

AGENDA SUPPLEMENT (1)

Meeting: Standards Committee

Place: Kennet Room - County Hall, Bythesea Road, Trowbridge, BA14 8JN

Date: Wednesday 20 April 2022

Time: 1.30 pm

The Agenda for the above meeting was published on 8 April 2022. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Lisa Alexander, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01722 434560 or email lisa.alexander@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

9 **Constitutional Changes** *(Pages 3 - 6)*

DATE OF PUBLICATION: 12 April 2022

Item 9 - Constitutional Changes Report & Appendix

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Wiltshire Council

Standards Committee

20 April 2022

Constitutional Changes Report

Purpose of Report

1. This report asks the Standards Committee to consider recommendations of the Constitution Focus Group in relation to Part 3B of the Constitution
 - Paragraphs 2.8 of Part 3B – Terms of Reference of the Audit and Governance Committee

Background

2. The Standards Committee has responsibility for oversight of the Council's constitution. It has established a cross party working group, known as the Constitution Focus Group, to advise and assist in carrying out this function.
3. The Focus Group met on 29 March 2022 to review proposed changes relating to the Audit and Governance Committee.

Main Considerations

4. At its meeting on 1 March 2022, the Audit and Governance Committee following a review of its arrangements resolved to recommend to Council that its terms of reference be amended to permit appointment of an independent co-opted member.
5. The Audit and Governance Committee included revised wording to the terms of reference as set out at Paragraph 2.8 of Part 3B of the Constitution.
6. The Focus Group supported the proposed wording in relation to the membership change. It also made a number of minor clarifications not considered by the Audit and Governance Committee. The final proposal is set out at Appendix A.
7. The Independent Remuneration Panel has been asked to reconvene to advise on whether it recommends the co-opted member of Audit and Governance Committee should receive an allowance.

Safeguarding Implications

8. There are no safeguarding issues arising from this report.

Equalities Impact of the Proposal

9. There are no equalities impacts arising from this report.

Risk Assessment

10. There are no risk issues arising from this report.

Financial Implications

11. There are no financial implications arising from this report.

Legal Implications

12. The recommendations in this report are consistent with the council's duties under relevant legislation.

Public Health Impact of the Proposals

13. There are no public health impacts arising from this report.

Environmental Impact of the Proposals

14. There are no environmental impacts arising from this report.

Workplace Impact

15. There are no workplace impacts arising from this report.

Proposal

16. **To recommend Full Council approve the revisions to Part 3B of the Constitutions as set out in Appendix A.**

Perry Holmes, Director, Legal and Governance

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12 April 2022

Appendices

Appendix A –Part 3, Section 2.8

Background Papers

[Part 3 of the Constitution](#)

Appendix A

Extract from Part 3 of the [Constitution](#), Responsibility for Functions.

Composition

2.8.1 The size of the Audit and Governance Committee and appointments to it will be determined by Council. Appointments will be made having regard to rules on political proportionality.

2.8.2 The Audit and Governance Committee will exclude Members of the Cabinet. The exception is that up to two of -Tthe Leader of the Council or-and the Cabinet Members with -responsible-responsibility for finance and governance will be-is appointed as a non-Non-voting Members of the Committee. As non-voting members they would not count toward the rules on political proportionality

2.8.3 Substitute Members will be permitted in accordance with Part 4 of this Constitution.

2.8.4 In addition to the Elected Members on the Committee, the Committee can appoint up to 2 Independent Co-opted Members, who will be Non-Voting Members of the Committee. The Non-Voting Co-opted Independent Member(s) should have experience of audit and financial management, preferably with knowledge of local authorities.

2.8.5 Independent Co-opted Members will be appointed by a recruitment and selection process involving members of the Committee.

2.8.6 The term of office for Independent Co-opted Members will normally be 4 years.

2.8.7 Independent Co-opted Members will be eligible for re-appointment for a second term.

2.8.8 Independent Co-opted Members do not count towards the Quorum of the committee.

Role and Function

2.8.9 The Audit and Governance Committee will be responsible for:

2.8.10 External Audit Activity:

- To receive and comment on the external audit plan;
- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance;
- To comment on the scope and depth of external audit work and to ensure it gives value for money;
- To monitor the implementation of management actions arising from external audit work.

2.8.11 Internal Audit Activity:

- To approve the terms of reference and strategy for internal audit, and the annual internal audit plan and subsequent changes thereto;

- To monitor and review the effectiveness of internal audit to ensure compliance with statutory requirements;
- To consider the ~~Head of Internal Audit's~~ annual report, ~~and~~ opinion, and a summary on internal audit activity and the level of assurance it provides on the Council's corporate governance arrangements;
- To consider specific internal audit reports as requested, and monitor the implementation of agreed management actions.

2.8.12 Regulatory Framework:

- To monitor and review the effective development and operation of corporate governance, risk and performance management and internal control, and to receive progress reports as required;
- To oversee the process for production of the annual governance statement (AGS), to review the supporting evidence including the arrangements for governance of partnership working, and to approve the ~~draft~~ AGS;
- To monitor the development and implementation of the Council's anti-fraud and corruption policy and strategy.

2.8.13 Financial Management and Accounts:

- To ensure the Council's arrangements for financial management are adequate and effective, and, together with its accounting policies, are regularly reviewed;
- To review and approve the annual statement of accounts;
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the account