

**To the Chair and Members of the
COUNCIL**

PROPOSED REVISION TO COMPOSITION OF AUDIT COMMITTEE HEARINGS SUB-COMMITTEE

EXECUTIVE SUMMARY

1. At its meeting held on 16th July 2015, the Audit Committee considered the Monitoring Officer's Annual Report on matters relating to ethical governance and, as part of this, agreed to recommend that Full Council approves a revision to the composition of the Audit Committee's Hearings Sub-Committee, namely that Parish Council representation on the Audit Committee's Hearings Sub-Committee should cease with immediate effect.

RECOMMENDATION

2. It is recommended that the Council agrees that Parish Council representation on the Audit Committee's Hearings Sub-Committee should cease with immediate effect for the reasons outlined in paragraphs 6 - 7 below;

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. Undertaking appropriate and timely reviews of the Council's ethical governance policies and procedures helps to ensure that the Council maintains openness, transparency and probity in the way that it conducts its business. This in turn should help increase public confidence in local governance through maintaining high standards of conduct by Members.

BACKGROUND

4. As a consequence of the Localism Act 2011, the Council had to adopt a new Member Code of Conduct and put in place new arrangements for dealing with Code complaints against Councillors at both Borough and Parish level. These new arrangements came into effect in July 2012. It was agreed at that time to retain the Council's Standards Committee while the new arrangements were bedded in, but that this would be reviewed in 12 months' time.
5. As the Audit Committee has responsibility for corporate governance that incorporates ethical governance (the focus of the former Standards Committee) it was agreed by the Council at its meeting on 13th June 2014 to disband the Standards Committee and transfer its functions to the Audit Committee. To enable the Audit Committee to have a mechanism in place to deal with complaints against Councillors that cannot be resolved informally, it was also agreed to establish a Hearings Sub-Committee of the Audit Committee. This Sub-Committee currently comprises two co-opted Parish Council representatives (Parish Councillors Norma McCarron and Richard Johnson) and two co-opted Independent (non-Councillor) representatives (David Harle and Monica Clarke).

6. As the terms of office of the Parish Council representatives on the Hearing Sub-Committee were due to expire on 20th July 2015, it has been necessary to review the composition of the Sub-Committee. The Localism Act 2011 introduced a new process with a much greater emphasis on resolving complaints on a more informal basis (avoiding lengthy and potentially costly formal investigations and subsequent local hearings). As a result, since its establishment in 2012, the Hearings Sub-Committee has never been convened. Furthermore, the need for Parish Council representation in any Hearings process is no longer a statutory requirement.
7. Accordingly, the Audit Committee agreed at its meeting on 16th July 2015 to recommend to Full Council that the Parish Council representation on the Audit Committee's Hearings Sub-Committee be discontinued on the understanding that this is no longer a statutory requirement and that the membership of the Hearings Sub-Committee, if it should ever meet, will still include an independent element by way of the existing Independent (non-Councillor) Co-optees who serve on this body.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

8. It is recommended that the composition of the Audit Committee Hearings Sub-Committee is revised by discontinuing the Parish Council representation for the reasons outlined in paragraph 7 above.

IMPACT ON THE COUNCIL'S KEY OBJECTIVES

9.

	Implications
We will provide strong leadership and governance, working in partnership.	<p>The work of the Audit Committee in monitoring the Council's ethical governance activities helps to:</p> <ul style="list-style-type: none"> • ensure that Council arrangements are open, accountable and ethically strong; • promote high standards of conduct; • build a 'bond of trust' between the Council and its communities.

RISKS AND ASSUMPTIONS

10. There are no identified risks associated with this report.

LEGAL IMPLICATIONS

11. Section 27(1) of the Localism Act 2011 places a duty on relevant authorities to promote and maintain high standards of conduct by Members and Co-opted Members of the authority.
12. Section 28 of the Localism Act 2011 requires Principal Authorities to have in place arrangements for investigating allegations of Member misconduct and taking decisions on those allegations. It also requires Councils to appoint at least one Independent Person who is to be consulted as part of the complaint handling

process. The Council has in place arrangements for discharging these arrangements.

FINANCIAL IMPLICATIONS

13. There are no significant financial implications arising from this report. Should the proposal in this report be accepted it could potentially lead to modest savings in the payment of allowances.

EQUALITY IMPLICATIONS

14. There are no specific equalities implications associated with this report.

BACKGROUND PAPERS

Report to Council - 13th June 2014: Council Appointed Committees' and Sub-Committees' Terms of Reference for 2014/15.

Report to Audit Committee - 16th July 2015: Annual Report of Monitoring Officer.

REPORT AUTHOR & CONTRIBUTORS

Jonathan Goodrum, Senior Governance Officer

01302 736709

jonathan.goodrum@doncaster.gov.uk

Roger Harvey
Monitoring Officer