

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Audit & Corporate Governance Committee **DATE:** 9<sup>th</sup> December 2021

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**WARD(S):** All

### **PART I** **FOR COMMENT & CONSIDERATION**

#### **REVISED TERMS OF REFERENCE FOR THE AUDIT & CORPORATE GOVERNANCE COMMITTEE**

##### 1. **Purpose of Report**

To advise the Committee on the proposed revised Terms of Reference attached at Appendix A; and to give the Committee the opportunity to consider the proposals, informed by the table at Appendix B. The proposals are intended to give effect to recommendations from the LGA; CIPFA; and DLUHC, as referred to at section 5 below, and they are also aimed at improving the Committee's Terms of Reference in line with CIPFA best practice guidance.

##### 2. **Recommendation(s)/Proposed Action**

The Committee is requested:

- (a) To consider and comment on the revised Terms of Reference: and
- (b) To recommend that Council approves the revised Terms of Reference at its next meeting.

##### 3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

###### 3a. **Slough Wellbeing Strategy Priorities**

Good governance arrangements will support all of the Slough Wellbeing Strategy Priorities and the JSNA.

###### 3b. **Five Year Plan Outcomes**

Revising the Committee's Terms of Reference will support delivery of all five priority outcomes of the Five Year Plan.

- Outcome 1: Slough children will grow up to be happy, healthy and successful
- Outcome 2: Our people will be healthier and manage their own care needs
- Outcome 3: Slough will be an attractive place where people choose to live, work and stay
- Outcome 4: Our residents will live in good quality homes
- Outcome 5: Slough will attract, retain and grow businesses and investment to provide opportunities for our residents

#### 4. Other Implications

##### (a) Financial

There are no direct financial implications of the proposed action, although the revised Terms of reference will support the council's financial control mechanisms and help ensure it meets its best value duty.

##### (b) Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
To consider and comment on the revised Terms of Reference and to recommend that Council approves an amended Article 9	Political, Legal & Regulatory risks associated with maintaining the status quo	Existing Terms of Reference	Likelihood – Very Low – 2 Impact – Negligible – 2 Risk Score - 4	Enhanced and strengthened Terms of Reference.

##### (c) Human Rights Act and Other Legal Implications

There are no Human Rights Act implications arising from this report.

Under Section 37 of the Local Government Act 2000, the Council is required to prepare and keep up to date a document, referred to as the Constitution, which contains as a minimum:

- (i) The Council's Standing Orders
- (ii) The Council's Code of Conduct for Members; and
- (iii) Such other information as the Secretary of State directs – under the Local Government Act 2000 (Constitutions)(England) Direction 2000 this information includes the membership, terms of reference and functions of the Council's Committees and Sub-Committees, and any rules governing the conduct and proceedings of those Committees and Sub-Committees.

Subject to those provisions, it is for the Council to decide what information its Constitution should contain. SBC's constitution contains a large number of rules and procedures and is broadly split up in the following way:

1. The Articles
2. Responsibility for functions
3. Procedure rules
4. Ethical framework
5. Members' allowances

This phase of the review focuses on Article 9 at Part 2 of the Constitution.

(d) Equalities Impact Assessment

There is no identified need for an EIA at this stage.

5. **Supporting Information**

- 5.1 The LGA governance review published in June 2020 recommended among other things that the Audit and Corporate Governance Committee Terms of Reference should be reviewed.
- 5.2 The DLUHC (formerly MHCLG) Governance Review published on 25<sup>th</sup> October 2021 recommended, as a matter of priority, a review of the Terms of Reference of the Audit and Corporate Governance Committee as outlined in the LGA governance review in 2020.
- 5.3 The Secretary of State's "minded to" letter dated 25<sup>th</sup> October 2021 contains Proposed Directions to the Authority, setting out actions "*which the Authority must undertake in order to effect the changes which are needed ... to include ... a revised term of reference for the Audit and Corporate Governance Committee...*".

6. **Comments of Other Committees**

There are no comments from other Committees.

7. **Conclusion**

Adoption of the revised Terms of Reference for the Audit and Corporate Governance Committee will secure compliance with the recommendations of the LGA governance review and the DLUHC Governance Review, as well as with the Secretary of States Proposed Directions. In addition, it will equip the Audit and Corporate Governance committee to provide an independent and high-level resource to support good governance and strong public financial management. The Committee is therefore asked to consider and comment on the revisions and to recommend that council approves a revised Article 9 at its next meeting.

8. **Appendices Attached**

'A' Proposed Revised Article 9

'B' Table of changes

9. **Background Papers**

1. LGA Governance Review June 2020
2. DLUHC (formerly MHCLG) Governance Review dated September 2021, published 25<sup>th</sup> October 2021
3. DLUHC "minded to" letter dated 25<sup>th</sup> October 2021