

Report to Regulation, Audit and Accounts Committee

14 July 2023

Proposed Changes to the Committee's Terms of Reference

Report by Director of Law and Assurance

Summary

At the last meeting of the Committee a proposal was made to update the Terms of Reference with regards to referring matters of concern to the appropriate forum. In looking at the Terms of Reference, officers felt it would be opportune to ensure that all elements are up to date.

Officers therefore propose some amendments for consideration by the Committee. The changes would need to be referred to the Governance Committee for onward approval by the County Council.

Recommendations

That the Committee approves the proposed changes to the Committee's Terms of Reference and agrees to refer them to the Governance Committee for consideration and onward for approval by the County Council.

Proposal

1 Background and context

- 1.1 At its March meeting members of the Committee agreed to formalise a referral process within its Terms of Reference so that matters of concern identified by the Committee could be referred to the relevant forum within the Council. Officers agreed to prepare this and to refer the necessary changes on to the Governance Committee for approval.
- 1.2 When looking into the Terms of Reference, it was noted that some references to legislation were out of date. There were also areas of responsibility that required rewrites to better reflect the work of the Committee.
- 1.3 Officers discussed this with the former Chairman of the Committee, Cllr Nigel Dennis, who agreed that a fuller report reflecting all the proposed changes should come back to the Committee for consideration before being submitted for onward approval.

2 Proposal details

- 2.1 Appendix A sets out the proposed changes to the current Terms of Reference.
- 2.2 The proposals do not change the role of the Committee, nor add any new areas of responsibility.

- 2.3 The changes reflect advice of senior County Council officers to ensure the Terms of Reference reflect the duties of the Committee whilst complying with legislation and should provide greater transparency of the role of the Committee to elected members, officers, and the public.
- 2.4 Any changes to the Constitution need to be referred for consideration to the Governance Committee which would then refer the matter to the next full County Council meeting for approval and implementation.
- 2.5 The next meeting of the Governance Committee is in September, with the next County Council meeting in October.

3 Other options considered (and reasons for not proposing)

- 3.1 Not making the changes would leave the Terms of Reference out of date and not compliant with current legislation.

4 Consultation, engagement and advice

- 4.1 Guidance was sought from senior officers within the County Council. All references to specific officers and directorates have been checked to ensure they are up to date and correct.

5 Finance

- 5.1 There are no financial implications arising from this report.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Not having responsibilities up to date and clear could impact on the accountability and transparency of decision making	These changes to the Constitution ensure the terms of reference are up to date.

7 Policy alignment and compliance

- 7.1 The proposals are administrative and so do not engage policies relating to equality, human rights, climate change and social value or crime and disorder. They do, however, enable the Council to have clarity on the discharge of statutory responsibilities and so support the efficient use of its resources.

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Appendices

Appendix A - Proposed Changes to the Committee's Terms of Reference

Background papers

None