

Proposed changes to the Constitution: Part 3, Scheme of Delegation - Appendix 5

(changes shown in bold, italic text with deletions struck through)

Regulation, Audit and Accounts Committee

Constitution

Seven members of the County Council and one **up to two** non-voting co-opted independent members. Quorum is three members of the Council. The Chairman will be a minority group member in accordance with Standing Order 2.13.

Note: ~~The purpose of the audit function of the Committee is to provide independent assurance of the adequacy of risk management framework and the associated control environment, independent scrutiny of the County Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process.~~

The non-voting co-opted independent members should have experience of audit and financial management, preferably with knowledge of local authorities and will be appointed by the Committee on the recommendation of the Chairman and Vice-Chairman of the Committee. The term of office is four years, renewable twice with the agreement of the Committee.

Role

The Committee's purpose is to provide oversight of the Council's systems of governance and risk management and its arrangements for financial control and compliance. Its role is to ensure there is sufficient assurance for governance, risk and control to provide confidence that arrangements are effective.

The Committee has oversight of internal and external audit helping to ensure there are adequate arrangements in place for internal and external challenge and public accountability.

CIPFA provides guidance on the role and work of Audit Committees which can be made available to County Councillors on request.

Terms of Reference

Audit Functions

1. To undertake the County Council's responsibilities to provide **ensure** an adequate and effective system of internal audit under the Accounts and Audit Regulations **2015** ~~2011~~.
2. To consider the Head of Internal Audit's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the council's corporate governance arrangements.

3. To approve the internal audit ~~annual~~ work programme.
4. To monitor the effectiveness of the County Council's external audit arrangements, including liaison between internal and external audit.
5. To monitor the implementation of recommendations **and actions** arising from the findings of ~~significant~~ audit work.
6. To consider the external auditor's letter, relevant reports, and ~~the reports~~ to those charged with governance. To maintain an overview of reports to the County Council from other external ~~inspection~~ agencies to see that these are considered and acted upon by the appropriate body within the County Council so far as necessary.
7. To commission work from internal and external audit **in line with the Committee's role.**
8. **To recommend to the County Council the approach, in line with legal requirements, for the appointment of the external auditor for the Council and, in consultation with the Chairman of the Pensions Committee, for the West Sussex Pension Fund** Liaise with the Independent Audit Appointment Panel as necessary over the appointment of the County Council's.

Accounts Functions

9. To consider and approve the annual statement of accounts, income and expenditure and balance sheet, or record of payments and receipts as required under the Accounts and Audit Regulations **2015** ~~2011~~ and the Local Government Pension Scheme (Administration) Regulations 2008 as amended.

Treasury Management Functions

10. To receive quarterly compliance reports on treasury management performance against planned parameters.
11. To consider the wider issues of managing treasury risk including borrowing in the context of interest rate forecasts and the needs of the capital programme.

Corporate Functions

12. To agree revisions to the County Council's Standing Orders on Procurement and Contracts, Financial Regulations and Risk Management Procedures.
13. To oversee the production of the County Council's Annual Governance Statement, and to recommend its adoption **and to monitor the delivery of its action plan.**
14. To monitor the effective development of risk management, including annually agreeing the Council's risk approach as detailed in the Risk Management Strategy.

15. To monitor and approve any changes to the County Council's anti-fraud and corruption strategy **and Anti-Money Laundering Policy**.

Regulatory Functions

- 16. To oversee and consider reports on the discharge of the County Council's regulatory functions and related statutory responsibilities in so far as these may fall outside the responsibility of the County Council's Executive.**

~~17~~16. To exercise the powers and duties of the County Council in relation to the approval of premises for the solemnisation of marriages and formation of civil partnerships under the Marriages (Approved Premises) Regulations 1995 as amended (delegated to the Assistant Director (Communities)).

~~18~~17. To exercise the requirement under Regulation 9 of the Marriages and Civil Partnership (Approved Premises) Regulations 2005 to hear and determine formal representations from applicants who have had an application refused or revoked and have requested a review to the Proper Officer for Registration. This power to be exercised by any three members of the Committee appointed by the Director of Law and Assurance after consultation with the Chairman of the Committee.

~~19~~18. To make, amend, revoke or re-enact byelaws under any provision of any enactment (including a local Act), whenever passed, and Section 14 of the Interpretation Act 1978 (c.30).

~~20~~19. To exercise the powers and duties of the County Council in relation to Petroleum Storage Certificates (delegated to the Assistant Director (Environment and Public Protection)).

~~21~~20. To exercise the powers and duties of the County Council in relation to the Manufacture and Storage of Explosives Regulations 2014 (delegated to the Assistant Director (Environment and Public Protection), including for any public hearing required).

~~22~~21. To issue permits for operation of mini-buses under Section 19 Transport Act 1985 (delegated to the Assistant Director (Highways, Transport and Planning)).

~~23~~22. To license the employment of children under Part II of the Children and Young Persons Act 1933 (c.33), byelaws made under that Part and Part II of the Children and Young Persons Act 1963 (c.37) (delegated to the Assistant Director (Education and Skills)).

~~24~~23. To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds under Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27) (delegated to the Chief Fire Officer).

~~25~~24. To issue, cancel or amend or replace safety certificates (whether general or special) for sports grounds under the Safety of Sports Grounds Act 1975 (delegated to the Chief Fire Officer).

- 26. To receive and consider reports on the County Council's exercise of**

the powers available under the Regulation of Investigatory Powers Act 2000.

Other

27. To refer matters of concern to the appropriate forum for consideration, such as another committee of the County Council.

~~28~~25.To review and adjust delegations to officers within the functions delegated to the Committee.

~~29~~26.To delegate powers, when appropriate and on the *advice or*** recommendation of the Director of Law and Assurance, to another local authority including a borough or district council and to be able, subsequently, to review, amend or withdraw that delegation.**

~~30~~27.To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43(b).