

# Audit Committee

25<sup>th</sup> November 2019



**Report of:** Service Director Legal & Democratic Services (Monitoring Officer)

**Title:** Administrative Changes to the Constitution.

**Ward:** Citywide

**Officer presenting report:** Tim O’Gara, Service Director Legal & Democratic Services (Monitoring Officer)

## Recommendation

That the Audit Committee note the administrative amendments to the Constitution as set out in the report, which address inconsistencies and improve formatting.

## Summary

Responsibility for reviewing the Council’s Constitution was delegated to the Audit Committee in December 2018. The report sets out a number of administrative amendments to the Constitution which have been made by the Monitoring Officer under delegated powers.



## Policy

1. The Audit Committee is a key component of the Council's governance framework. Its function is to provide an independent and high level resource to support good governance and effective public financial management.
2. The purpose of an Audit Committee is to provide those charged with governance with independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

## Consultation

### Internal

The Mayor and Party Group Leaders.

### External

Not applicable

## Context

### Administrative changes

The Constitution is kept under review by the Monitoring Officer to ensure that inaccuracies and formatting issues are rectified.

Below lists those actioned to date:

- Financial Regulations
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Document Name	Actions Taken
Part 4 (i) Financial Regulations	<ul style="list-style-type: none"> <li>• Added section 2.7 regarding compliance with financial regulations.</li> <li>• 6.2.1 – Removal of write off limits as duplicated finance scheme of delegation.</li> <li>• Update of all links to other documents</li> <li>• General formatting changes</li> </ul>
Part 4 (f) Officer Employment Procedure Rules	<ul style="list-style-type: none"> <li>• Amended header to remove reference to gold paper.</li> <li>• Amended footer to say October 2019.</li> </ul> <p>OER3 – Appointment of head of paid service</p> <ul style="list-style-type: none"> <li>• Amended to confirm process is subject to Part I of the Local Authorities (Standing Orders ) (England) Regulations 2001.</li> <li>• Amended to confirm that Full Council approve the appointment.</li> </ul> <p>OER4 – Appointment of chief officers and deputy chief officers</p>

Document Name	Actions Taken
	<ul style="list-style-type: none"> <li>• Amended to confirm process is subject to Part I of the Local Authorities (Standing Orders ) (England) Regulations 2001.</li> <li>• Amended to confirm that all members of the committee or sub-committee must have received recruitment and selection training within the previous 2 years.</li> </ul>

### Other Options Considered

None necessary

### Risk Assessment

None necessary

### Legal and Resource Implications

#### Legal

Local authorities are under a statutory obligation to keep their Constitutions up-to-date (s.9P Local Government Act 2000). Under the Council's Constitution, this duty is discharged by the Monitoring Officer (Article 16.01).

#### Legal advice provided by Nancy Rollason, Head of Legal Services

#### Financial

##### (a) Revenue

Not applicable

##### (b) Capital

Not applicable

#### Land/Property

Not applicable

#### Human Resources

Not applicable

### Appendices:

APPENDIX A : Financial Regulations

APPENDIX B : Officer Employment Procedure Rules (OER)

### LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None