

**GOVERNANCE & PERSONNEL COMMITTEE**  
**TERMS OF REFERENCE / RESPONSIBILITIES**

Membership: Nine members appointed by Annual Council in accordance with political balance regulations and not to include members of the Executive

Purpose:

- To provide those charged with governance independent assurance on the adequacy of the authority's governance and risk management frameworks, internal control and the integrity of the financial reporting and annual governance processes
- To promote, monitor and maintain high standards of conduct by councillors
- To administer the Council's personnel policies as they affect individual employees, to liaise with the Executive in personnel policy development and to advise Council on appointment, disciplinary and grievance matters in relation to the Council's Chief Officers, Deputy Chief Executives and statutory officers (not including dismissal of statutory officers).

**Functions of the Governance & Personnel Committee**

**Audit functions**

- To act as a key component of the authority's corporate governance, providing an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards
- To provide independent assurance to Council of the adequacy of the risk management framework and the internal control frameworks and oversee the financial reporting and annual governance processes
- To review the council's corporate governance arrangements against the good governance framework and considering governance reports and assurances
- To review the Annual Governance Statement prior to approval by Council and considering whether it properly reflects the risk environment and supporting assurances, taking in account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control
- To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements
- To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council
- To monitor the effective development and operation of risk management in the council
- To monitor progress in addressing risk-related issues reported to the committee
- To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions
- To review the assessment of fraud risks and potential harm to the council from fraud and corruption
- To monitor the counter-fraud strategy, actions and resources
- To approve the internal audit plan and significant interim changes to the plan
- To consider reports from the head of internal audit on internal audit's performance during the year including updates on work, key findings, issues of concern and action being taken
- To consider the internal audit annual report and supporting information
- To support the development of effective communication with the Head of Internal Audit

- To consider the external auditor's annual letter, relevant reports and the report to those charged with governance
- To comment on the scope and depth of internal audit work and to ensure it gives value for money
- To commission work from internal and external audit
- To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies
- To review the annual statement of accounts, considering whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

#### Ethical Standards functions

- To promote and maintain high standards of conduct by councillors and co-opted members, including parish councillors within the Borough
- To assist councillors and co-opted members to observe the Members' Code of Conduct
- To advise Council on the adoption or revision of the Members' Code of Conduct and protocols for Members and/or employees (in consultation with the Personnel Committee for employees), including parish councillors within the Borough
- To monitor the operation of the Members' Code of Conduct
- To advise, train or arrange to train councillors (including parish councillors) and co-opted members on matters relating to the Members' Code of Conduct
- To deal with dispensations in relation to politically restricted posts (in consultation with the Personnel Committee)
- Overview of the Anti Fraud and Corruption policy
- To monitor the council's corporate complaints procedures, complaint statistics and Ombudsman investigations
- To monitor the members' and officers' register of interests
- To advise on adoption, amendment and application of the council's Constitution
- To recommend addition to, variation or revocation of the Council Rules of Procedure in consultation with the Monitoring Officer

#### Personnel functions

- Advising the Executive in relation to the corporate management structure of the council, the structure of each service area below Chief Officer level and the overall appointment of staff (Section 112, Local Government Act 1972) (Executive function, in consultation with the Personnel Committee)
- Appointment, disciplinary and grievance matters in relation to the Chief Executive, Deputy Chief Executives, Chief Officers and Statutory Officers (in relation to appointments of the aforementioned and any matters relating to statutory officers, Personnel Committee will make recommendations to Council) (dismissal of statutory officers may only be dealt with by the Statutory Officer Employment Panel)
- Authorising suspension of those at Chief Officer level and above (or making recommendations to Council in relation to suspension of statutory officers)
- Determination of individual grading issues and job evaluation for Chief Officer level and above (Appeals reserved to Appeals Panel)
- Agreeing voluntary severance arrangements for the Chief Executive.
- Conditions of Service for Chief Officer level and above
- Issues relating to the Local Government Pension Scheme

- To receive recommendations from the Safety Panel or referrals of matters raised by Trade Unions and not resolved by officers
- Using the power of section 13(4) and 13(5) of the Local Government Act 2000 to place staff at the disposal of other local authorities for the purpose of joint arrangements or joint working for non-Executive functions
- Monitoring staffing information reports
- Approval, adoption and amendment of personnel policies providing there is no conflict with other strategies and they are not matters reserved for Council under Article 4 of the Council's Constitution.

The following are functions of the Governance Committee which are delegated to officers under the Council's Constitution:

- Granting dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct (delegated to Monitoring Officer)
- Administering the complaints process in relation to members' conduct
- Appointment, disciplinary action or dismissal of staff below Chief Officer level
- Determination of individual grading issues or job evaluation below Chief Officer level
- Administration of the council's Early Retirement Scheme
- Agreement of voluntary severance arrangements other than the Chief Executive
- Absence issues under the Attendance Management Framework
- Use of Section 13(4) and 13(5) of the Local Government Act 2000 to place staff at the disposal of other local authorities in emergency or civil contingency
- Determination of redundancies and redeployment below Chief Officer level.