

CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

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| Date of Meeting | Wednesday, 24 th March 2021 |
| Report Subject | Review of the terms of reference of the Audit Committee |
| Report Author | Internal Audit Manager |

EXECUTIVE SUMMARY

In January 2021 a full report was presented to the Flintshire County Council and Audit Committee on the Local Government and Elections (Wales) Bill. In February 2021 this bill received Royal Assent and became the Local Government and Elections (Wales) Act 2021 with some commencement dates following 2 months after Royal Assent.

This paper covers the legislation which will impact on the role of the Audit Committee from April 2021, this being:

- Change the name of the Audit Committee;
- Additional functions of the Committee around the review and reporting of the self-assessment and peer assessment of the Council's performance and reporting on the effective handling of complaints.

RECOMMENDATIONS

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| 1 | To ask the Constitution and Democratic Services Committee to acknowledge the amended the name of the Council's Audit Committee and to include new functions set in the Act within the current Terms of Reference of the renamed Committee. |
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REPORT DETAILS

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| 1.00 | EXPLAINING REVIEW OF THE COUNCIL'S CONSTITUTION / AUDIT COMMITTEE'S TERMS OF REFERENCE. |
| 1.01 | In January 2021 a paper was presented to the Flintshire County Council and the Audit Committee on the Local Government and Elections (Wales) Bill. Since this report in January the Bill has received Royal Assent. |
| 1.02 | Section 116 – 118 of the Act will commence from April 2021 with the requirement to change the name of the Audit Committee to Governance |

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| | <p>and Audit Committee. As part of the act there will be additional responsibilities of the Governance and Audit Committee. These are:</p> <ul style="list-style-type: none"> • Review an annual performance self-assessment; • Draft responses to any panel reports; • Review and assess the Council's ability to effectively handle complaints; and • Make reports and recommendations in relation to the authority's ability to handle complaints effectively. |
| 1.03 | Further changes will be required to the composition of the renamed Governance and Audit Committee in May 2022. These changes include the additional appointment of a lay member and the Chair of the Governance and Audit Committee being a Lay Member. |
| 1.04 | The current Committee's Terms of Reference has been updated to reflect the renaming of the Committee to Governance and Audit Committee, to include the new functions listed above, and to address the changes of the composition of the audit committee from May 2022. For ease of reference Appendix A highlights all changes in bold / red text. |
| 1.05 | The draft Terms of Reference will be presented for consideration to the Audit Committee on the morning of the 24 th March 2021 and the Constitution and Democratic Services Committee on the afternoon of the 24 th March 2021. If accepted they will be presented to County Council on the 1 st April 2021. |

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| 2.00 | RESOURCE IMPLICATIONS |
| 2.01 | None. |

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| 3.00 | CONSULTATIONS REQUIRED / CARRIED OUT |
| 3.01 | Consultation over the draft Terms of Reference has taken place with the Chief Executive, Council's Monitoring Officer and the Democratic Services Manager and the Audit Committee. |

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| 4.00 | RISK MANAGEMENT |
| 4.01 | Not applicable at this stage. |

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| 5.00 | APPENDICES |
| 5.01 | Appendix A – Revised Terms of Reference - changes highlighted in bold / red text |

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| 6.00 | LIST OF ACCESSIBLE BACKGROUND DOCUMENTS |
| 6.01 | <p>Local Government and Elections (Wales) Act 2021</p> <p>file:///C:/Users/cscsrjr/Downloads/WLGA%20LG&E(W)%20report%20Nov%202020.pdf</p> <p>Report of the Chief Executive and Chief Officer (Governance) on the Local Government & Elections (Wales) Bill. Council, 28th January 2021 and resultant minute.</p> <p>Contact Officer: Lisa Brownbill, Internal Audit Manager Telephone: 01352 702231 E-mail: Lisa.brownbill@flintshire.gov.uk</p> |

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| 7.00 | GLOSSARY OF TERMS |
| 7.01 | None. |