

CHILTERN DISTRICT COUNCIL

**MINUTES of the Reconvened Meeting of the
CONSTITUTION REVIEW COMMITTEE
held on 2 JULY 2014**

PRESENT: Councillor N M Rose - Chairman

Councillors: Miss P A Appleby
Mrs I A Darby
D G Meacock
D W Phillips
M Stannard

APOLOGIES FOR ABSENCE were received from Councillors N L Brown, A J Garth, and M Vivis

ALSO IN ATTENDANCE: Councillor J Burton

14 DRAFT CHANGES TO THE CONSTITUTION

The Head of Legal and Democratic Services provided a recap of discussions at the previous adjourned meeting of the Committee in respect of details of draft changes to the Constitution as a result of a previous report on options to streamline the workings of the Council in line with the work programme agreed by the Constitution Review Committee on 18 February 2014, specifically in relation to Overview and Scrutiny, and Policy Advisory Groups (PAGs). Members were advised that there would be a further meeting of the Committee to consider suggested changes for full Council.

The key areas of focus in the report were:-

- Streamlining the workings of the Council
- Policy Advisory Groups (PAGs)
- Overview and Scrutiny
- Full Council
- Regulatory Committees
- Cycle of meetings
- Outside Body appointments

The Head of Legal and Democratic Services presented the appendices to the report which detailed the Terms of Reference for the proposed committees, including amendments as a result of discussions from the previous meeting of the Committee, as follows:

- Audit and Standards Committee
- Appeals and Complaints Committee
- Governance and Electoral Arrangements Committee
- Joint Appointments and Personnel Committee
- Proposed Amendment to the Cabinet Procedure Rules for Policy Advisory Groups
- Services Overview Committee
- Resources Overview Committee

Members considered the proposed Terms of Reference in detail including the proposed amendments.

Audit and Standards Committee

Members considered the merger of the Audit and Standards Committees (**Appendix 1**) to form one Committee. For clarification the role of independent persons as observers to the existing Standards Committee was explained to confirm that due to changes in legislation in 2012 the independent persons no longer had voting rights, were purely observers and were not eligible to access confidential information. The current independent persons were appointed in 2012 under the new regime and were to be reappointed in 2017. As a result of previous discussions at the adjourned Committee meeting there had been an amendment to the Terms of Reference for the Audit and Standards Committee to strengthen the requirement of a Hearing Sub-Committee formed of 3 members from the Audit and Standards Committee which would be established if required for the purpose of considering a Standards (Code of Conduct) issue.

Appeals and Complaints Committee

Members considered the formation of an Appeals and Complaints Committee (**Appendix 2**) to encompass all existing appeals committees and panels to form one Committee. It was noted there was a change to reflect the responsibility of the Democratic and Electoral Services Manager rather than the Head of Legal and Democratic Services to constitute an appeals panel, in consultation with the Chairman of the Committee.

Governance and Electoral Arrangements Committee

Members considered the Terms of Reference for the Governance and Electoral Arrangements Committee (**Appendix 3**) which included the deletion of paragraph 3.6 due to the proposed retention of a Personnel Committee.

Personnel Committee and JAIC

Members considered the Terms of Reference for the Personnel Committee (**Appendix 4A**) which was to be retained to deal with issues specific to Chiltern District Council, while any issues in relation to joint arrangements and harmonised conditions were to be considered by the Joint Arrangements and Implementation Committee (JAIC). It was noted that the proposal was to reduce membership from 9 to 7 and that the 7 members on the Personnel Committee were to form the Chiltern members of the JAIC. A further change in membership of the Personnel Committee was to include the Leader and one Cabinet Member, rather than two Cabinet Members. During consideration of Appendix 4A discussions led onto the Terms of Reference for JAIC (**Appendix 4B**) which proposed an increase in membership of the JAIC for each authority from 5 to 7 and that the terms of reference for JAIC was to consider issues in relation to joint arrangements and employees / services

under harmonised conditions. The changes in respect of JAIC would require agreement from South Bucks District Council to amend Appendix 3 of the Inter - Authority Agreement.

Policy Advisory Groups

Members considered the suggestion to establish five Policy Advisory Groups (PAGs) which would be linked to each Cabinet Portfolio Holder and would be a sounding board for the Cabinet Member. Discussions ensued in relation to the role, membership, political composition and flexibility of PAGs. The Head of Legal and Democratic Services presented the Proposed Amendment to the Cabinet Procedure Rules for Policy Advisory Groups (**Appendix 5**) for consideration; and explained that relevant officer(s) should liaise directly with the Cabinet member regarding PAG agenda planning rather than the Chairman of a PAG, if this was not the Cabinet Member. It was agreed that a Chairman could be appointed from the membership of the PAG and did not have to be the Cabinet Member. But the PAG Chairman would be invited to any officer briefings for the relevant Cabinet Member before PAG meetings. It was also agreed that the membership of the PAGs was not to be limited to the majority group although it was noted there was no legal requirement for the PAGs to be politically balanced.

Overview Committees

Members considered the Terms of Reference for the Overview Committees (**Appendices 6 and 7**) and agreed to amalgamate three Overview Committees into two Overview Committees – Resources Overview Committee and Services Overview Committee. The membership of each Overview Committee was agreed at 15 members. It was noted that members could also serve on PAGs with the exception that when the overview committees were considering issues in relation to the scrutiny function eg. Call-in or scrutiny review. The differential between overview and scrutiny items would be identified on the agenda and the Committee's work programme.

Full Council Meetings

Members considered options for change in respect of full Council meetings with the aim to improve the interest and public engagement with Council meetings. Particular options that considered were:-

- Questions with notice (Public Questions) with an allotted time period for questions to be answered
- Criteria for submitting questions eg. Relevant to the area; submission date prior to the meeting; complies with protocol; oral presentation of questions at the meeting and the permission of a supplementary question
- A programme of speakers to Council eg. Paradigm, with an allotted time period for presentations
- Incorporate the Chief Constable Q & A session into a future Council meeting
- Report on recommendations rather than minutes to Council

Following consideration of changes to future Council meetings it was agreed that at the next meeting of the Constitution Review Committee, members were to receive a proposed new style Council agenda for consideration to implement changes to encourage public engagement and interest in Council meetings.

RECOMMENDATIONS:

1. Overview and Scrutiny

- i) That the number of Overview Committees be reduced from three to two;**
- ii) That the number of members on each Overview Committee be fifteen;**
- iii) That each Overview Committee meet six times per year; and**
- iv) That the Chairman and Vice- Chairman of the Overview Committee be elected by the members of the Committee**
- v) That the terms of reference for the Services Overview Committee attached at Appendix 1 be approved**
- vi) That the terms of reference for the new Resources Committee attached at Appendix 2 be approved**

2. Policy Advisory Groups (PAGs)

- vii) That five Policy Advisory Groups be established to align with the Cabinet Portfolios;**
- viii) That the number of members serving on each PAG be not less than 6 or more than 8;**
- ix) That membership of the PAGs be selected by the Cabinet Portfolio Holder;**
- x) That all meetings of the PAGs are held informally and are not public meetings, but any member of the Council can attend to observer if they wish to do so; and**
- xi) That the Chairman be nominated by the PAG**
- xii) That the consequential amendments to the Cabinet Procedure Rules attached at Appendix 3 be approved**

3. Council Meetings

- xiii) That the Constitution Review Committee at a future meeting consider suggestions as to how the Council meetings can be improved.**

4. Regulatory Committees

- xiv) That the Constitution Review and Boundaries and Electoral Arrangements Committees be merged into one Governance and Electoral Arrangements Committee with the terms of reference as attached at Appendix 4;**
- xv) That the merger of Homelessness and Appeals Committees to form one Appeals and Complaints Committee be approved with the terms of reference as attached as Appendix 5;**
- xvi) That the merger of Audit and Standards Committees to form one Audit and Standards Committee be approved with the terms of reference as attached at Appendix 6 ; and**
- xvii) That membership of the merged committees be drawn from the members elected to the Individual committees for the municipal year 2014/15 by election of the various groups**

5. Personnel Committee

- xviii) That Chiltern District Council retain a Personnel Committee to consider personnel issues specific to Chiltern and in respect of those employees that are not part of joint arrangements or under harmonised conditions with the amended terms of reference as attached at Appendix 7;**
- xix) That the membership of the Personnel Committee be reduced from nine to seven;**
- xx) That Council's human resources functions in respect of those employees subject to Joint Arrangements with South Bucks District Council be delegated to the Joint Arrangements and Implementation Committee (JAIC**
- xxi) That the membership of the CDC Personnel Committee form the membership of the Chiltern membership of the (JAIC);**
- xxii) That the membership of the JAIC be increased from five to seven members from each authority; and**
- xxiii) That the quorum of the JAIC be increased from two to three elected members from each authority**

xxiv) That subject to the agreement of South Bucks District Council the amended terms of reference for the JAIC attached at Appendix 8 be approved.

6. Number of Meetings

xxv) That Full Council continues to meet six time per year;

xxvi) That Overview Committees continues to meet six times per year;

xxvii) That Cabinet continues to meet six times per year;

xxviii) That the Planning Committee continues to meet on a three weekly cycle; and

xxix) That other scheduled committees meet on a quarterly basis, half yearly or as and when required.

7. That the Chief Executive be granted delegated authority to make any consequential amendments of the above recommendations to the Constitution as required.

The meeting was adjourned at 7.43pm

SERVICES OVERVIEW COMMITTEE

11.1 General

A statutory Committee of the Council established to review and scrutinise the services and functions falling within the Housing, Health, Communities and Leisure, Sustainable Development and Waste and Property Cabinet portfolios

11.2 Membership, Chairmanship and Quorum

Number of Members	Fifteen
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	Chairman and Vice-Chairman of the Council and Members of the Cabinet are ineligible
Restrictions on Chairmanship/Vice-Chairmanship	No
Quorum	Five
Number of ordinary meetings per Council Year	Six
Standing Sub-Committees	No

11.3 Terms of Reference

11.3.1 Areas of Responsibility

The Areas of Responsibility of the Committee are: -

- 1) The functions and service falling within the Housing, Health, Communities and Leisure, Sustainable Development and Waste and Property Cabinet Portfolios as described in Section C of Part 3 of this Constitution
- 2) The functions of the Council shared with the Housing and Health, Sustainable Development, Community and Waste and Customer Services Cabinet Portfolios or which directly or indirectly affect the discharge of any of the services and functions falling within those portfolios.
- 3) The external Partnerships falling within the Housing, Health, Communities and Leisure, Sustainable Development and Waste and Property Cabinet Portfolios and any other external body or stakeholder whose activities directly or indirectly affect the discharge of the services

and functions falling within those portfolios

11.3.2. Committee Tasks

The power to perform the following Tasks within the Areas of Responsibility of the Committee:-

General Role

- 1) To develop and monitor its own work programme(s);
- 2) To review the Forward Plan of the Cabinet;
- 3) To make reports and/or recommendations to the full Council and/or the Cabinet;
- 4) With the consent of the Housing, Health, Communities and Leisure, Sustainable Development and Waste and Property Portfolio Holders (as the case may be), consider reports relating to Key Decisions prior to consideration by the Cabinet; and
- 5) Consider any matter affecting the District or its residents;

Scrutiny

- 6) To review and scrutinise the performance of the Portfolio holders for Housing, Health, Communities and Leisure, Sustainable Development, and Waste and Property in relation to (i) policy and budgetary development and implementation, (ii) the discharge of Executive functions including relevant national or local performance indicators, measures or targets, and (iii) decision making generally.
- 7) To review and scrutinise the performance of the Council in relation to its policy objectives, national or local performance indicators, measures or targets and/or particular service areas.
- 8) To question members of the Cabinet and/or Directors and Heads of Service about any matter that this Overview Committee is empowered to scrutinise by the Clauses above.
- 9) To invite members of the public and/or representatives of community and partner organisations, or experts, to attend and give evidence to the Committee in connection with any matter arising out of, or in connection with, or resulting from, the scrutiny process.
- 10) To review the performance of other public bodies in the area.
- 11) Subject to their consent first being obtained, to question and gather evidence from any person in connection with any matter arising out of, or in connection with, or resulting from, the scrutiny process.

Value for Money

- 12) To undertake value for money reviews of services or key partnerships – this may be at the request of the Cabinet, Council or identified as part of the Committees own work programme
- 13) To approve the terms of reference of any value for money reviews to be undertaken and take overall responsibility for the completion of that review
- 14) To consider any reports in relation to Value for Money referred to the committee by the Audit Committee and make recommendations to Council or to the Cabinet as appropriate in relation thereto

Policy Development and Review

- 15) If requested to do so by full Council or the Cabinet:-
 - (i) to assist in the development of the Council's Budget and Policy Framework beyond the role allocated to it by the Budget and Policy Framework Procedure Rules set out in Section E of Part 4 of this Constitution by in-depth analysis of policy issues, including conducting research and community consultation;
 - (ii) to consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and
 - (iii) to liaise with other external organisations operating in the District, whether national, regional or local, to ensure that the policy development and implementation and decision making generally is enhanced by partnership and collaborative working.

Finance

- 16) To exercise overall responsibility for the finances made available to it.

11.4 Delegations

Within the Areas of Responsibility of the Committee the matters referred to in paragraphs 11.3.1 and 11.3.2 of the Terms of Reference.

11.5 Notes

11.5.1. The terms of reference of this Overview Committee must be read in conjunction with the various Procedural Rules set out in Part 4 of this Constitution, particularly the Overview and Scrutiny Procedure Rules, Access to Information Rules and the Budget and Policy Framework Procedure Rules.

11.5.2. Members of this Committee will have a conflict of interest in any item of

business that involves scrutiny of a decision in which they have been actively involved as a member of a Policy Advisory Group and will not participate in any debate or vote on the matter, except to answer any questions directed to them by other members of the Committee

RESOURCES OVERVIEW COMMITTEE

9.1 General

A statutory Committee of the Council established to review, scrutinise and conduct Value for Money Reviews in relation to the services and functions falling within the Leader, Support Services and Customer Services Cabinet Portfolios and related functions.

9.2 Membership, Chairmanship and Quorum

Number of Members	Fifteen
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	Chairman and Vice-Chairman of the Council and Members of the Cabinet are ineligible
Restrictions on Chairmanship/Vice-Chairmanship	No
Quorum	Five
Number of ordinary meetings per Council Year	Six
Standing Sub-Committees	None.

9.3 Terms of Reference

9.3.1 Areas of Responsibility

The Areas of Responsibility of the Committee are: -

- 1) The functions and service falling within the Leader, Support Services and Customer Services Cabinet Portfolios as described in Section C of Part 3 of this Constitution
- 2) The functions of the Council shared with the Leader, Support Services and Customer Services Cabinet Portfolios or which directly or indirectly affect the discharge of the services and functions falling within those portfolios
- 3) The external Partnerships falling within the Leader, Support Services and Customer Services Cabinet Portfolios and any other external body or stakeholder whose activities directly or indirectly affect the discharge of any of the services and functions falling within those Portfolios

9.3.2 Committee Tasks

The power to perform the following Tasks within the Areas of Responsibility of

the Committee.

General Role

- 1) To develop and monitor its own work programme(s).
- 2) To review the Forward Plan of the Cabinet.
- 3) To make reports and/or recommendations to the full Council and/or the Cabinet.
- 4) With the consent of the Cabinet Leader, Support Services or Customers Services Portfolio Holders (as the case may be), consider reports relating to Key Decisions prior to consideration by the Cabinet.
- 5) Consider any matter affecting the District or its residents.

Scrutiny

- 6) To review and scrutinise the performance of the Cabinet Leader and the Portfolio Holders for Support Services and Customers Services in relation to (i) policy and budgetary development and implementation, (ii) the discharge of Executive functions including relevant national or local performance indicators, measures or targets, and (iii) decision making generally.
- 7) To review and scrutinise the performance of the Council in relation to its policy objectives, national or local performance indicators, measures or targets and/or particular service areas.
- 8) To question members of the Cabinet and/or Chief Executive/ Director and Heads of Service about any matter that this Overview Committee is empowered to scrutinise by the Clauses above.
- 9) To invite members of the public and/or representatives of community and partner organisations, or experts, to attend and give evidence to the Committee in connection with any matter arising out of, or in connection with, or resulting from, the scrutiny process.
- 10) To review the performance of other public bodies in the area.
- 11) Subject to their consent first being obtained, to question and gather evidence from any person in connection with any matter arising out of, or in connection with, or resulting from, the scrutiny process.
- 12) To receive and review the annual FOIA report (Annual Report also to Cabinet).

Value for Money

- 13) To undertake value for money reviews of services or key partnerships –

this may be at the request of the Cabinet, Council or identified as part of the Committees own work programme

- 14) To approve the terms of reference of any value for money reviews to be undertaken and take overall responsibility for the completion of that review
- 15) To consider any reports in relation to Value for Money referred to the committee by the Audit Committee and make recommendations to Council or to the Cabinet as appropriate in relation thereto.

Policy Development and Review

- 16) If requested to do so by full Council or the Cabinet:-
 - (i) to assist in the development of the Council's Budget and Policy Framework beyond the role allocated to it by the Budget and Policy Framework Procedure Rules set out in Section E of Part 4 of this Constitution by in-depth analysis of policy issues, including conducting research and community consultation;
 - (ii) to consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and
 - (iii) to liaise with other external organisations operating in the District, whether national, regional or local, to ensure that the policy development and implementation and decision making generally is enhanced by partnership and collaborative working.

Finance

- 17) To exercise overall responsibility for the finances made available to it.

9.4 Delegations

Within the Areas of Responsibility of the Committee the matters referred to in paragraphs 9.3.1 and 9.3.2 of the Terms of Reference.

9.5 Notes

- 9.5.1 The terms of reference of this Overview Committee must be read in conjunction with the various Procedural Rules set out in Part 4 of this Constitution, particularly the Overview and Scrutiny Procedure Rules, Access to Information Rules and the Budget and Policy Framework Procedure Rules.
- 9.5.2 .Members of this Committee will have a conflict of interest in any item of business that involves scrutiny of a decision in which they have been actively involved as a member of a Policy Advisory Group and will not participate in any debate or vote on the matter, except to answer any questions directed to them by other members of the Committee

CABINET PROCEDURE RULES

Insert new paragraph 7

7. Policy Advisors
 - 7.1 Cabinet Members may appoint at their discretion other Members of the Council, not limited to members of the majority group, to advise and assist them with:
 - a) the discharge of their functions,
 - b) the development of policy,
 - c) other matters of current interest
 - 7.2 Policy Advisory Groups will comprise not less than 6 or more than 8 members
 - 7.3 Different Policy Advisors may be appointed to cover particular areas of activity. Policy Advisors can only act in an informal capacity and cannot exercise executive functions individually or collectively
 - 7.4 Policy Advisors may be Members of an Overview and Scrutiny Committee whose remit includes the activities of the portfolio they are assisting with, providing there is not a significant conflict of interest and they do not scrutinise a decision in which they have been actively involved
 - 7.5 Policy Advisors will serve for a maximum of 12 months, ending at the annual Council meeting but may be re-appointed by the relevant Cabinet Members for a further period
 - 7.6 The Chairman of a Policy Advisory Group can be any member the respective PAG
 - 7.7 Policy Advisory Groups will normally meet in the absence of the press and the public, but will be open to any elected member
 - 7.8 Policy Advisory Groups will meet as and when required but normally once each cycle before Cabinet. The relevant Cabinet Member will agree with officers before the despatch of the meeting agenda what information should be kept confidential and the extent of that confidentiality. For example, it may be decided that whilst information can be released to the wider Council membership and relevant officers, it should not be divulged to the press and public. Alternatively, depending upon the subject matter, it may be decided that the issues discussed at the Group meetings can be made more publicly available. It may be that there will be a division between what information can be released and what should be kept confidential.
 - 7.9 The Democratic and Electoral Services Manager will be advised of the establishment, membership and chairman (and any mid-term changes) of each Policy Advisory Group and shall maintain a record of such.

GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE

1 General

A Committee of the Council established to monitor and review the operation of the Council's Constitution and political management arrangements, deal with election and electoral matters and the review of parishes, deal with urgent matters requiring a decision of the Council and any matter which is not within the responsibility of the Cabinet and which falls outside the terms of reference of any other Committee or officer delegation.

2 Membership, Chairmanship and Quorum

Number of Members	Eleven
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	None
Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	Four
Number of ordinary meetings per Council Year	Meetings will be called as required
Standing Sub-Committees	None

3. Matters Delegated for Decision

- 3.1. To monitor and keep under review the operation of the Council's constitution and political management arrangements
- 3.2 To deal with election and electoral matters
- 3.3. To exercise functions in relation to parishes, parish meetings and parish councils including changing the name of a parish
- 3.4 To take any necessary action to enable recommendations to be made in respect of the matters listed below which are reserved to the Council
- 3.5 To make, amend or revoke byelaws
- 3.6 To deal where legally permissible, with any matter including the authorisation of legal proceedings which requires a decision of the Council and which cannot reasonably be dealt with in the normal cycle of meetings (see also Note below)
- 3.7 To deal with any matter which, by virtue of the Local Authorities (Functions and Responsibilities) (England) Regulations from time to time in force or any other statutory provisions, cannot be the responsibility of the Cabinet and

does not fall within the terms of reference of any other committee or within the Scheme of Officer delegations.

4 Matters Reserved to Full Council

4.1 Approval of:-

- a) Proposal to change the District's warding arrangements
- b) Final recommendations from a Parish Review
- c) Proposals to change the name or boundaries of the District
- d) The promotion of, or opposition to, national, local or private bills
- e) Changes to the Constitution

NOTE:

The Chief Executive or his nominee or the Head of Legal and Democratic Services, after consultation with the Chairman of the Committee must certify the reasons for urgency in respect of each item determined under paragraph 3.6 above. Reports to the Committee must also specify the reason for the urgency

APPEALS AND COMPLAINTS COMMITTEE

1 General

A Committee of the Council established to determine appeals by employees against decisions of the Council as employer, consider requests for review of Council decisions on housing applications and other appeals against Council decisions and to deal with any determinations required in respect of complaints referred to the Ombudsman

2 Membership, Chairmanship and Quorum

Number of Members	Eleven
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	Although all members of the Council are eligible for appointment, any who are also members of the Personnel Committee or Joint Appointments and Implementation Committee will be ineligible to hear appeals that result from the decisions of those Committees
Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	Three
Number of ordinary meetings per Council Year	Meetings will be called as required
Standing Sub-Committees	None

3 Terms of Reference

Appeals

- 3.1. For all employees; to hear and determine appeals and grievances on the following matters:
- a) Dismissal on the grounds of misconduct, capability, ill-health and unfair selection for redundancy
 - b) Grievances submitted under agreed procedures
 - c) Disciplinary action as defined in conditions of employment

Note: The Committee can only consider appeals relating to grievances from current employees

- 3.2. To determine requests for a review of the Council's decision that an applicant became homeless intentionally or whether a person is ineligible for

acceptance on the Housing Register

- 3.3 To determine any other appeal against a decision made by or on behalf of the Council where provision is made for a right of appeal

Complaints

- 3.4 To consider any complaint made against the Council which has been referred to the Local Ombudsman and which requires a determination by Members.
- 3.5 To make compensation payments or provide other benefits in cases of maladministration up to the value of £5,000.

4 Delegations

Decisions on all matters falling within the terms of reference.

NOTE: The Democratic and Electoral Services Manager, after consultation with the Chairman of the Committee will constitute panels from the membership of the Appeals and Complaints Committee to hear appeals/complaints

AUDIT AND STANDARDS COMMITTEE

1. General

A Committee established to provide independent assurance of the adequacy of the internal controls and assurance mechanisms of the Council, to approve its financial accounts, promote and maintain high standards of conduct by Council members and co-opted members and consider breaches of the Council's Code of Conduct or the Codes of Conduct of town/parish councils within the district

2. Membership, Chairmanship and Quorum

Number of Members	Nine
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council.
Restrictions on Membership	Chairman and Vice-Chairman of the Council and Members of the Cabinet are ineligible
Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	Four
Number of ordinary meetings per Council Year	Minimum of Two

3. Terms of Reference

To deal with the following matters:-

- a) To consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.
- b) To seek assurances that action is being taken on risk-related issues identified by auditors and inspectors.
- c) To review and approve the authority's assurance statements, including the Statement on Internal Control, on behalf of the authority.
- d) To approve, but not direct, internal audit's strategy, plan and monitor performance
- e) To review the main issues arising from the internal audit reports and seek assurance that action has been taken where necessary.
- f) To receive the annual report of the internal audit service.

- g) To consider the reports of external audit and inspection agencies, and monitor management action in response to issues raised.
- h) To ensure that there are effective relationships between external and internal audit, inspection agencies, other relevant bodies, and that the value of the audit process is actively promoted.
- i) To review and approve the financial statement on behalf of the authority and review the external auditors opinion on the financial statements.
- j) To review on a regular basis the Code of Conduct for Members and also for Officers and to monitor the effect of implementation of the Codes of Conduct
- k) To agree and review a complaints procedure for investigating allegations that members of the District, or any parish council within the District have failed to comply with their authority's Code of Conduct.
- l) To receive complaints and thereafter consider, review, investigate, conduct hearings and impose or recommend sanctions as may be required.
- m) To promote on an active basis the highest standards of ethical conduct by Councillors and Officers.
- n) To ensure training and guidance is provided to Councillors, including assisting Parishes to train their own Councillors, on all aspects of Codes of Conduct and adherence to ethical standards for Councillors.
- o) To establish a Hearings Sub-Committee – terms of reference, membership, quorum and frequency of meetings as set out in the Council's adopted Complaints procedure

4 Delegations

All these Terms of Reference are full delegated except any recommendations arising out of Items j) and k) shall be reported full Council as appropriate.

HEARING SUB-COMMITTEE

The Democratic and Electoral Services Manager concurrently with the Monitoring Officer, after consultation with the Chairman of the Committee, or in his absence the Vice-Chairman (if appointed), to select any three members of the Audit and Standards Committee to hear cases referred to it by the Monitoring Officer following an investigation into an allegation that a member may have failed to comply with their authority's Code of Conduct.

An Independent Person will be invited to attend any sub-committee so convened.

Where a failure to comply with the Code of Conduct is found the range of actions which the Sub-Committee can take might include the following:-

- a) A censure or reprimand
- b) Reporting its findings to Full Council or in respect of Town/Parish Councillors to the members' Council for information
- c) A recommendation that the member be removed from any or all Committees or Sub-Committee of the Council
- d) Instructing the Monitoring Officer to arrange training for the member or in respect of Town/Parish Councillors recommending that the member's Council arrange training.
- e) A recommendation that the member be removed from appointments to outside bodies or in respect of Town/Parish Councillors recommending to the member's Council that they be removed
- f) A recommendation that facilities provided to the member by the Council [or in respect of Town/Parish Councillors by the members' Council] are withdrawn such as a computer, website or internet access
- g) A recommendation that a member be excluded from Council offices or other premises [or in respect of Town/Parish Councillors from any offices or premises of the members' Council] except for meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings

PERSONNEL COMMITTEE

6.1 General

A Committee of the Council established to consider staffing matters (other than appeals) in respect of members of staff who are not subject to Joint Arrangements with South Bucks District Council .

6.2 Membership, Chairmanship and Quorum

Number of Members	Seven including the Cabinet Leader and one other Member of the Cabinet.
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	None
Restrictions on Chairmanship/Vice-Chairmanship	No
Quorum	Four
Number of ordinary meetings per Council Year	Meetings will be called as required
Standing Sub-Committees	No

6.3 Terms of Reference

- 6.3.1. To be responsible for the overall management of the Council's Human Resources which are not subject to Joint Arrangements with South Bucks District Council within the financial resources approved by the Council so as to enable the economic, efficient and effective provision of services.
- 6.3.2. To ensure that appropriate policies and procedures are in place to support the objectives set out in paragraph 6.3.1 above and to make recommendations to full Council thereon.
- 6.3.3. To consider the minutes, reports and recommendations of the Chiltern District Council and Staff Joint Committee and to make recommendations to full Council thereon.
- 6.3.4. To consider individual applications by employees for early payment of pension benefits, other than those on medical grounds

6.4 Delegations

All matters falling within paragraph 6.3.4 of the Terms of Reference

6.5. Notes

- 6.5.1. An appeal by an employee against a delegated decision of this Committee lies to the Appeals and Complaints Committee.

- 6.5.2. Members involved in making a decision that results in an appeal to the Appeals and Complaints Committee will be ineligible to sit on the Appeal Committee that hears the appeal.
- 6.5.3. The formulation and review of the Council's Whistle Blowing Policy falls within the terms of reference of the Audit and Standards Committee
- 6.5.4. Any delegations to Officers are contained in the Scheme of Delegations to Officers set out in Section B of Part 7 of this Constitution.

Inter Authorities Agreement

Appendix Three

Joint Appointment and Implementation Committee (“JAIC”)

- The JAIC is a Joint Non Executive Committee of the Authorities comprising at least seven members from each Authority. In the case of Chiltern District Council the membership of Personnel Committee will form the authority’s seven members of JAIC .
- The venue for meetings of the JAIC will alternate between the Authorities' offices and a member of the host Authority will chair each meeting.
- The JAIC meetings will be considered quorate if at least three elected members from each Authority are present.
- Detailed standing orders will be agreed by each Authority to govern the operation of the JAIC
- The JAIC shall deal with the implementation of the human resources implications of the Joint Arrangements and staffing matters following implementation of Joint Arrangements. Its primary functions are as follows:
 - a. to deal with the arrangements for the appointments to the Joint Chief Executive and Joint Senior Management Team posts subject to the reference back to the relevant Full Council meeting of any decision which statutorily requires such approval
 - b. to deal with any other staffing related implementation matters relating to the Joint Arrangements;
 - c. to be responsible for the overall management of human resources relating to the Joint Arrangements to enable the economic, efficient and effective provision of joint services
 - d. to ensure that appropriate policies and procedures are in place to support the objectives set out in a to c above
 - e. to consider reports from the Joint Staff Consultative Group and make recommendations thereon
 - f. to deal with any other statutory duties of the respective Councils relating to employment of staff in Joint Arrangements, not otherwise delegated to officers
 - g. to consider and advise the Joint Committee on any other human resource matter connected with the Joint Arrangements which the Joint Committee specifically asks the JAIC to consider and report on

