

Article 9 – Audit and Governance Committee

Appointment

The Council will appoint an Audit and Governance Committee. It will normally be politically balanced.

In addition there will be two Sub-Committees. These are:

- a) The Standards Sub-Committee; the role of this Sub-Committee is set out later in this Article. This Committee will conduct hearings relating to breaches of the Member Code of Conduct. The procedures for hearings and the procedures for complaint handling are set out in Part 5 of the Constitution.
- b) The Human Resources Sub-Committee; the role of this Sub-Committee is set out later in this Article.

Composition

The size and composition of this Committee will be determined by Council from time to time. It will be separate, organisationally and practically, from the Cabinet and will not comprise of any Cabinet members.

The Members of the Sub-Committees will be appointed from the main Committee.

Terms of Reference

The Committee will have the following terms of reference relating audit functions, governance functions and human resources functions.

Audit functions

- a) Act as the Council's Audit Committee for internal and external audit.
- b) Agree and oversee the Council's Internal Audit Plan and monitor progress against this Plan.
- c) Receive and consider the work of the external auditor.
- d) Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- e) Overview the Council's risk management arrangements and provide independent assurance of the adequacy of the risk management framework.
- f) Seek assurance that action is being taken on risk-related issues identified by auditors and inspectors.

- g) Approve the Governance and Assurance Statements, Statement of Accounts and anti-fraud and anti-corruption arrangements.
- h) To notify, report or recommend to Cabinet and Council as appropriate.
- i) Have continued due regard for CIPFA (Chartered Institute of Public Finance and Accountancy) guidance.
- j) To review, monitor and consider reports from the Chief Finance Officer on Treasury management, functions and activities.

Governance functions

- a) Promoting and maintaining high standards of conduct by Councillors and any co-opted members.
- b) Assisting the Councillors and co-opted members to observe the Members' Code of Conduct.
- c) To operate the overall scheme in respect of the local determination of Code of Conduct complaints against Council and Parish/Town Members, via Sub-Committees where appropriate (this role is largely delegated by the Constitution to a Standards Sub-Committee and the Monitoring Officer as set out in greater detail in the Constitution).
- d) Approving, and keeping under review, codes of conduct and protocols for Councillors and staff.
- e) Monitoring the local operation of codes and protocols.
- f) Promoting training of Councillors and co-opted members in the context of codes and protocols.
- g) Granting dispensations, where referred by the Monitoring Officer and in accordance with the Localism Act 2011 or other legislation.
- h) To monitor the use of dispensations.
- i) Dealing with any reports from the Monitoring Officer on any matter relating to standards issues or standards complaints.
- j) To appoint Sub-Committees consisting of members drawn from its own membership, excluding group leaders, to determine complaints under the Code of Conduct and referred by the Monitoring Officer. Meetings of these Sub-Committees are to follow the procedure as set out in the Council's agreed procedure for dealing with Code of Conduct complaints.
- k) To overview the Council's whistle blowing policy.

Human Resource Functions

The Human Resources Sub-Committee will be responsible for the Council's Human Resources function where not delegated under the Scheme of Delegation. This includes:

- a) All disciplinary matters relating to specified officers that are required to have Member or Committee involvement. This is elaborated in the Officer Employment Procedure Rules later in this Constitution.

Standards Sub-Committee Terms of Reference

- a) To consider investigation reports, in respect of Code of Conduct complaints, that are referred to it by the Monitoring Officer.
- b) To conduct a hearing into an allegation that a Member or co-opted Member of the Council or Town/Parish Council has breached the relevant code of conduct. At such hearing, the Member against whom a complaint has been made may respond to the investigation report.
- c) Following the hearing the Sub-Committee can make one of the following findings:
 - i) That the Member has not failed to comply with the Code of Conduct and no further action needs to be taken in respect of the matters considered at the hearing
 - ii) That the Member has failed to comply with the Code of Conduct but no further action needs to be taken in respect of the matters considered at the hearing; or
 - iii) That the Member has failed to comply with the Code of Conduct and a sanction and/or an informal resolution should be imposed.
- d) The Sub-Committee may impose any action or combination of actions available to it, or impose any informal resolution or combination of informal resolutions as are available to it either by law or policy.
- e) After making a finding the Sub-Committee shall, as soon as reasonably practicable, provide written notice of its findings and the reason for its decision to the Member and the complainant.
- f) To apply the Council's Standards Complaints Procedure and Complaints Standards Sub-Committee Procedure to hearings before the Sub-Committee.