the standards of conduct framework for councillors, any co-opted members and parish councillors; and
 - (k) to determine any other matters delegated to this committee by both councils.

Audit and governance sub-committees

3. Sub-committees for South and Vale will have the following roles and functions:
 - (a) The exercise of (a) to (k) above insofar as they relate specifically to either council.
 - (b) To deal 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.

4. The sub-committees will not discuss matters which go to the joint committee.
5. Each sub-committee will comprise all the members of the joint committee from the relevant council. Each council's substitutes on the joint committee may act as substitutes on the sub-committee.

Membership

6. The Joint Audit and Governance Committee will comprise:
 - (a) four councillors from South Oxfordshire District Council (not Cabinet members);
 - (b) four councillors from Vale of White Horse District Council (not Cabinet members);
 - (c) a political balance in accordance with the provisions of the Local Government and Housing Act 1989. (Politically balanced by council, not necessarily across both councils);
 - (d) substitutes from the political groups (not Cabinet members); and
 - (e) an independent non-voting member appointed by South Oxfordshire and Vale of White Horse District Councils.

The chair or the vice-chair of Council shall not act as chair or vice-chair of the committee.

7. The committee may consider the removal of the independent person from the committee if it is agreed that they are not making a meaningful contribution to the work of the committee. Any request for their removal must be made to the co-chairs of the committee who will consult with the monitoring officer and section 151 officer. The committee will make a final decision on the matter. The independent person will have the opportunity to respond to the proposal at the committee if there is cause to consider such a proposal.

Time and place of meetings

8. The time and place of meetings will be notified in the agenda for each meeting. Joint Audit and Governance Committee meetings will take place in accordance with an agreed programme. In addition, additional meetings may be scheduled as required.

Notice of, and agenda for, meetings

9. The head of legal and democratic will give notice to the public of the time and place of any meeting. At least five clear working days before a meeting, the head of legal and democratic will publish the agenda on the council's website and make it available for public inspection at the council's offices, except where the matter under consideration contains confidential or exempt information. The agenda will set out the date, time and location of the meeting, and will specify the business to be transacted. The agenda may contain reports about matters for the Committee's consideration. Where not all reports are available with the agenda they will be published as soon as they become available. Joint Audit and Governance Committee agendas will also be available for six years after a meeting.

Chair of meetings

10. The committee will be co-chaired (one from each council) and the person presiding at any meeting will alternate between the two councils. These shall be non-Cabinet members, appointed at Annual Council each year or by the committee if a vacancy arises. There will be no vice-chair.
11. The chair may choose to indicate how they wish to be addressed, according to personal preference.

Substitutes

12. The council will appoint the same number of preferred substitutes in respect of each political group as that group holds ordinary seats on the Joint Audit and Governance Committee or sub-committee. Each political group will be entitled to up to a maximum of three named substitutes where it has fewer than three members on the committee or sub-committee. A political group need not appoint to all available substitute places.
13. Substitute members will have all the powers and duties of any ordinary member of the committee or sub-committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting. These powers and duties will only be attained by the substitute members from the start until the close of the meeting at which they are substituting.
14. Substitute members may attend meetings:
 - to take the place of the ordinary member for whom they are the substitute;
 - where the ordinary member will be absent for the whole of the meeting; and
 - after notifying the head of legal and democratic before the start of the meeting.
15. Where possible, absent members must be substituted by a preferred substitute who has been named but, where this is not possible, any member of the same political group may act as substitute.

Quorum

16. Four councillors, two from each council, must be present for a legally valid committee meeting to be held. During any meeting, if the chair counts the number of councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.
17. If there is no quorum at the published start time for the meeting, a period of 15 minutes will be allowed. If there remains no quorum at the expiry of this period, the meeting shall be declared null and void. The business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.

Duration of meetings

18. No meeting shall exceed two and a half hours in duration unless the committee, prior to the expiry of the period, vote for the meeting to continue for a further period not exceeding 30 minutes. Remaining business will be considered at the next meeting.

Meeting procedure

19. The committee shall consider the following business:
 - (a) to receive any apologies and notifications of substitutes;
 - (b) declarations of interests;
 - (c) minutes of the previous meeting; and
 - (d) the business otherwise set out on the agenda for the meeting.

Public participation

20. An application to speak must be made in writing or by email to democratic services democratic.services@southandvale.gov.uk by 5.00pm on the last working day before the day of the meeting. Persons who have registered to speak may appoint someone to speak on their behalf provided that written authority from the person who has registered to speak is given to democratic services before the meeting commences.
21. The public may address a Joint Audit and Governance Committee meeting by asking a question, making a statement or presenting a petition and may speak for up to three minutes each. Every question, statement and petition must relate to an agenda item for that meeting. Public questions, statements or petitions will only be accepted at a special meeting of the committee if they relate to the item due to be discussed at that meeting.
22. The public address session at the start of each Joint Audit and Governance Committee meeting will be limited to fifteen minutes. Where the number of speakers exceeds the time available, each speaker's time will be reduced.
23. Questions or statements will be considered by the meeting in the order that they are registered with democratic services. Where multiple questions or statements are received from different people on the same subject, the chair may group these together.
24. The chair of the meeting may suspend the operation of speaking rules at any time if he/she considers it necessary for the purpose of maintaining order.

Voting

MAJORITY

25. Any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question is as put. The independent member is not entitled to vote.
26. Only South Oxfordshire District Council members shall vote on matters that solely relate to South Oxfordshire, and only Vale of White Horse District Council members shall vote on matters that relate solely to the Vale.

CHAIR'S CASTING VOTE

27. If there are equal numbers of votes for and against, the chair will have a second or casting vote. There will be no restriction on how the chair chooses to exercise a casting vote. If the chair does not exercise his/her casting vote, the motion being considered will be deemed to be lost.

SHOW OF HANDS

28. Unless a recorded vote is requested under rule 26, the chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the committee.

RECORDED VOTE

29. If three councillors present at the meeting request it, the names of those voting for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. If a recorded vote is requested, the vote shall be taken alphabetically.

RIGHT TO REQUIRE INDIVIDUAL VOTE TO BE RECORDED

30. Where any councillor requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

Minutes

31. The chair will sign the minutes of the proceedings at the next suitable meeting. The chair will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes may be discussed.

Record of attendance

32. All councillors present must sign the attendance list provided at the meeting.

Exclusion of public

33. The public and press may only be excluded from attending a Joint Audit and Governance Committee meeting for the consideration of confidential or exempt business or under rules 36 and 37 (disturbance by public.)

Councillors' conduct

34. If more than one councillor speaks, the chair will ask one to speak. Other councillors must remain silent whilst a councillor is speaking unless they wish to make a point of order or a point of personal explanation.

CHAIR SPEAKING

35. When the chair speaks during a debate, any councillor speaking at the time must stop.

COUNCILLOR NOT TO BE HEARD FURTHER

36. If a councillor persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

COUNCILLOR TO LEAVE THE MEETING

37. If the councillor continues to behave improperly after such a motion is carried, the chair may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

GENERAL DISTURBANCE

38. If there is a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary.

Disturbance by the public

REMOVAL OF A MEMBER OF THE PUBLIC

39. If a member of the public interrupts the meeting, the chair will invite the person to stop. If they continue to interrupt, the chair will order their removal from the meeting room.

CLEARANCE OF PART OF THE MEETING ROOM

40. If there is a general disturbance in any part of the meeting room open to the public, the chair may call for that part to be cleared and if necessary, adjourn the meeting for as long as he/she thinks necessary.

Attendance by other Councillors at meetings

41. A member who is not otherwise entitled to attend and speak at a committee or sub-committee shall be entitled to do so (but not to vote) at a meeting of a committee or sub-committee in any of the following circumstances, including where confidential or exempt information is being discussed:
- (a) during the consideration of any matter which specifically affects his/her ward, provided that prior notice is given to the head of legal and democratic before the start of the meeting; or
 - (b) with the agreement of the chair, or the person presiding at the meeting of the committee or sub-committee, provided that prior notice is given to the head of legal and democratic before the start of the meeting.

Code of conduct complaints panels

42. Each audit and governance sub-committee:
- (a) may appoint panels to determine matters in relation to code of conduct complaints referred by the monitoring officer;
 - (b) may appoint panels of three eligible members of the sub-committee or their appointed substitutes to make decisions on code of conduct complaints except where the chair (or vice-chair) of the sub-committee agrees that the whole sub-committee should be convened when a complaint merits consideration by the full sub-committee;

- (c) may agree that wherever possible, a panel comprising the chair or vice-chair of the sub-committee plus two other members of the sub-committee will consider complaints, but this should not affect the principle that any three members or their substitutes of the sub-committee will constitute a properly appointed panel; and
- (d) may authorise the head of legal and democratic to appoint panels to consider code of conduct complaints having regard to members' availability and eligibility to take part.

43. Any panel will be known as a complaints panel.