

Governance and Audit Committee Procedure Rules

1. The Governance and Audit Committee

- 1.1 The Council is required by Section 81 of the Local Government (Wales) Measure 2011 (as amended by the Local Government and Elections (Wales) Act 2021) to have a Governance and Audit Committee with its roles and terms of reference as set out herein.
- 1.2 There is no provision in the Local Government (Wales) Measure 2011 to allow the Governance and Audit Committee to form a sub-committee.

2. Membership of the Governance and Audit Committee

- 2.1 The membership of the Governance and Audit Committee shall be appointed by Full Council subject to the following rules:-
 - (a) At least two-thirds of the members of the Governance and Audit Committee shall be elected member of the Council;
 - (b) At least one third of the members of the Governance and Audit Committee shall be a voting lay member.
 - (c) No more than one of the members of the Governance and Audit Committee shall be a member of the Council's executive;
 - (d) The Senior Member of the Council's executive is not a member of the Governance and Audit Committee.¹
- 2.2 The Governance and Audit Committee is entitled to recommend to Council the appointment of a number of people as voting co-optees.

3. Appointment of Chair and Vice Chair

- 3.1 A Governance and Audit Committee is to appoint a member

¹ Sections 82(2) and 87(2) Local Government (Wales)

of the Governance and Audit Committee as its Chair and Vice Chair. The member appointed as the Chair must be a lay person. The member appointed as the Vice Chair must not be a member of the executive or an assistance to the executive.

4. Meetings of the Governance and Audit Committee

4.1 Unless otherwise agreed by the Chair and Vice Chair there shall be at least four ordinary meetings of the Governance and Audit Committee in each year.² In addition, extraordinary meetings may be called from time to time as and when appropriate.

4.2 An Extraordinary Meeting of the Governance and Audit Committee shall be convened in the following circumstances:-

- (a) The Chair of the Governance and Audit Committee so requires it, or
- (b) The full Council resolves that the Governance and Audit Committee shall meet; ³ or
- (c) At least one third of the Members of the Governance and Audit Committee requisition a meeting by giving one or more notices in writing to the Chair, ⁴ or
- (d) If the Chief Executive or the Director of Finance and Corporate Services consider it necessary and appropriate.

5. Quorum

The quorum for an Governance and Audit Committee shall be as set out for Committees in the Council Procedure Rules in Part 4 of this Constitution.

6. Functions of the Governance and Audit Committee

² Section 64 (1) Local Government (Wales) Measure 2011 – The statutory requirement is for at least one meeting per calendar year

³ Section 84(2) (a) Local Government (Wales) Measure 2011

⁴ Section 84(2) (b) Local Government (Wales) Measure 2011

6.1 To discharge with delegated authority the following functions:-

- (a) review and scrutinise the authority's financial affairs, including approval of the Annual Statement of Accounts;
- (b) make reports and recommendations in relation to the authority's financial affairs;
- (c) review and assess the risk management, internal control and corporate governance arrangements of the authority;
- (d) make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements;
- (e) oversee the authority's internal and external audit arrangements, including internal and external audit work plans, receive, review and make reports on audit work and performance;
- (f) review the financial statements prepared by the authority.
- (g) reviewing and making recommendations in relation to the self- assessment in relation to the self assessment report.

7. Forward Plan and Other Information

7.1 The Governance and Audit Committee will be responsible for setting its own work programme and in doing so it shall take into account the wishes of members on that Committee who are not members of the largest political group on the Council.

7.2 Agenda items

- (a) Any member of the Governance and Audit Committee shall be entitled to give written notice to the Chief Executive at least 8 clear working days before the date

of the next meeting that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for, and be discussed at, a meeting of the Committee;

- (b) On receipt of such a request, the Chief Executive shall ensure that it is included on the agenda for the next or subsequent meeting (the determination as to which meeting to rest with the Committee Chair);
- (c) Any Member of the Council who is not a member of the Governance and Audit Committee may give written notice to the Chief Executive at least 8 working days before the date of the next meeting that he/she wishes a matter which is relevant to the functions of the committee to be included on the agenda of the Governance and Audit Committee;
- (d) If the Chief Executive receives such a notification, then he shall include the item on the agenda for the next or a subsequent meeting (the determination as to which meeting to rest with the Committee Chair). Such member may then attend the Committee to speak, but not vote, nor move, second or amend any motion on that item;
- (e) Any Member of the Council who is not a Member of the Governance and Audit Committee may request to and by agreement of the Committee Chair (subject to any relevant Code provisions) attend in respect of a particular item (or items) of interest. The Member may speak, but not move second or amend a motion. The attendance shall relate to the particular item (or items) on the agenda;
- (f) The Governance and Audit Committee shall also respond, as their work programme permits, to requests from the Council and/or the executive, to review particular areas of Council activity relevant to the function of the Committee. Where they do so, the Governance and Audit Committee shall report their findings and any recommendations back to the Council and/or the executive.

8. Policy Review and Development

- 8.1 The executive has the responsibility for proposing the annual budget, and the policies under the policy framework to the full Council – and the role of the Governance and Audit Committee in relation to the development of the Council’s budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules in Part 4 of the Constitution.
- 8.2 In relation to the development of other matters not forming part of its policy and budget framework, the Governance and Audit Committee may make proposals to the executive for developments in so far as they relate to matters within their terms of reference, but there shall be consultation with the executive to avoid any duplication of work.
- 8.3 If the Governance and Audit Committee cannot agree on one single proposal to the Council or executive as appropriate, then one minority proposal may be prepared and submitted for consideration by the Council or executive together with the majority proposal.

9. Access to Documents

- 9.1 The Governance and Audit Committee is subject to Part 5A of the Local Government Act 1972 (access to meetings and documents).⁵
- 9.2 In addition to their rights as councillors, members of the Governance and Audit Committee have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

10. Members and Officers Giving Account

- 10.1 The Governance and Audit Committee:-

(a) may require members and officers of the Council to

⁵ Section 83(7) Local Government (Wales) Measure 2011

attend before it to answer questions, and

- (b) may invite other persons to attend meetings of the committee.⁶

- 10.2 It is the duty of any member or officer of the Council to comply with any requirement imposed under paragraph 10.1(a).⁷
- 10.3 A person is not obliged by paragraph 10.2 to answer any question which the person would be entitled to refuse to answer in, or for the purposes of, proceedings in a court in England and Wales.⁸
- 10.4 Where any member or officer is required to attend an Governance and Audit Committee under this provision, the Committee Chair will inform the Chief Executive who shall inform the member or officer in writing giving at least 8 clear working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the committee. Where the account to be given to the committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow the preparation of that documentation.
- 10.5 Where, in exceptional circumstances, the member or officer is unable to attend on the required date then the Committee Chair shall in consultation with the member of officer arrange an alternative date for attendance.
- 10.6 It is ultimately the elected executive which will be required to answer questions about policies and decisions of the Executive. Officer contributions should as far as possible be confirmed to questions of fact and explanation relating to policies and decisions, though they can be asked to explain and give reasons for decisions they themselves have taken under delegated authority.

⁶ Section 83(4) Local Government (Wales) Measure 2011

⁷ Section 84(5) Local Government (Wales) Measure 2011

⁸ Section 83(6) Local Government (Wales) Measure 2011

11. Procedure at Governance and Audit Committee Meetings

11.1 The Governance and Audit Committee shall consider the following business:-

- (a) Minutes of the last meeting.
- (b) Consideration of any matter referred to the committee.
- (c) Responses of the executive to proposals of the Governance and Audit Committee; and
- (d) The business otherwise set out on the agenda for the meeting.

11.2 Where the Governance and Audit Committee conducts investigations (e.g. with a view to policy development), the committee may also ask people to attend to give evidence at committee meetings which are to be conducted in accordance with the following principles:

- (a) That the investigation is conducted fairly and all members of the committee be given the opportunity to ask questions of attendees, and to contribute and speak
- (b) That those assisting the committee by giving evidence be treated with respect and courtesy; and
- (c) That the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

11.3 Following any investigation or review the Governance and Audit Committee shall prepare a proposal for submission to the executive and/or Council as appropriate, and shall make its proposals and findings public.

11.4 All members of the Governance and Audit Committee are entitled to vote on any question which follows to be decided

by the Committee.⁹

12. Responses to Members who have Referred Matters to the Governance and Audit Committee

When the Governance and Audit Committee has considered a requisition to place an item on the agenda of the Governance and Audit Committee under Paragraph 7.2 of these procedure rules the Committee Chair shall cause the Member who has made the requisition to be advised of the outcome of its consideration by the Committee and the reason for such outcome.

13. Guidance of the Welsh Ministers

The Governance and Audit Committee must have regard to any guidance given by the Welsh Ministers under Section 85(1) Local Government (Wales) Measure 2011.

⁹ Section 83(3) Local Government (Wales) Measure 2011