

12. Audit and Governance Committee

The Committee shall have the functions, powers and responsibilities set out below and in Article 8 of this Constitution.

Membership: 7 (Quorum 3) [Politically Proportional].

Comprising: Non-Executive Members.

Frequency

of Meetings: 4 meetings per annum together with such other meetings as the Committee Chair shall consider necessary or appropriate.

Requirement: All Members appointed to the Audit and Governance Committee shall be obliged to receive regular and appropriate training, and frequent updates.

(a) Role:

- (i) To consider the Group Manager, Audit and Assurance's annual report and a summary of the internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements, including an opinion on the overall adequacy and effectiveness of the Council's internal control environment.
- (ii) To consider summaries of specific internal audit reports, quarterly.
- (iii) To consider an annual report on the performance of the internal audit service and review the effectiveness of the service in accordance with the Accounts and Audit Regulations.
- (iv) To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.
- (v) To consider the external auditor's annual letter, relevant reports, and the report of those charged with governance.
- (vi) To consider specific reports as agreed with the external auditor.
- (vii) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- (viii) To liaise with the Audit Commission over the appointment of the Council's external auditor.
- (ix) To consider and review changes to the Council's constitution in respect of Contract Standing Orders, Financial Regulations, and Codes of Conduct and behaviour.
- (x) To monitor the effective development and operation of risk management and corporate governance.
- (xi) To consider summaries of specific risk management reports, quarterly.
- (xii) To monitor ~~Council policies on Whistleblowing, the anti-fraud and anti-corruption strategy~~ **the operation of the Council's codes and protocols (see Part 5 of this Constitution) and the Council's complaints process and to advise the Council on the adoption or revision of such codes.**
- (xiii) To oversee the production of the authority's 'Annual Governance Statement' and recommend its adoption.
- (xiv) To consider the Council's arrangements for corporate governance and recommend the necessary action to ensure compliance with best practice.
- (xv) To consider the Council's compliance with its own published standards and controls.
- (xvi) To approve the statement of accounts and the annual governance statement.

- (xvii) To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
 - (xviii) To consider the external auditor's report on issues arising from the audit of the accounts.
 - (xix) To commission work from internal and external audit.
 - (xx) To review any issues referred to it by the Chief Executive or a Corporate Director or any Council body
 - (xxi) To approve the Council's anti-fraud and corruption policies and any other governance policies deemed necessary.
 - (xxii) To receive allegations and any accompanying report from the Monitoring Officer and to refer the allegation to the Monitoring Officer for formal investigation or informal resolution.
 - (xxiii) To set up, where necessary, a Hearings Panel to consider any alleged breach of the Members' Code of Conduct;
 - (xxiv) To promote and maintain high standards of conduct by Councillors and co-opted Members.
 - (xxv) To assist Councillors and co-opted Members to observe the Members' Code of Conduct;
 - (xxvi) To advise the Council on the adoption, revision of, or publicity on the Members' Code of Conduct;
 - (xxvii) To advise, train or arrange to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct;
 - (xxviii) To grant dispensations to Councillors and co-opted Members from the requirements relating to interests set out in the Members' Code of Conduct or other Council codes and protocols where:
 - (a) without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
 - (b) the Committee considers that the dispensation is in the interests of persons living in the Council's area; or
 - (c) the Committee considers that it is otherwise appropriate to grant a dispensation.
 - (xxix) the exercise of (xxii) to (xxiv) above in relation to Quedgeley Parish Council and the Members of the Parish Council;
 - (xxx) To set up, where necessary, a Sub-Committee to shortlist and interview candidates for the role of Independent Person and to make recommendations to Council regarding the appointment of Independent Persons.
 - (xxxi) To provide such advice and assistance as appropriate regarding the appointment of the Independent Person as required under Part 7 of the Localism Act 2011.
 - (xxxii) To set the allowances and expenses payable to the Independent Person and Reserve Independent Persons.
- (b) The power and responsibilities of the Committee shall be as follows:
- (i) The ability to require the Leader and Cabinet Members to attend and be questioned on audit, risk management and corporate governance matters relating to their roles and responsibilities.

- (ii) The ability to require the Chief Executive, and Corporate Directors to attend and be questioned on audit, risk management and corporate governance matters relating to their roles and responsibilities.
 - (iii) The power to call expert witnesses from outside the Council to give advice on matters under review or discussion.
 - (iv) To discharge powers under section 101 of the Local Government Act 1972 acting as a Sub-Committee of the Council for Statement of Auditing Standards (610) purposes.
 - (v) To approve the Statement of Accounts and the Annual Governance Statement.
 - (vi) To approve the Internal Audit Periodic Plan, receive reports on progress and as a consequence approve any material changes to the plan.
- (c) All other matters will be recommended, as appropriate, to the Council, Leader, Cabinet or other Council body for decision.
- (d) Delegation to Officers
Those functions relating to statutory financial, audit and legal functions which have been delegated to officers are set out in the Council's Scheme of Delegation in Part 3 to this Constitution.

11. Hearings Panel (Sub-Committee)

The Sub-Committee of the Audit and Governance Committee shall be known as the "Hearings Panel" and shall have the functions, powers and responsibilities set out below and in Article 9 of this Constitution.

Membership: 3 (Quorum 3) [Proportional to the political composition of the Council].

Comprising: The Hearings Panel shall comprise 3 Members.

Requirement: Members appointed to the Audit and Governance Committee or the Hearings Panel shall be obliged to receive regular and appropriate training by the Monitoring Officer.

Frequency

of Meetings: The Hearings Panel shall meet as frequently as is necessary to perform its functions or for training purposes.

(a) Role:

The Hearings Panel is established to:

- (i) receive reports from the Monitoring Officer following investigations into complaints and all other steps associated with that function;
- (ii) conduct standards hearings and all other steps associated with that function, including taking into account the advice of the Independent Person.

The Hearings Panel may conduct a pre-meeting if it considers it will assist the expeditious resolution of business including identifying areas of agreement / disagreement, how the evidence shall be adduced, and which parts of the hearing, or any documents, shall be private.