

**Proposals for Amendments**

**APPENDIX B**

Current Wording	Proposal	Best Practice	Comments/Reason
<p>Statement of Purpose</p> <p>1. Statement of Purpose The purpose of this Committee is to</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> promote and maintain high standards of conduct by Members</li> <li><input type="checkbox"/> provide independent assurance of the adequacy of the risk management framework and the associated control environment</li> <li><input type="checkbox"/> independently scrutinise the authority’s financial and non-financial performance, to the extent that it affects the authority’s exposure to risk and weakens the control environment and to oversee the financial reporting process</li> <li><input type="checkbox"/> approve the financial statements</li> <li><input type="checkbox"/> approve the Annual Governance Statement.</li> </ul>	<p>Statement of Purpose:</p> <p>The purpose of this Committee is to provide an independent and high-level resource to support good governance and strong public financial management.</p>	<p>The wording reflects CIPFA’s Position Statement for Audit Committees.</p> <p>The CIPFA Guidance does have a longer form of words:</p> <p>1 Our audit committee is a key component of [name of authority]’s corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.</p> <p>2 The purpose of our audit committee is to provide independent assurance to the members [or identify others charged with governance in your authority] of the adequacy of the risk management framework and the internal control environment. It provides independent review of [name of authority]’s governance, risk management and control</p>	<p>It is preferable to have a high level and succinct statement of purpose and more detail in the ToR.</p> <p>In addition, it rightly emphasises the Committee’s key role in reviewing strong public financial management.</p> <p>The other matters referred to in the current wording are still covered in the overarching reference to good governance eg. Risk management, internal controls, AGS.</p>

		frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.	
<p>Terms of Reference</p> <p>2. Within the Terms of Reference of the Committee it will be</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the member forum for external audit matters, approving the financial statements on behalf of the full Council</li> <li><input type="checkbox"/> the member forum for ethical framework matters</li> <li><input type="checkbox"/> the member forum for internal audit matters</li> <li><input type="checkbox"/> a key element of the internal control framework for the Council and take responsibility for the approval of the Annual Governance Statement on behalf of the full Council</li> <li><input type="checkbox"/> be the member forum for risk management matters</li> <li><input type="checkbox"/> be the member forum for corporate governance matters.</li> </ul>	<p>Terms of Reference:</p> <p>The core functions of the Committee are:</p> <ul style="list-style-type: none"> <li>• <b>To consider the Council’s arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements</b></li> <li>• To be satisfied that the authority’s assurance statements, including the annual governance statement, properly reflect the risk environment and any actions required to improve it, and demonstrate how governance supports the achievement of the authority’s objectives</li> </ul>	<p>The terms of reference reflect the recommended core functions set out in the CIPFA guidance, with the addition of functions in relation to Standards and the ethical framework and treasury management review.</p>	<p>The ToR should not try to state every item that the Committee may wish to deal with, it should be an overarching set of core functions, giving the committee the freedom to set a forward plan that focuses on the strategic risks.</p> <p>The CIPFA guidance should be consulted to set a work programme for the Committee.</p> <p>The changes are recommended for the following reasons:</p> <ul style="list-style-type: none"> <li>• It provides more clarity on the Committee’s role in relation to external audit. Previously the</li> </ul>

	<ul style="list-style-type: none"> <li>• In relation to the authority’s internal audit functions: <ul style="list-style-type: none"> <li>○ Oversee its independence, objectivity, performance and professionalism</li> <li>○ Support the effectiveness of the internal audit process</li> <li>○ Promote the effectiveness of the internal audit process</li> <li>○ Promote the effective use of internal audit within the assurance framework</li> </ul> </li> <li>• Consider the effectiveness of the authority’s risk management arrangements and the control environment, reviewing the risk profile of the organisation and assurances that action is being taken on risk-related issues, including</li> </ul>		<p>ToR referred to the committee being the “member forum” for external audit matters. However this does not reflect the statutory framework, which requires full council to consider some matters raised by external auditors.</p> <ul style="list-style-type: none"> <li>• It provides more detail on the role in relation to internal audit, emphasising the independent nature of this function.</li> <li>• In relation to assurance, the amended wording makes clear the role is wider than approving the AGS</li> <li>• In relation to risk, there is explicit reference to the Committee’s role in relation to partnerships and collaborative arrangements - this picks up from the</li> </ul>
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	<p>partnerships and collaborations with other organisations</p> <ul style="list-style-type: none"> <li>• Monitor the effectiveness of the control environment, including supporting standards and ethics and for managing the authority's exposure to the risks of fraud and corruption</li> <li>• Consider the reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control</li> <li>• Support effective relationships between external audit and internal audit, inspection agencies and other relevant bodies, and encourage the active promotion of the value of the audit process</li> <li>• Review the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the</li> </ul>		<p>external auditors' recommendation in relation to connected companies, but also allows the Committee to seek assurance for other partnership arrangements and collaborations, for example shared services.</p> <ul style="list-style-type: none"> <li>• In relation to corporate governance, the previous wording could be interpreted as this committee being the only member forum for corporate governance. Clearly all member forums have a role in good governance, however this Committee has a specific role in relation to the Standards regime and the ethical framework. With the increased focus on corporate governance, it is important for the Council to ensure that</li> </ul>
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	<p>issues raised by external audit.</p> <ul style="list-style-type: none"> <li>• Considering governance, risk and control matters at the request of cabinet, full Council and other committees or statutory officers</li> <li>• <b>Promoting and maintaining high standards of conduct, including:</b> <ul style="list-style-type: none"> <li>○ <b>Reviewing the Code of Conduct for Members and wider ethical framework</b></li> <li>○ <b>Promoting high standards of conduct by elected members, co-opted members and parish councillors</b></li> <li>○ <b>Advising the Council on the adoption or revision of the Council’s Ethical Framework, including the codes of conduct,</b></li> </ul> </li> </ul>		<p>this is seen as the responsibility of all elected members and all officers, rather than solely sitting with an individual Committee.</p> <ul style="list-style-type: none"> <li>• The amended wording explicitly allows the statutory officers and other committees to request that this Committee consider specific matters. The wording has been amended from that in the CIPFA Position Statement to add in reference to cabinet and full council. This will replace the section on the link between O&amp;S Committee, but make it clear that any committee, cabinet or full council can request that a matter is considered, again emphasising that corporate governance is everyone’s responsibility.</li> </ul>
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	<p style="text-align: center;"><b>whistleblowing code, corporate anti-fraud arrangements and policy statement on corporate governance</b></p> <ul style="list-style-type: none"> <li>• <b>To establish a sub-committee to decide whether to take action against a member for breaches of the Code of Conduct</b></li> <li>• <b>Reviewing and monitoring treasury management arrangements in accordance with best practice and CIPFA guidance</b></li> </ul>		
<p>Membership The Committee is subject to the provisions of the Local Government Access to Information Act 1985.</p> <p>The Committee will comprise*: Seven councillors (politically balanced) (not the Leader, Mayor and Deputy Mayor,</p>	<p>The Committee will comprise: Seven councillors</p> <p>The councillors should not be members of the executive, the vice chairs or planning or licensing committee, group leaders or chairs of overview and scrutiny committees/panels. The cross over of membership</p>	<p>The CIPFA position statement states:</p> <p>Good membership is characterised by:</p> <ul style="list-style-type: none"> <li>• A balanced, objective, independent of mind, knowledgeable and properly trained membership</li> </ul>	<p>The role of the independent members is to strengthen the knowledge and skills of the committee and to provide an independent voice. This does not require them to be voting members.</p> <p>There should be a protocol for co-opted members ensuring they are bound by</p>

<p>Chairs and Vice Chairs of Planning and Licensing Committee and Group Leaders*)</p> <p>Up to four co-opted (non-voting) independent members from outside the Council with suitable experience The Council's Independent Person (as an observer).</p> <p>* executive members limited to one</p> <p>* one Member from each of the three Parish Councils in the Borough to be invited to attend and speak at the Committee if it is considering a report relating to material changes to the Code of Conduct In order to promote the independence of the Committee there should be limited cross membership between Overview and Scrutiny Committee and the Audit and Corporate Governance Committee limited to a maximum of 2 members. Also Cabinet membership of the</p>	<p>between overview and scrutiny committee/panels members and this committee should be limited to two.</p> <p>The councillors should be selected following a skills audit of the committee and the following skills and knowledge should be represented where possible:</p> <ul style="list-style-type: none"> <li>• Financial management</li> <li>• Audit</li> <li>• Accountancy</li> <li>• Regulatory work</li> <li>• Corporate governance, including company board representation</li> </ul> <p>Up to four co-opted (non voting) independent members (there must be a minimum of one independent member appointed to the committee). The independent members should have suitable experience and be selected following a fair and open process. Skills and knowledge to include:</p>	<ul style="list-style-type: none"> <li>• The committee should be politically balanced, whilst also achieving the right apolitical expertise</li> <li>• A strong independently minded chair, displaying a depth of knowledge, skills and interest. An effective chair should promote apolitical open discussion, manage meetings to cover all business and encourage a candid approach from all participants, demonstrate an interest in and knowledge of financial and risk management, audit, accounting concepts and standards and the regulatory regime.</li> <li>• Unbiased attitudes – treating auditors, the executive and management fairly</li> <li>• The ability to challenge the executive and senior managers when required</li> </ul> <p>CIPFA Guidance recommends:</p>	<p>the code of conduct for members and that they have the ability to raise matters of concern with the Monitoring Officer. Therefore if the independent members had concerns about the operation of the committee, this could be addressed by the Monitoring Officer.</p> <p>Job description for independent member should be drawn up and vacancies publicly advertised. Independent members should be appointed for 3 years, but this can be extended if insufficient alternative candidates. Therefore the Council should conduct a recruitment exercise at least every 3 years, but can do this on a rolling programme if it prefers.</p>
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<p>Committee is limited to one member. The Chair of the Committee will be an elected Member of the Council</p>	<ul style="list-style-type: none"> <li>• Demonstrated ability to support good governance principles</li> <li>• Public sector financial management</li> <li>• Corporate governance, including company board representations</li> <li>• Financial management</li> <li>• Accountancy</li> <li>• Auditing</li> <li>• Regulatory work</li> <li>• Risk management</li> </ul> <p>The Chairman of the Committee should be an elected member.</p>	<p>Discourages executive members sitting on the committee as it could deter the ability to challenge or hold to account the executive on governance, risk and control matters. The committee should have the ability to invite cabinet members to attend.</p> <p>Recommendation to have independent co-opted members, however potential pitfalls are:</p> <ul style="list-style-type: none"> <li>• Over-reliance on the independent members by other committee members can lead to lack of engagement</li> <li>• Lack of organisational knowledge when considering risk registers or audit reports</li> <li>• Effort is required from independent members and staff to establish a working relationship and protocols for briefings and access to information.</li> </ul>	
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		<p>Voting Where the committee is operating as an advisory committee, then all members of the committee should be able to vote. If the council wishes to delegate decisions to the committee, for example the adoption of financial statements, then the independent members will not be able to vote.</p> <p>Job descriptions should be drawn up.</p>	
<p>Working Arrangements</p> <p>5 That Committee will meet four or more times per year.</p> <p>6 The quorum of the Committee shall be a minimum of three voting members of the committee.</p> <p>9 The Committee will appoint a Standards and Determination Sub Committee to</p>	<p>Working Arrangements</p> <p>5. The Committee will meet four or more times per year</p> <p>6. The quorum of the Committee shall be a minimum of three voting members of the committee</p> <p>7. The Committee may require Members of the Council, Chief Officers and the Statutory Governance Officers to attend before it to answer questions. The Committee may request the attendance of another officer.</p>		<p>The ability for the sub-committee to review the code of conduct should sit with the main committee, unless a decision is made to set up a stand alone committee.</p> <p>The guidance does refer to the committees ability to require officers to attend, however, it is common practise to limit this to senior officers. Junior officers would not normally be required to attend a council committee and may find the process of being questioned</p>

<p> <input type="checkbox"/> determine complaints following an investigation; and </p> <p> <input type="checkbox"/> give detailed consideration to revisions to the Code of Conduct as necessary for recommendation to the Committee. </p> <p> 10 The Committee and its Sub Committee may require Members of the Council and Officers of the Authority to attend before it to answer questions. </p> <p> 11 The Committee and its Sub Committee may require the production of any document or record in the possession of the Council to be submitted to it, unless to do so would involve a breach of data protection or other statutory provisions. </p> <p> 12 The Committee may require the Monitoring Officer or his/her nominee to investigate on its behalf </p>	<p> Such a request should be made to the Chief Officer. The Chief Officer may decide whether to send that officer or to attend instead. Chief Officers may send substitutes to answer questions instead of attending in person, however the Committee may require the attendance of the Statutory Governance Officers, upon providing at least 7 days notice. If an officer is unable to attend, the Committee may adjourn the matter to a future meeting when the officer is able to attend. </p> <p> 8. The Committee may require the production of any document or record in the possession of the Council to be submitted to it, unless to do so would involve a breach of data protection or other statutory provision. </p> <p> 9. The Committee may request that the Monitoring Officer, s.151 Officer or Head of Paid Service to investigate any concerns of impropriety, financial mismanagement or system failures and ask for a report to </p>		<p> in a formal committee setting intimidating. Whilst the Chief Officers may send a substitute, the Committee can require the attendance of the three statutory governance officers (HoPS, s.151, MO), although notice should be provided and the matter can be adjourned if the officer is unable to attend. </p> <p> The investigation of impropriety is not carried out on behalf of the committee, as the committee does not have a role in determining impropriety issues. This section has also been widened to include other systemic issues. </p>
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<p>allegations of impropriety referred to the Committee.</p>	<p>be brought back to the Committee at a future date.</p> <p>Standards and Determination Sub-Committee</p> <p>7. The Committee will appoint members to this sub-committee if this is not undertaken by annual council.</p> <p>8. The sub-committee will determine complaints following an investigation.</p>		
<p>Specific Functions</p>			
<p>External Audit</p> <p>To consider the external audit report to those charged with governance on issues arising from the audit of the accounts, and ensure that appropriate action is taken in relation to the issues raised</p> <p><input type="checkbox"/> To consider the external auditor's annual letter and ensure that appropriate action is taken in relation to the issues raised</p>	<p>Suggest removal.</p>	<p>CIPFA Guidance</p> <p>26 To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.</p> <p>27 To consider the external auditor's annual letter, relevant</p>	

<ul style="list-style-type: none"> <li><input type="checkbox"/> To consider and comment on any plans of the external auditors</li> <li><input type="checkbox"/> To comment on the scope and depth of the external audit work and to ensure it gives value for money</li> <li><input type="checkbox"/> To consider any other reports by the external auditors</li> <li><input type="checkbox"/> To liaise with the appointed body over the appointment of the Council's external auditor.</li> </ul>		<p>reports and the report to those charged with governance.</p> <p>28 To consider specific reports as agreed with the external auditor.</p> <p>29 To comment on the scope and depth of external audit work and to ensure it gives value for money.</p> <p>30 To commission work from internal and external audit.</p> <p>31 To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.</p>	
<p>14 Internal Audit</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> To consider the Chief Internal Auditor's annual audit opinion and the level of assurance given over the Councils corporate governance, risk management and control arrangements</li> </ul>	<p>To remove</p>	<p>CIPFA Guidance</p> <p>13 To approve the internal audit charter.</p> <p>14 To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.</p>	

<ul style="list-style-type: none"> <li>□ To consider regular reports, including statistics, abstracts and performance of the work of internal audit as presented by the Chief Internal Auditor</li> <li>□ To consider and approve the annual Internal Audit plan ensuring that there is sufficient and appropriate coverage</li> <li>□ To consider reports from Internal Audit on agreed recommendations not implemented in accordance within the agreed timescale</li> <li>□ To contribute to the annual audit plan</li> <li>□ To comment on the scope and depth of the internal audit work and to ensure it gives value for money</li> <li>□ To consider any other reports the Chief Internal Auditor may make to the Committee.</li> </ul>		<p>15 To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.</p> <p>16 To approve significant interim changes to the risk-based internal audit plan and resource requirements.</p> <p>17 To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.</p> <p>18 To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.</p> <p>19 To consider reports from the head of internal audit on internal</p>	
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		<p>audit's performance during the year, including the performance of external providers of internal audit services. These will include:</p> <ul style="list-style-type: none"><li>a) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work</li><li>b) regular reports on the results of the QAIP</li><li>c) reports on instances where the internal audit function does not conform to the PSIAS and LGAN, considering whether the non-conformance is significant enough that it must be included in the AGS.</li></ul> <p>20 To consider the head of internal audit's annual report:</p> <ul style="list-style-type: none"><li>a) The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the</li></ul>	
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		<p>reliability of the conclusions of internal audit.</p> <p>b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.</p> <p>21 To consider summaries of specific internal audit reports as requested.</p> <p>22 To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.</p> <p>23 To contribute to the QAIP and in particular, to the external quality assessment of internal</p>	
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		<p>audit that takes place at least once every five years.</p> <p>24 To consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations (see Appendix A).</p> <p>25 To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.</p>	
<p>15 Internal Control</p> <p><input type="checkbox"/> To approve the adoption of the Annual Governance Statement to the Council</p> <p><input type="checkbox"/> To ensure that an appropriate action is taken with respect the issues raised in the Annual Governance Statement.</p>	<p>To remove</p>	<p>Governance, risk and control</p> <p>3 To review the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.</p> <p>4 To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the</p>	<p>Internal Control should be far wider than the AGS and the wording in the draft ToR reflects this, referring to assurance statements, including the AGS. The proposed ToR also refers to the wider ethical framework.</p> <p>Reference to partnerships and collobarative arrangements have been included in ToR.</p>

		<p>overall adequacy and effectiveness of the council's framework of governance, risk management and control.</p> <p>5 To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.</p> <p>6 To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.</p> <p>7 To monitor the effective development and operation of risk management in the council.</p> <p>8 To monitor progress in addressing risk-related issues reported to the committee.</p> <p>9 To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.</p> <p>10 To review the assessment of fraud risks and potential harm to</p>	
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		<p>the council from fraud and corruption.</p> <p>11 To monitor the counter-fraud strategy, actions and resources. 12 To review the governance and assurance arrangements for significant partnerships or collaborations</p>	
<p>16 Risk Management</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> To approve the risk management strategy and review the effectiveness of risk management arrangements, the control environment and associated antifraud and anti-corruption arrangements and seek assurances that action is being taken on risk related issues</li> <li><input type="checkbox"/> To ensure that assurance statements, including the Annual Governance Statement properly reflect the risk environment</li> <li><input type="checkbox"/> To review the Council's risk register.</li> </ul>	To remove		This is adequately covered in the revised ToR,
17 Governance	To remove		

<ul style="list-style-type: none"> <li>□ To consider the arrangements for corporate governance and to make appropriate recommendations to ensure corporate governance meets appropriate standards</li> <li>□ To consider the Council's compliance with its own and other published standards and controls</li> <li>□ To review any issues of governance referred to the Committee by internal or external audit</li> <li>□ To take ownership of the Protocol on referring Matters to the External Auditor</li> <li>□ To review the Anti-Fraud and Corruption policy.</li> </ul>			
<p>Standards and Ethical Framework</p> <p>(a) To promote and maintain high standards of conduct by Members, (i.e. Elected and Co-opted).</p>	<p>To remove</p>		<p>Whistleblowing policy is referred to under ethical framework, so already covered.</p>

(b) To assist Members to observe the Council's Ethical Framework including the Code of Conduct.

(c) To advise the Council on the adoption or revision of the Council's Ethical Framework including the Code of Conduct.

(d) To monitor the operation of the Council's Ethical Framework including the Code of Conduct.

(e) To advise, train or arrange to train Members on matters relating to the Council's Ethical Framework including the Code of Conduct.

(f) To determine written complaints made against a Member (including a Parish Council Member) alleging a breach of the Code of Conduct and taking any action that is deemed appropriate and permitted

<p>under the Localism Act 2011 and Regulations thereunder.</p> <p>(g) To exercise of (a) to (f) above in relation to the Parish Councils wholly or mainly in its area and the Members of those Parish Councils.</p> <p>(h) To keep under review and make recommendations to the Council on the Whistle-Blowing Policy and Procedure.</p> <p>(i) To put in place and keep under review arrangements for monitoring Members' performance.</p> <p>(j) To receive and consider reports on individual Members' performance.</p> <p>(k) To decide any requests from a Member or Officer for indemnity as set out in the Council's adopted Policy on Terms of Indemnity.</p>			
18 Other	To remove.		

<p>(a) To liaise with the Overview and Scrutiny Committee to ensure that the work of the two committees is complementary.</p> <p>(b) To promote effective relationships between external audit, internal audit, inspection agencies and other relevant bodies to ensure that the value of the audit and inspection processes are enhanced and actively promoted.</p> <p>(c) To consider financial and non-financial performance issues to the extent that this impacts upon financial management and governance.</p> <p>(d) The Committee shall, in conjunction with the Monitoring Officer and Director of Finance &amp; Resources, produce an Annual Review of work completed and proposed and report on an exception basis</p>			<p>The need for an annual report will be picked up in the Committee's work programme.</p> <p>Relationships between audit and inspection bodies is covered above.</p>
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<p>through the Performance Report for Cabinet.</p>			
<p>Determination Sub-Committee</p> <p>Terms of Reference</p> <p>The Sub-Committee is established to</p> <ul style="list-style-type: none"> <li>• determine complaints following an investigation.</li> <li>• give detailed consideration to revisions to the Code of Conduct as necessary for recommendation to the Committee.</li> </ul> <p>2. Following a hearing the Sub-Committee will make one of the following findings:  (a) That the Member who was the subject of the hearing had not failed to comply with the Code of Conduct of the relevant Authority concerned; (b) That the Member who was the subject of the hearing had failed to comply with the Code of Conduct of the relevant Authority concerned,</p>	<p>Standards Determination Sub-Committee</p> <p>Terms of Reference</p> <p>The Sub-Committee is established to:</p> <ul style="list-style-type: none"> <li>• Determine complaints that an elected members or co-opted members has breached the Council's Code of Conduct for Members, following an investigation and referral by the Monitoring Officer</li> <li>• Determine complaints that a parish councillors has breached the relevant Parish Council's Code of Conduct for Members, following an investigation and referral by the Monitoring Officer</li> </ul>		<p>The revised title is as referred to in the Code of Conduct for Members</p> <p>Removed reference to consideration of revisions to the Code of Conduct as this is the role of the main committee.</p> <p>Paragraph 2 is recommended to be removed as it duplicates the Code of Conduct, which sets out options, but also allows the sub-committee to depart from the arrangements where expedient to do so and allows the MO to vary the arrangements. This allows for more flexibility to take account of changes in best practise and where appropriate in an individual case.</p>

<p>but that no action needs to be taken in respect of the matters which were considered at the hearing; or</p> <p>(c) That the Member who was the subject of the hearing had failed to comply with the Code of Conduct of the relevant Authority concerned and that a sanction should be imposed.</p> <p>3. If the Sub-Committee makes a finding under paragraph 2(c) in respect of a person who is no longer a Member of any authority that the Committee has responsibility for it shall censure that person. 4. If the Sub-Committee makes a finding under paragraph 2(c) in respect of a person who is a serving Member of any authority that the Committee has responsibility for, it shall impose any of, or a combination of, the following sanctions: (a) censure of that Member (b) restriction for a period not exceeding six months of that Member's access to the premises of the</p>			
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<p>relevant Authority or the resources of the relevant Authority provided that those restrictions: i. are reasonable and proportionate to the nature of the breach; ii. do not unduly restrict the person's ability to perform the functions of a Member. (c) that the Member submits a written apology in a form specified by the SubCommittee; (d) that the Member undertakes such training as the Sub-Committee specifies; (e) that the Member participate in such conciliation as the Sub-Committee specifies</p>			
<p>5. Appointment and Composition of the Sub-Committee</p> <p>(a) The Sub Committee will be convened as necessary from the membership of the Audit and Corporate Governance Committee. The Sub-Committee will therefore not have a fixed membership.</p>	<p>Appointment and Composition of the Sub-Committee</p> <p>(a) The sub-committee will be convened as necessary from members of the Audit and Corporate Governance Committee on a case by case basis.</p> <p>(b) The sub-committee shall comprise of five members, a minimum of three of which should be</p>		

<p>(b) The Sub-Committee shall comprise five Members, of whom a maximum of three shall be elected members drawn on a politically proportionate basis, wherever possible. If an opposition Member is not available, the three Members will be appointed from the same political party. No more than two should be Co-Opted Independent Members of the Audit and Corporate Governance Committee.</p> <p>(c) The Sub-Committee shall elect a Chair at each hearing/meeting. The Chair will be an elected Councillor.</p> <p>(d) The appointment and composition of the Sub-Committee shall increase to include a Parish Member (observer) of the Audit and Corporate Governance Committee where the Sub-Committee is considering a report or recommendations that relate to a Parish Council Member.</p>	<p>elected members drawn on a politically proportionate basis wherever possible. At least one member should be a co-opted independent member.</p> <p>(c) The Chair should be elected by the sub-committee members and should be an elected member</p> <p>(d) The appointment and composition of the sub-committee shall increase to include a parish councillor (as co-opted member) where the sub-committee is considering a complaint against a parish councillor. There is no requirement for the parish councillor to come from the same parish council as the councillor about whom the complaint is made.</p> <p>(e) The quorum for the meeting should be three members, two of whom must be elected members and at least one</p>		
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	independent member must be present. When considering a complaint against a parish councillor, at least one parish councillor representative should be present.		