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MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	21 DECEMBER 2009
PRESENT	COUNCILLORS B WATSON (CHAIR), BROOKS (VICE-CHAIR), JAMIESON-BALL, KIRK AND GUNNELL (SUBSTITUTE)
APOLOGIES	COUNCILLORS BOWGETT, SCOTT AND R WATSON
IN ATTENDANCE	COUNCILLOR MOORE (EXECUTIVE MEMBER FOR CORPORATE SERVICES) COUNCILLOR CRISP MIKE NEWBURY (AREA LEAD FOR CAA) ALISTAIR NEWALL (LOCAL AUDIT MANAGER)

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## **PART B - MATTERS REFERRED TO COUNCIL**

### **54. REVIEW OF THE AUDIT & GOVERNANCE COMMITTEE'S TERMS OF REFERENCE (ARTICLES & FUNCTIONS)**

*[See also under Part A Minutes]*

Members considered a report which outlined proposed revisions to the Audit & Governance Committee's Terms of Reference (described as Articles and Functions in the Council's Constitution).

The changes proposed, as explained in paragraphs 5-10 and set out in the tracked changes document at Annex A to the report, would bring the Committee's operation in line with best practice as set down by CIPFA and the Audit Commission. They were mostly minor amendments, but included a significant change to the Committee's role and responsibilities regarding amendments to the Council's Constitution. This would mean transferring to the Staffing Matters & Urgency Committee responsibility for recommending constitutional amendments to Council, but retaining responsibility for recommending amendments to Financial Regulations and Contract Procedure Rules and certain changes to the Policy Framework.

The document at Annex A incorporated the amendment already agreed regarding the appointment of an independent advisor to the Committee. A person specification for this role was in preparation and a recruitment plan would be discussed with the Chair before the start of the next municipal year.

**RECOMMENDED:** (i) That responsibility for amending the Constitution remain with the Audit & Governance Committee and not be transferred to the Staffing Matters & Urgency Committee.

REASON: In accordance with the role of Audit & Governance Committee to oversee governance arrangements within the Council.

(ii) That the following amendments be made to the relevant parts of the Constitution and that authority be delegated to the Interim Head of Civic, Democratic and Legal Services to make the necessary drafting changes, together with any minor changes to other parts of the Constitution consequential upon these amendments:

a) An amendment to paragraph 1.1 of Article 9 to remove the reference to the Shadow Executive, which no longer exists.

b) Amendments to paragraph 8 of Part 3C to reflect the fact that responsibility for producing the Annual Internal Audit Plans, Reports and related annual opinion is now delegated to the Head of Internal Audit, who manages the shared internal audit Provider, Veritau Ltd.

c) An amendment to paragraph 20 of Part 3C, the amended paragraph to read as follows:

*‘To consider proposals to change the Council’s Constitution referred to it by the Executive and / or Officers and, where it agrees or disagrees that amendments to the Constitution are required, to make recommendations to Council as appropriate.’*

REASON: To ensure that the Committee’s Articles and Functions properly and accurately reflect its responsibilities and those specifically delegated by Council, and to remove the current ambiguity in the interpretation of paragraph 20 of Part 3C.

B Watson, Chair  
[The meeting started at 5.40 pm and finished at 8.55 pm].