



Annual Meeting of Council

Wednesday 18 May 2022

Members of Cherwell District Council,

The Annual Meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Wednesday 18 May 2022 at 6.30 pm, and you are hereby summoned to attend.

Yvonne Rees
Chief Executive

Tuesday 10 May 2022

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3 Communications (Pages 7 - 8)

To receive communications from the Chair.

4 Petitions and Requests to Address the Meeting

The Chair to report on any requests to submit petitions or to address the meeting.

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the Agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the reason for the address) should be submitted to democracy@cherwell-dc.gov.uk The deadline for petitions has passed. The deadline for requests to address this meeting is noon on Tuesday 17 May 2022.

Full details of public participation at meetings is available in the Constitution or from the Democratic & Elections Team via the email address above.

5 Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6 Minutes of Council (Pages 9 - 28)

To confirm as a correct record the Minutes of Council held on 28 February 2022. .

7 Election of Chairman for the Municipal Year 2022/2023

8 Investiture of Chairman

9 Vote of Thanks to Immediate Past Chair

10 Past Chair's Response

11 Election of Vice-Chairman for the Municipal Year 2022/2023

12 Investiture of Vice-Chairman

Council Business Reports

13 Annual Business Report

** Please note this report will follow as it is being reviewed and finalised **

Report of Chief Executive

14 Adoption of Revised Members' Code of Conduct (Pages 29 - 52)

Report of Interim Monitoring Officer

Purpose of report

To adopt a revised Members' Code of Conduct as unanimously recommended by the Standards Committee.

Recommendations

The meeting is recommended:

- 1.1 To adopt the revised Members' Code of Conduct.
- 1.2 To agree that:
 - it be mandatory for all Councillors to complete Code of Conduct training within 6 months of the adoption of the revised code (i.e. by mid-November).
 - It be mandatory for all Councillors to undertake Code of Conduct training within 6 months of their election (newly or re-elected) and attend a refresher at least once during their term of office.
- 1.3 To endorse the revised Members' Code of Conduct for adoption by the Town and Parish Councils in the Cherwell District.

15 Standards Arrangements - Appointment of Independent Person (Pages 53 - 58)

Report of Interim Monitoring Officer

Purpose of report

To appoint an Independent Person in light of the resignation of a current Independent Person.

Recommendations

The meeting is recommended:

- 1.1 to appoint Dr Sadie Reynolds as an Independent Person, to be appointed for a term expiring on the date of the December Council meeting in 2025.
- 1.2 to note that the appointment of the Independent Person may be renewable in 2025 for a further term of four years subject to the Independent Person wishing to continue in the role and Council agreeing the renewal of the appointment.

16 Community Governance Review - results of first consultation stage and recommendations for second consultation stage

** Please note this report will follow as it is currently being reviewed and finalised **

Report of Chief Executive

17 IT Provision for Members

** Please note this report will follow as it is being reviewed and finalised **

Report of Interim Assistant Director Law, Governance & Democratic Services & Monitoring Officer

18 Constitution Updates

** Please note this report will follow as it is being reviewed and finalised **

Report of Interim Assistant Director Law, Governance & Democratic Services & Monitoring Officer

19 Annual Report of the Accounts, Audit & Risk Committee 2021/22 (Pages 59 - 78)

Report of Assistant Director of Finance & Section 151 Officer

Purpose of report

This report presents the annual report of the Accounts, Audit & Risk Committee 2021/22 and seeks agreement to amend the Terms of Reference of the Committee.

Recommendations

The meeting is recommended:

- 1.1 To note the contents of the Annual Report of the Accounts, Audit & Risk Committee 2021/22 (Appendix 1).
- 1.2 To agree the updated Terms of Reference for the Accounts, Audit and Risk Committee (Appendix 2).

For information

Please note:

Members are advised that written questions and motions for the next scheduled Council meeting on Monday 18 July 2022 must be submitted to the Assistant Director Law, Governance & Democratic Services & Monitoring Officer, democracy@cherwell-dc.gov.uk, by noon on Wednesday 6 July 2022.

FIRST MEETINGS OF COMMITTEES

Appointments of Chairmen and Vice-Chairmen of Committees

At the conclusion of the Council's proceedings all Members are asked to remain in their seats in the Council Chamber while Committees meet for the purpose of electing their Chairmen and Vice-Chairmen.

The Interim Monitoring Officer will ask the members on each committee to stand in turn and the relevant members are asked to stand/sit as appropriate:

- Accounts, Audit and Risk Committee
- Appeals Panel
- Budget Planning Committee
- Licensing Committee
- Overview and Scrutiny Committee
- Personnel Committee
- Planning Committee
- Standards Committee

The Interim Monitoring Officer will seek nominations for Chairman. Once appointed, the Chairman of each Committee will seek nominations for Vice-Chairman.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221589

CHAIR/VICE CHAIRMAN'S ATTENDANCE

1 March 2022 – 17 May 2022

During this time, several events which the Chair had planned to attend were again cancelled due to low take-up of tickets.

Friday 22 April

The Vice Chairman and his wife attended the Mayor of Bicester's St George's Day Dinner which was held at The Chesterton Hotel, near Bicester with all proceeds going to the Mayor's chosen charities.

Sunday 24 April

The Chairman and his wife attended a Celebratory Service for the Granting of the Freedom of the Town of Bicester to Headquarters Bicester Garrison. The service was held at St Edberg's Church in Bicester and followed by refreshments and presentations at the Officers' Mess, Ambrosden.

Monday 9 May*

The Vice Chairman attended Bicester Town Council's Annual Meeting and Mayor Making. This event was held at Whitelands Farm Sports Ground in Bicester and incorporated the presentations for the Good Citizen Awards and Grant Aid.

**Details correct at time of printing.*

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Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 28 February 2022 at 6.30 pm

Present:

Councillor Hannah Banfield (Chair)
Councillor Les Sibley (Vice-Chairman)
Councillor Andrew Beere
Councillor Nathan Bignell
Councillor Maurice Billington
Councillor Mike Bishop
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Patrick Clarke
Councillor Conrad Copeland
Councillor Ian Corkin
Councillor Nick Cotter
Councillor Sandy Dallimore
Councillor John Donaldson
Councillor Carmen Griffiths
Councillor Timothy Hallchurch MBE
Councillor Matt Hodgson
Councillor Simon Holland
Councillor David Hughes
Councillor Shaida Hussain
Councillor Tony Ilott
Councillor Mike Kerford-Byrnes
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Andrew McHugh
Councillor Ian Middleton
Councillor Perran Moon
Councillor Richard Mould
Councillor Adam Nell
Councillor Cassi Perry
Councillor Lynn Pratt
Councillor George Reynolds
Councillor Barry Richards
Councillor Dan Sames
Councillor Jason Slaymaker
Councillor Katherine Tyson
Councillor Dorothy Walker
Councillor Tom Wallis
Councillor Douglas Webb
Councillor Lucinda Wing
Councillor Barry Wood

Councillor Sean Woodcock

Present virtually, no voting rights

Councillor John Broad

Apologies for absence:

Councillor Colin Clarke
Councillor Tony Mephram
Councillor Fraser Webster
Councillor Bryn Williams

Officers:

Yvonne Rees, Chief Executive
Shahin Ismail, Assistant Director - Law, Governance & Democratic Services & Monitoring Officer (Interim)
Michael Furness, Assistant Director of Finance & S151 Officer
Joanne Kaye, Strategic Business Partner
Natasha Clark, Governance and Elections Manager

69 **Welcome**

The Chair welcomed Members, officers and the press and public to the Council meeting.

70 **Declarations of Interest**

There were no declarations of interest.

71 **Communications**

Ukraine Crisis

The Chair referred to the current situation in Ukraine and made the following statement:

“I want to express as Chair how deeply saddened and shocked I we all are by the situation that is unfolding in Ukraine.

I know I am not alone in sending my thoughts and prayers to all the families and communities affected in the region by the events we see happening and I urge the international community to work together to find a diplomatic solution to restore peace.

I am sure I have support across the Chamber when I say we will work across the district to provide the necessary support and reassurance that may be needed by all our communities in the face of this terrible situation.”

Former Councillor Douglas Spencer

The Chair referred to the sad passing for former Councillor Douglas Spencer, who had been known to all councillor colleagues as Choppy Spencer.

Former Councillor Spencer had represented the Bicester West ward and been part of Cherwell District Council when it was first created in the 1970s. he remained a councillor until 1995, sitting on various committees and serving as Leader from the late 1980s to 1995. Former Councillor Spencer served a further term of office from 2002.

Former Councillor Spencer was also a county councillor and member of Bicester Town Council.

A number of Members paid tribute and shared anecdotes about former Councillor Spencer.

Council observed a minutes silence in honour of former Councillor Douglas Spencer.

Chairs Engagements

The Chair explained that due to the recent COVID restrictions, neither she nor the Vice-Chairman had attended any events as they had been cancelled or postponed.

Meeting procedures

The Chair advised Members that different speaking and voting rules would apply for the budget setting and council tax reports. Further information would be provided before Council considered those items

The Chair reminded Members of the rules in relation to length of speeches and the approach she would apply in relation to seconds speaking on reports and motions.

Meeting Length

The Chair referred to the length of the agenda and asked Members to be courteous to others and remain in their seat during items.

Members' Pigeon Holes

The Chair reminded Members to check their pigeon hole and remove any post before you leave today.

72

Petitions and Requests to Address the Meeting

There were no petitions or requests to address the meeting.

73 **Urgent Business**

There were no items of urgent business.

74 **Minutes of Council**

The minutes of the Extraordinary meeting held on 7 February 2022 were agreed as a correct record and signed by the Chairman.

75 **Minutes**

a) Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council at which this was reported, 13 December 2021, no key decisions have been taken by the Executive which were not included in the 28 day notice.

b) Minutes of Committees

Resolved

That the minutes of Committees as set out in the Minute Book be received.

76 **Questions**

a) Written Questions

The Chair advised Council that one written question, addressed to the Leader of the Council, Councillor Wood, had been submitted with advance notice in accordance with the Constitution and had been published with the agenda. A response to the question had been published as a supplement to the agenda (and are an annex to the Minutes as set out in the Minute Book).

The question was from Councillor Beere and in relation to the council tax rebates of £150 for domestic properties bands A to D 2022/23.

Councillor Beere thanked the Leader for the response and by way of a supplementary question, sought assurance that there would be effective communication about how the rebate payment process would be applied. The Leader confirmed that he would liaise with officers and ensure effective communication was in place for residents and elected Members were aware.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Councillor Middleton: Local Plan Partial Review and greenbelt development

Councillor Woodcock: Ukraine situation and local support to refugees

Councillor Sames: Ukraine situation and support for refugees

Councillor Same: Greenbelt development

Councillor Hodgson: Castle Quay

Councillor Hodgson: Affordable Housing

Councillor Moon: Ukraine situation and UK support to refugees

Councillor Richards: May 2022 elections

Councillor Mallon: Castle Quay and changing place toilets

c) Questions to Committee Chairmen on the Minutes

Councillor Richards asked a question to the Chairman of the Budget Planning Committee, Councillor Mawer, regarding the 9 December 2021 Minutes and Committee discussion on CCTV. Councillor Mawer duly responded.

77

Members' Allowances 2022/2023

The Director of Law and Governance submitted a report to determine the levels of the allowances to be paid to Members for the forthcoming 2022/2023 financial year and proposed changes to the Members Allowance Scheme following the consideration of the report of the Council's Independent Remuneration Panel (the "Panel").

In introducing the report, the Leader of the Council, Councillor Wood, thanked the Panel for their hard work and diligence reviewing the allowances and submitting their report.

With regards recommendation 1.2, regarding the introduction of an IT allowance, Councillor Wood proposed that consideration of this amendment to the Members' Allowance Scheme be deferred and officers be requested to undertake further work to evaluate options, in light of the decision to terminate the s113 Agreement with Oxfordshire County Council and report back to Council for consideration. The amendment to recommendation 1.2 was seconded by Councillor Ilott and on being put to the vote was carried.

Resolved

(1) That, having given due consideration to the levels of allowances to be included in the 2022/2023 Members' Allowances Scheme, the Independent Remuneration Panel's recommendations, as set out below, be adopted:

- The Basic Allowance to be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to give 12 equal payments, and payment of the increase

backdated to the beginning of the financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date.

- All Special Responsibility Allowances (SRAs) to be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to give 12 equal payments, and payment of the increase backdated to the beginning of the financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date.
 - All co-optee and Independent Persons Allowances to be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to give 12 equal payments, and payment of the increase backdated to the beginning of the financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date.
 - The Dependant Carers' allowance be frozen and remain at the current level of £20 per hour and claims capped at 40 hours per month.
 - The Childcare allowance be frozen and remain at the current level of £10 per hour and claims capped at 40 hours per month.
 - There be no change to Travelling and Subsistence Allowances
 - Bicycles: 20p per mile
 - Motorcycles: 24p per mile
 - Motor vehicles including electric vehicles: 45p per mile
 - Breakfast allowance: £6.02 per meal
 - Lunch allowance: £8.31 per meal
 - Evening meal allowance: £10.29 per meal
 - The Democratic Services Team to book overnight accommodation.
 - Non-Executive Director allowances to be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to give 12 equal payments, and payment of the increase backdated to the beginning of the financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date and expenses paid at the same levels as district councillors and recharged to the relevant company
- (2) That, having given due consideration to the recommendation of the Independent Remuneration Panel regarding the introduction of an IT allowance, consideration of this proposed amendment to the Members' Allowance Scheme be deferred and officers be requested to undertake further work to evaluate options, in light of the decision to terminate the s113 Agreement with Oxfordshire County Council and report back to Council for consideration.

- (3) That the Director of Law and Governance be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of Council for implementation with effect from 1 April 2022.
- (4) That the Director of Law and Governance be authorised to take all necessary action to revoke the current (2021/2022) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Member's Allowances)(England) Regulations 2003 (as amended).
- (5) That the Independent Remuneration Panel be thanked for its report and a fee of £300 be set for each Panel Member for the work carried out on this review and propose the same level of fee for any reviews carried out in 2022/2023 capped at a maximum of £1200 per person, which can be funded from existing budgets.

78 **Budget Setting for 2022/23 and the Medium-Term Financial Strategy up to 2026/27**

Prior to consideration of the item, the Chair sought the agreement of Members to suspend standing orders and allow 10 minutes for the speech by the proposer of the budget, and the speeches of the Group Leaders or their nominated representative. All other speakers would continue to have a three minute time limit. Members indicated agreement.

The Chair reminded Council that it was required in legislation that any motion or amendment to the budget and council tax setting be taken by recorded vote and this would be done at the appropriate time.

The Assistant Director of Finance & Section 151 Officer submitted a report which was the culmination of the Budget and Business Planning process for 2022/23 to 2026/27 and set out the Executive's proposed Business Plan and related revenue budget for 2022/23, medium term financial strategy to 2026/27, capital programme to 2026/27 and all supporting policies, strategies and information.

Councillor Ilott thanked the Assistant Director of Finance, the finance team and the former Director of Finance who had worked hard on the budget process and submitted a balanced budget to Council. Councillor Ilott also thanked the Budget Planning Committee and Accounts, Audit and Risk Committee for their hard work supporting the budget setting and business plan process.

Having presented the report, Councillor Ilott proposed the adoption of the Business Plan and related revenue budget for 2022/23, medium term financial strategy to 2026/27, capital programme to 2026/27 and all supporting policies, strategies and information. Councillor Wood seconded the proposal.

Councillor Woodcock, on behalf of the Labour Group, addressed Council in response to the budget and confirmed that he would not be proposing no amendments.

Councillor Middleton, on behalf of the Progressive Oxfordshire Group, addressed Council in response to the budget and confirmed that she would not be proposing no amendments.

Councillor Sibley, on behalf of the Independent Group, addressed Council in response to the budget and confirmed that he would not be proposing no amendments.

A recorded vote was taken, and Members voted as follows

Councillor Hannah Banfield	Against
Councillor Andrew Beere	Against
Councillor Nathan Bignell	For
Councillor Maurice Billington	For
Councillor Mike Bishop	For
Councillor Hugo Brown	For
Councillor Phil Chapman	For
Councillor Mark Cherry	Against
Councillor Patrick Clarke	For
Councillor Ian Corkin	For
Councillor Nick Cotter	Abstain
Councillor Sandy Dallimore	For
Councillor John Donaldson	For
Councillor Carmen Griffiths	For
Councillor Timothy Hallchurch MBE	For
Councillor Matt Hodgson	Against
Councillor Simon Holland	For
Councillor David Hughes	For
Councillor Shaida Hussain	Against
Councillor Tony Ilott	For
Councillor Mike Kerford-Byrnes	For
Councillor Kieron Mallon	For
Councillor Nick Mawer	For
Councillor Andrew McHugh	For
Councillor Ian Middleton	Against
Councillor Perran Moon	Against
Councillor Adam Nell	For

Councillor Cassi Perry	Against
Councillor Lynn Pratt	For
Councillor George Reynolds	For
Councillor Barry Richards	Against
Councillor Dan Sames	For
Councillor Les Sibley	For
Councillor Jason Slaymaker	For
Councillor Dorothy Walker	Against
Councillor Tom Wallis	For
Councillor Douglas Webb	For
Councillor Lucinda Wing	For
Councillor Barry Wood	For
Councillor Sean Woodcock	Against

Resolved

- (1) That the Business Plan (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That, having due regard, the statutory report of the Chief Finance Officer (Section 25 report) be noted.
- (3) That authority be delegated to the S151 Officer, in consultation with the Lead Member for Finance and Governance, to agree the apportionment of settlement costs relating to the ending of the S113 Partnership Agreement with Oxfordshire County Council, in line with the Financial Principles agreed by Council 7 February 2022 for the termination of the Agreement.
- (4) That the net revenue budget for the financial year commencing on 1 April 2022 (annexes to the Minutes as set out in the Minute Book) be approved.
- (5) That the Medium Term Financial Strategy (MTFS) and Revenue Budget 2022/23, including the Savings Proposals, and Pressures (annexes to the Minutes as set out in the Minute Book) be approved.
- (6) That an increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year beginning on 1 April 2022 of £5, resulting in a Band D charge of £143.50 per annum be agreed.
- (7) That the Capital Bids and Capital Programme (annexes to the Minutes as set out in the Minute Book) be approved.

- (8) That the Capital and Investment Strategy (annex to the Minutes as set out in the Minute Book) be approved.
- (9) That the Treasury Management Strategy, including the Prudential Indicators, Minimum Revenue Provision (MRP) Policy and Affordable Borrowing Limit for 2022/23 (annex to the Minutes as set out in the Minute Book) be approved.
- (10) That the Property Investment Strategy (annex to the Minutes as set out in the Minute Book) be approved.
- (11) That a minimum level of General Balances of £6m be approved.

79 **Adjournment of Council Meeting**

The Leader of the Council, Councillor Wood, confirmed that he did not require Council to adjourn to allow Executive to meet discuss any issues arising from the budget.

80 **Calculating the amounts of Council Tax for 2022/23 and setting the Council Tax for 2022/23**

The Chair reminded Members that standing orders were no longer suspended and the rules as set out in the Constitution with regards length of speeches applied for this, and all remaining items on the agenda.

The Assistant Director of Finance & Section 151 Officer submitted a report to detail the Calculations for the amounts of Council Tax for 2022/23 and the setting of Council Tax for 2022/23.

A recorded vote was taken, and members voted as follows

Councillor Hannah Banfield	For
Councillor Andrew Beere	For
Councillor Nathan Bignell	For
Councillor Maurice Billington	For
Councillor Mike Bishop	For
Councillor Hugo Brown	For
Councillor Phil Chapman	For
Councillor Mark Cherry	For
Councillor Patrick Clarke	For
Councillor Ian Corkin	For
Councillor Nick Cotter	Abstain

Councillor Sandy Dallimore	For
Councillor John Donaldson	For
Councillor Carmen Griffiths	For
Councillor Timothy Hallchurch MBE	For
Councillor Matt Hodgson	For
Councillor Simon Holland	For
Councillor David Hughes	For
Councillor Shaida Hussain	For
Councillor Tony Ilott	For
Councillor Mike Kerford-Byrnes	For
Councillor Kieron Mallon	For
Councillor Nick Mawer	For
Councillor Andrew McHugh	For
Councillor Ian Middleton	For
Councillor Perran Moon	For
Councillor Adam Nell	For
Councillor Cassi Perry	For
Councillor Lynn Pratt	For
Councillor George Reynolds	For
Councillor Barry Richards	For
Councillor Dan Sames	For
Councillor Les Sibley	For
Councillor Jason Slaymaker	For
Councillor Dorothy Walker	For
Councillor Tom Wallis	For
Councillor Douglas Webb	For
Councillor Lucinda Wing	For
Councillor Barry Wood	For
Councillor Sean Woodcock	For

Resolved

- (1) That it be noted that the Council Tax Base 2022/23 was determined at the Executive meeting held on 10 January 2022:
 - a) for the whole Council area as 56,801.60 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as

amended by sections 72 to 79 of the Localism Act 2011 (“the 1992 Act”)); and

- b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached annex to the Minutes (as set out in the Minute Book).
- (2) That it be agreed that the Council Tax requirement for the Council’s own purposes for 2022/23 (excluding Parish Precepts and Special Expenses) be £8,151,030.
- (3) That the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the 1992 Act:
- a) £116,132,464 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the 1992 Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
 - b) £102,218,905 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the 1992 Act.
 - c) £13,913,559 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A (4) of the 1992 Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the 1992 Act).
 - d) £244.95 being the amount at 3(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the 1992 Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses).
 - e) £5,762,529 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the 1992 Act as per the attached annex to the Minutes (as set out in the Minute Book).
 - f) £143.50 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the 1992 Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates.
- (4) That it be noted that for the year 2022/23 the Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley have issued precepts to the Council, in accordance with Section 40 of

the 1992 Act, for each category of dwellings in the Council's area as indicated below: -

<u>Valuation Band</u>	<u>Oxfordshire County Council</u>	<u>Police and Crime Commissioner for Thames Valley</u>
	£	£
A	1,101.07	160.85
B	1,284.59	187.66
C	1,468.10	214.47
D	1,651.61	241.28
E	2,018.63	294.90
F	2,385.66	348.52
G	2,752.68	402.13
H	3,303.22	482.56

- (5) That the Council, in accordance with Sections 30 and 36 of the 1992 Act, hereby sets the amounts shown in the annex to the Minutes (as set out in the Minute Book) as the amounts of Council Tax for the year 2022/23 for each part of its area and for each of the categories of dwellings.
- (6) That it be noted that the Council's basic amount of Council Tax for 2022/23 is not excessive in accordance with principles approved under Section 52ZB of the 1992 Act.

81 **Pay Policy Statement 2022/23**

The Director of Human Resources submitted a report which sought Council agreement of the Pay Policy Statement 2022/23.

In introducing the report, the Deputy Leader and Lead Member for Customers and Transformation, Councillor Corkin, explained that the Localism Act required all councils to agree and publish a Pay Policy Statement every financial year. The Act laid down requirements on the content of the statement. This requirement was supplemented by detailed guidance from the Department for Communities and Local Government entitled 'Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act'.

The Act required the Pay Policy Statement to be agreed by Full Council. As required by the Act and Code of Practice, once approved by Council the Pay Policy Statement would be published on the Council's website and will be available on request.

Resolved

- (1) That the Pay Policy Statement for 2022/2023 (annex to the Minutes as set out in the Minute Book) be approved.

- (2) That the Director of Human Resources be requested to produce an updated Pay Policy Statement in year to reflect any change to structural arrangements during 2022/2023 following the decision to formally end the s113 arrangements between Cherwell District Council and Oxfordshire County Council.
- (3) That it be noted that the cost of living pay award for 2021/2022 has not yet been agreed or implemented and is therefore not reflected in the figures.

82

Gambling Act 2005 Statement of Licensing Principles

The Assistant Director Regulatory Services & Community Safety submitted a report for Council to consider a revised Statement of Licensing Principles which was required to be published by the council under the Gambling Act 2005.

Resolved

- (1) That the revised Statement of Licensing Principles under the Gambling Act 2005 (annex to the Minutes as set out in the Minute Book) be adopted.

83

Parliamentary Boundary Review update

The Chief Executive submitted a report to update Council on the next stages of the Parliamentary Boundary Review 2023.

Resolved

- (1) That the update on the Parliamentary Boundary Review 2023 be noted.
- (2) That it be noted that the Parliamentary Boundary and Community Governance Review working group will consider and draft a submission to the second and any subsequent consultations.
- (3) That authority be delegated to the Chief Executive, in consultation with the Chairman (or Vice-Chairman in the Chairman's absence) of the Parliamentary Boundary and Community Governance Review working group, to finalise the council's submission and respond on behalf of Cherwell District Council to the second and any subsequent consultation periods held during the review, including via attendance at a public hearing if considered appropriate.

84 **Revision to the Council's Resolution made 26 February 2018 regarding Oxfordshire Housing and Growth Deal**

The Interim Assistant Director, Housing and Social Care Commissioning submitted a report to request a revision to the Resolution made by Council at its meeting on 26 February 2018, regarding the authority delegated to the Chief Executive to agree the Growth Deal Affordable Housing Delivery Plan, and to explain the reasons for the request.

Resolved

- (1) That authority be delegated to the Chief Executive, in consultation with the Leader, to agree the necessary changes and substitutions to the Cherwell District Council Growth Deal affordable housing delivery programme; and
- (2) That authority be delegated to the Chief Executive, in consultation with the S.151 Officer and Lead Member for Finance and Governance, to agree Growth Deal grant agreements and Cherwell District Council Growth Deal 'Top Up' grant agreements subject to available funding.

85 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

86 **Proposed Community-led Housing Scheme - Hook Norton**

The Head of Estates, Assets and Investments and Housing Development & Standards Manager submitted an exempt report to provide an update on the proposed community-led housing scheme in Hook Norton and to seek delegated authority to negotiate and agree revised terms and conditions necessary to complete the sale of Cherwell District Council owned land in Hook Norton to Hook Norton Community Land Trust to enable the development of affordable housing and community facilities.

Resolved

- (1) That the update on the proposed community-led housing scheme be noted.
- (2) That authority be delegated to the Head of Estates, Assets and Investments, in consultation with the Lead Member for Economy,

Regeneration and Property, to negotiate and agree the revised terms and conditions necessary to complete the sale and transfer of Cherwell District Council owned land to Hook Norton Community Land Trust, to enable the development of affordable housing and community facilities.

87 **Notification of Urgent Decision Taken by Director of Finance**

The Interim Assistant Director, Housing and Social Care Commissioning submitted an exempt report to notify Council of an urgent decision taken by the Director of Finance.

Resolved

- (1) That the urgent decision taken by the Director of Finance, under delegated powers (Part 3, paragraph 1.13 (Officer Scheme of Delegation) of the Council's Constitution) to increase the council's Capital Programme by £1.875m in 2021/22, in order to include two affordable housing schemes that will be funded by Oxfordshire Growth Deal funding and Cherwell District Council's Growth Deal Top Up funding (comprising S.106 Commuted Sums) be noted.

88 **Inclusion of additional Growth Deal Scheme in the Capital Programme 2021/2022**

The Interim Assistant Director, Housing and Social Care Commissioning submitted an exempt report to seek approval of the inclusion of additional Growth Deal Scheme in the Capital Programme 2021/2022.

Resolved

- (1) That the inclusion of a Growth Deal funded scheme of 18 affordable homes be included in the Capital Programme 2021/2022 at a total value of £0.761m.
- (2) That authority be delegated to the Assistant Director, Housing and Social Care Commissioning in consultation with the s.151 Officer and the Monitoring Officer to negotiate and agree the terms of the Oxfordshire Growth Deal grant(s) and Cherwell District Council Growth Deal Top Up grant(s) (comprising S.106 Commuted sums) which will enable the affordable housing scheme to be delivered.
- (3) That authority be delegated to the Chief Executive, in consultation with the S.151 Officer and Lead Member for Finance and Governance, to approve and agree Growth Deal grant agreements and Cherwell District Council Growth Deal 'Top Up' grant agreements subject to available funding.

89 **Readmittance of the Press and Public**

Resolved

That the press and public be readmitted to the meeting.

90 **Motions**

The Chair advised that one motion had been submitted. Not amendments to the motion had been submitted. In line with the Constitution, no amendments to the motion were now permitted.

Oxfordshire Growth Needs Assessment (OGNA)

It was proposed by Councillor Middleton and seconded by Councillor Cotter that the following motion be adopted:

“The recent Regulation 18 Part 2 consultation on the Oxfordshire 2050 Plan proposes three growth projections which could be used as the basis for assessing the scale of longer-term housing growth in Oxfordshire. These projections originate from the Oxfordshire Growth Needs Assessment (OGNA) which is a report prepared by consultants advising the Oxfordshire councils.

Major civic groups throughout the county have criticised the basis for the OGNA and have called for it to be peer reviewed before these figures are locked into future stages of the planning and consultation process.

This is now even more vital after a preliminary report on the Regulation 18 consultation response suggested that the highest (or transformational) level of growth was being favoured, although it seems that this was due in large part to responses from landowners and property developers.

This would represent a further significant level of predicted growth in the county which will need to be supported by this council as part of our local plan priorities. This in turn could have serious implications for our five year land supply commitments which are already under considerable strain in Cherwell.

This Council therefore supports calls for an urgent independent peer review of the OGNA to be carried out before we reach the next stage (regulation 19) of the consultation process for the Oxfordshire 2050 Plan. This should include an assessment of the methodology along with clear explanations of the effect of the choices that have been made in preparing the projections.”

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was lost and therefore fell.

91 **Councillor Timothy Hallchurch MBE**

At the discretion of the Chair, Councillor Hallchurch addressed Council and advised that he would be tendering his resignation as a district councillor due to ill health.

Members and the Chair paid tribute to Councillor Hallchurch for his service to the council and the residents of the district and wish him well for the future.

92 **Emergency Motion**

The Chair advised that in accordance with section 4.18 of the Constitution, she had agreed to allow an emergency motion be added to the agenda.

It was proposed by Councillor Sames and seconded by Councillor Woodcock that the following motion be adopted.

“The commencement of hostilities in the Ukraine by President Putin is a direct threat to the peace and stability of Western Europe and by de facto the residents of this District. The potential for the conflict to escalate is a real and credible threat that we cannot afford to ignore and could draw in military personnel, both full time and reserve, based and living within this District. In a similar fashion to the impact of climate change, like it or not this District will start to feel the impact of either a prolonged or escalated conflict. Residents of the District will be impacted economically in the short term and perhaps to an even greater extent if the situation deteriorates.

This council resolves to denounce the naked aggression of President Putin against a peaceful sovereign nation and to ask the Executive to actively consider any request to provide assistance to any refugees displaced by this conflict.”

In debating the motion, all Member speeches were in support of the motion and on being to the vote, the motion was unanimously agreed.

Resolved

(1) That the following motion be adopted:

“The commencement of hostilities in the Ukraine by President Putin is a direct threat to the peace and stability of Western Europe and by de facto the residents of this District. The potential for the conflict to escalate is a real and credible threat that we cannot afford to ignore and could draw in military personnel, both full time and reserve, based and living within this District. In a similar fashion to the impact of climate change, like it or not this District will start to feel the impact of either a prolonged or escalated conflict. Residents of the District will be impacted economically in the short term and perhaps to an even greater extent if the situation deteriorates.

This council resolves to denounce the naked aggression of President Putin against a peaceful sovereign nation and to ask the Executive to actively consider any request to provide assistance to any refugees displaced by this conflict.”

The meeting ended at 10.05 pm

Chairman:

Date:

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Cherwell District Council

Council

18 May 2022

Adoption of Revised Members' Code of Conduct

Report of Interim Monitoring Officer

This report is public

Purpose of report

To adopt a revised Members' Code of Conduct as unanimously recommended by the Standards Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 To adopt the revised Members' Code of Conduct.
- 1.2 To agree that:
 - it be mandatory for all Councillors to complete Code of Conduct training within 6 months of the adoption of the revised code (i.e. by mid-November).
 - It be mandatory for all Councillors to undertake Code of Conduct training within 6 months of their election (newly or re-elected) and attend a refresher at least once during their term of office.
- 1.3 To endorse the revised Members' Code of Conduct for adoption by the Town and Parish Councils in the Cherwell District.

2.0 Introduction

- 2.1 Section 27(2) of the Localism Act 2011 sets out that a local authority must adopt "a code dealing with the conduct that is expected of Members and co-opted Members of the authority when they are acting in that capacity."
- 2.2 Cherwell District Council adopted the current Members' Code of Conduct in July 2012. It is Part 13 of the Constitution.
- 2.3 All Oxfordshire local authorities are covered by a single, jointly-agreed Code of Conduct which ensures that councillors who are members of multiple authorities within the area are covered by a single code, providing clarity and consistency. The

same Members' Code of Conduct has been adopted by the majority of parish councils in the Cherwell district.

- 2.4 Following a review and consultation exercise, the Local Government Association (LGA) published a Model Member Code of Conduct in December 2020 which was updated in January and May 2021. The LGA issued accompanying guidance in July 2021.
- 2.5 The Oxfordshire principal authorities have worked collaboratively to consider whether to adopt the model code from the LGA, to keep the current Members' Code of Conduct or to adopt an amended Members' Code of Conduct. An amended Members' Code of Conduct is attached at Appendix 1 which will be considered by each of the Oxfordshire principal authorities for approval.
- 2.6 At Cherwell District Council, Council is "Responsible for adopting and changing the Constitution, the Council's Code of Conduct and Members' Allowance Scheme".
- 2.7 The Standards Committee has responsibility for "The making of recommendations to Council on the adoption, revision or replacement of a code of conduct for members and co-opted members". The Committee considered the proposed revised code at its 17 March 2022 meeting and unanimously agreed to recommend it to Council for adoption.

3.0 Report Details

- 3.1 As set out in the introduction, Cherwell District Council adopted its current Members' Code of Conduct in July 2012. This Code is consistent across the Oxfordshire district councils, Oxford City Council and Oxfordshire County Council. It has also been adopted by the majority of parish councils in the Cherwell district.
- 3.2 In 2018 the Committee on Standards in Public Life undertook a review of local government ethical standards. The Committee on Standards in Public Life considered that robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government. A consultation period ran from 29 January to 18 May 2018.
- 3.3 The terms of reference for the review were to:
 - i. examine the structures, processes and practices in local government in England for:
 - maintaining codes of conduct for local councillors
 - investigating alleged breaches fairly and with due process
 - enforcing codes and imposing sanctions for misconduct
 - declaring interests and managing conflicts of interest
 - whistleblowing
 - ii. assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
 - iii. make any recommendations for how they can be improved
 - iv. note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation

- 3.4 The Committee on Standards in Public Life (CSPL) published the [Local Government Ethical Standards report](#) on 30 January 2019. The Local Government Association (LGA) then released a draft Model Member Code of Conduct on 8 June 2020 and sought views on it.
- 3.5 The LGA published a [Model Member Code of Conduct](#) in December 2020 which was updated in January and May 2021. The LGA issued some accompanying [guidance](#) in July 2021.

LGA Model Code of Conduct

- 3.6. The LGA Model Code is said to:
- “have been designed to protect our democratic role, encourage good conduct, and safeguard the public’s trust and confidence in the role of councillor in local government. While it sets out the minimum standards of behaviour expected, together with the guidance, it is designed to encourage councillors to model the high standards expected of councillors, to be mutually respectful even if they have personal or political differences, to provide a personal check and balance, and to set out the type of conduct that could lead to complaints being made of behaviour falling below the standards expected of councillors and in breach of the code. It is also to protect councillors, the public, local authority officers and the reputation of local government.”
- 3.7 The LGA Model Code does not differ significantly in content from the local code already in operation in Oxfordshire, although some of the language used is different. The Oxfordshire Monitoring Officers have worked collaboratively to consider whether to adopt the model code from the LGA, to keep the current Members' Code of Conduct or to adopt an amended Members' Code of Conduct.
- 3.8 On behalf of the Districts City and County Councils, the Oxford City Head of Law & Governance drafted an amended Members' Code of Conduct which was reviewed and endorsed by all Oxfordshire Monitoring Officers to be considered by each Authority for approval.
- 3.9 The proposed draft is attached at Appendix 1. It is intended that all of the Oxfordshire Authorities adopt the Code for implementation from May 2022.

Revised Members' Code of Conduct

- 3.10 The revised Code sets out general principles of conduct expected of all Councillors as well as specific obligations in relation to standards of conduct. The fundamental aim of the revised Code is to create and maintain public confidence in the role of the Councillor and in Local Government.
- 3.11 The Code of Conduct will apply to each Councillor as soon as they sign the declaration of acceptance of the office of Councillor or attend their first meeting as a co-opted member and continues to apply until the role as a Councillor ceases.
- 3.12 The Code:
- a) Applies to members acting in their capacity as a Councillor which may include when:

- the position as a Councillor is misused; or when
- the impression is given to a reasonable member of the public with knowledge of all the facts that an individual is acting as a Councillor.

Members are expected to uphold high standards of conduct and show leadership at all times.

- b) Applies to all forms of communication and interaction, including at face-to-face meetings, at online or telephone meetings, in written communication, in verbal communication, in non-verbal communication and in electronic and social media communication, posts, statements and comments;
- c) Includes the following standards/obligations, with guidance given for each obligation to help explain the reasons for the obligations and how they should be followed:
- i. Respect - A Councillor:
 - Shall treat everyone, including other Councillors and members of the public with respect and shall treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.
 - Respect means politeness and courtesy in behaviour, speech, and in the written word.
 - ii. Bullying, Harassment and Discrimination – A Councillor:
 - Shall not bully or harass any person and shall promote equalities and not discriminate against any person.
 - Bullying is described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.
 - The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.
 - Discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- iii. Impartiality of Officers of the Council – A Councillor:
 - Shall not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

- iv. Confidentiality and access to information – A Councillor:
 - Shall not disclose information either given to them in confidence by anyone or acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature, unless:
 - they have received the consent of a person authorised to give it; or
 - they are required by law to do so; or
 - the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - the disclosure is reasonable and in the public interest; and also made in good faith and in compliance with the reasonable requirements of the local authority and consultation with the Monitoring Officer has taken place prior to its release.

 - Shall not improperly use knowledge gained solely as a result of their role as a Councillor for the advancement of themselves, their friends, family members, employer or business interests.

 - Shall not prevent anyone from getting information that they are entitled to by law.

 - When making decisions on behalf of, or as part of, the Council shall have due regard to any professional advice provided by the Council's Officers.

- v. Disrepute – A Councillor:
 - Shall not bring their role or local authority into disrepute.

- vi. Use of position – A Councillor:
 - Shall not use, or attempt to use, their position improperly to the advantage or disadvantage of anyone.

- vii. Local Authority Resources and Facilities – A Councillor:
 - Shall not misuse council resources.

 - Shall, when using the resources of the local authority or authorising their use by others, act in accordance with the local authority's requirements; and ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which they have been elected or appointed.

- viii. Compliance with the Code of Conduct – A Councillor:
 - Shall undertake Code of Conduct training as required by the local authority.

- Shall cooperate with any Code of Conduct assessment, investigation, hearing and/or determination.
 - Shall not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
 - Shall comply with any sanction imposed on them following a finding that they have breached the Code of Conduct.
- ix. Gifts and Hospitality – A Councillor:
- Shall not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
 - Shall register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
 - Shall register with the Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept.
- d) Sets out the obligations for councillors in relation to the registration / declaration of interests including Disclosable Pecuniary Interests (DPI) and other registrable interests.

It also contains guidance on the steps that must be taken if a councillor has an interest in a matter that is under consideration by the Council, including when it relates to a non-registrable interest.

Where a matter arises at a meeting which directly relates to a Councillor's financial interest or wellbeing (and does not fall within the definition of disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, it is a non-registrable interest

Code of Conduct Training

- 3.13 As set out at “viii” above, Councillors should undertake Code of Conduct training as required by their authority.
- 3.14 At CDC, Code of Conduct training forms part of the Member Induction programme each year, however, there has been no requirement for Members to attend Code of Conduct training.
- 3.15 Having regard to the importance of the Code, the Standards Committee unanimously resolved to recommend Council agree to make Code of Conduct training mandatory for all Councillors:
- All Councillors to undertake training within 6 months of the adoption of the revised Code of Conduct, i.e. by 18 November 2022

- All Councillors (newly or re-elected) to undertake Code of Conduct training within 6 months of their election and to undertake a refresher at least once during their term of office

3.16 To ensure that Code of Conduct training is as accessible as possible to fulfil the proposed mandatory requirement, multiple sessions will be offered for Members to attend one convenient to them.

Code of Conduct and Town/Parish Councils

3.17 The Monitoring Officers for all principal authorities in Oxfordshire have been keen to ensure as far as is possible that the revised Code of Conduct applies to Councillors at all three tiers of local authority in the County (County, District and Town/Parish) both in the interests of general consistency but also to assist those many members who are twin and in some cases triple hatted.

3.18 Whilst it is for each Town and Parish Council to adopt its own Code of Conduct, the majority have adopted the same current Code of Conduct as adopted by CDC.

3.19 To continue this consistency, it is recommended for Council to endorse the Members' Code of Conduct for adoption by the Town and Parish Councils in the Cherwell District. Subject to the agreement of Full Council, the Monitoring Officer would liaise with Town and Parish Clerks regarding the adoption of the revised Code.

4.0 Conclusion and Reasons for Recommendations

4.1 The recommendation from the Standards Committee to Council to adopt the revised Code of Conduct will support Councillors in maintaining high standards of conduct and provide consistency with all Oxfordshire principal authorities.

5.0 Consultation

None in relation to the preparation of this report.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to adopt the revised Members' Code of Conduct. This is not recommended as it would result in a different Code applying in Cherwell District to the other Oxfordshire principal authorities.

Option 2: To adopt an amended version of the revised Members' Code of Conduct to Council for adoption. This is not recommended as the Oxfordshire Monitoring Officers have worked collaboratively on the proposed Draft Code of Conduct to retain a consistent Code of Conduct across the Oxfordshire principal authorities. It has been considered and recommended for adoption by the Council's Standards Committee.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report.

Comments checked by:

Michael Furness, Assistant Director of Finance & Section 151 Officer,
01295 221845, Michael.Furness@cherwell-dc.gov.uk

Legal Implications

- 7.2 Under the Localism Act 2011, each local authority has a duty to adopt a Code of Conduct dealing with the conduct that is expected of members and co-opted members, when they are acting in that capacity.
- 7.3 The code must be consistent with the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Councils must also ensure that their codes include appropriate provisions about declaring pecuniary and other interests.
- 7.4 There is no national prescribed version of a code in England and no obligation to adopt a particular model. The LGA Model Code is suggested national good practice, and Councils can adopt this revised code, or adopt their own local code.
- 7.5 As set out in the body of this report, the Monitoring Officers across Oxfordshire have worked together to review the LGA Model Code and have suggested some changes to the format and style, with the aim of producing a Code that could be adopted on a county-wide basis.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law, Governance & Democratic Services & Monitoring Officer, shahin.ismail@cherwell-dc.gov.uk

Risk Implications

- 7.3 Without effective standards arrangements in place there is a risk to the council's reputation and the preferred recommendation outlined in the report mitigates reputational and legal risks.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 The Code of Conduct addresses discrimination and inequality and will see a commitment from Councillors not to discriminate against any person or community and act as advocates in promoting equality. This is in line with the Council's commitment to Equality, Diversity and Inclusion and it's Including Everyone framework.

Comments checked by:
Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

All

Links to Corporate Plan and Policy Framework

None, this report is pursuant to a statutory requirement

Lead Councillor

None

Document Information

Appendix number and title

- Appendix 1 – Revised Members' Code of Conduct

Background papers

None

Report Author and contact details

Natasha Clark, Governance and Elections Manager and Lesley Farrell, Democratic & Elections Officer

Tel: 01295 221534, Email: democracy@cherwell-dc.gov.uk

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Oxfordshire Councils' Councillor Code of Conduct 2022

Version 4: 8th February 2022

1.0 Introduction

The Council has duty to promote and maintain high standards of conduct by members and co-opted members of the Council, and formally adopt a code of conduct, in accordance with the *Localism Act 2011*.

2.0 Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of the Councillor and in Local Government.

3.0 Definitions

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of the local authority. A "co-opted member" is defined in the *Localism Act 2011 Section 27(4)* as "a person who is not a member of the authority but who

- 3.1 is a member of any committee or sub-committee of the authority, or;
- 3.2 is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

4.0 General Principles of Councillor Conduct

Everyone in public office and all who serve the public or deliver public services, including Councillors and local authority officers, should uphold the Seven Principles of Public Life, also known as the Nolan Principles, (see Appendix A).

Building on these principles of selflessness, objectivity, accountability, openness, honesty and integrity and leadership, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in Councillors, on all occasions a Councillor shall:

- act with integrity and honesty
- act lawfully
- treat all persons fairly and with respect; and
- lead by example and act in a way that secures public confidence in the role of Councillor.
- impartially exercise their responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any

- person
- avoid conflicts of interest
- exercise reasonable care and diligence; and
- ensure that public resources are used prudently in accordance with the local authority's requirements and in the public interest.

These general principles have been incorporated into the obligations of the Code of Conduct as set out below.

5.0 Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor;

The Code applies to all forms of communication and interaction, including at face-to-face meetings, at online or telephone meetings, in written communication, in verbal communication, in non-verbal communication and in electronic and social media communication, posts, statements and comments.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

6.0 Standards of Councillor Conduct

This section sets out the obligations (in bold below), which are the minimum standards of conduct required of a Councillor. Should a Councillor's conduct fall short of these standards, a complaint may be made against them, which may result in action being taken.

Guidance is also included below each obligation to help explain the reasons for the obligations and how they should be followed.

6.1 Respect

A Councillor:

- 6.1.1 Shall treat everyone, including other Councillors and members of the public with respect.**
- 6.1.2 Shall treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor,

you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from everyone. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the relevant social media provider and/or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

6.2 Bullying, Harassment and Discrimination

A Councillor:

6.2.1 Shall not bully any person.

6.2.2 Shall not harass any person.

6.2.3 Shall promote equalities and not discriminate against any person.

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Legislation places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

6.3 Impartiality of Officers of the Council

A Councillor:

6.3.1 Shall not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral, (other than political assistants where applicable). They should not be coerced or persuaded to act in a way that would undermine their neutrality. A Councillor may question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, a Councillor must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

6.4 Confidentiality and access to information

A Councillor:

- 6.4.1 Shall not disclose information either given to them in confidence by anyone or acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature, unless**
- i. They have received the consent of a person authorised to give it; or**
 - ii. They are required by law to do so; or**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is reasonable and in the public interest; and also made in good faith and in compliance with the reasonable requirements of the local authority and consultation with the Monitoring Officer has taken place prior to its release.**
- 6.4.2 Shall not improperly use knowledge gained solely as a result of their role as a Councillor for the advancement of themselves, their friends, family members, employer or business interests.**
- 6.4.3 Shall not prevent anyone from getting information that they are entitled to by law.**
- 6.4.4 When making decisions on behalf of, or as part of, the Council shall have due regard to any professional advice provided by the Council's Officers.**

6.5 Disrepute

A Councillor:

- 6.5.1 Shall not bring their role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions.

6.6 Use of position

A Councillor:

6.6.1 Shall not use, or attempt to use, their position improperly to the advantage or disadvantage of anyone.

A Councillor should not take advantage of opportunities, responsibilities and privileges to further their own or others' private interests or to disadvantage anyone unfairly.

6.7 Local authority Resources and Facilities

A Councillor:

6.7.1 Shall not misuse council resources.

6.7.2 Shall, when using the resources of the local authority or authorising their use by others, act in accordance with the local authority's requirements; and ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which they have been elected or appointed.

A Councillor may be provided with resources and facilities by the local authority to assist them in carrying out their duties as a Councillor. Examples may include office support, stationery, equipment such as phones, computers and transport and access and use of local authority buildings and rooms.

6.8 Compliance with the Code of Conduct

A Councillor:

6.8.1 Shall undertake Code of Conduct training as required by the local authority.

6.8.2 Shall cooperate with any Code of Conduct assessment, investigation, hearing and/or determination.

6.8.3 Shall not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

6.8.4 Shall comply with any sanction imposed on them following a finding that they have breached the Code of Conduct.

It is extremely important for a Councillor to demonstrate high standards, to have your actions open to scrutiny and not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with the Monitoring Officer.

7.0 Registering and Declaring Interests

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know

early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

7.1 Disclosable Pecuniary Interests

A Councillor must, within 28 days of taking office as a member or co-opted member, notify the Council's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State (see Appendix B), where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners. Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You must disclose the interest at any meeting of the Council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'. If it is a 'sensitive interest', you must disclose the fact that you have an interest but do not have to disclose the nature of it. (A sensitive interest is an interest which, in the opinion of the Monitoring Officer, if disclosed, could lead to the Councillor, or a person connected with them, being subjected to violence or intimidation.) You are personally responsible for deciding whether or not you should disclose an interest in a meeting.

Following any disclosure of an interest not on the Council's register, or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, by the Monitoring Officer, you may not participate in any discussion of, or vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest. You must withdraw from the room or chamber when the meeting discusses and votes on the matter.

Where you have a disclosable pecuniary interest on a matter to be considered or being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

You must ensure that your register of interests is kept up to date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Appendix B is a criminal offence under the Localism Act 2011.

7.2 Other Registerable Interests

You must also register your other registerable interests with the Monitoring Officer within 28 days of taking office and ensure these are kept up to date by notifying any changes within 28 days.

Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Appendix C), you must

disclose the interest. Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

7.3 Non-Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests at 7.1 above), or the financial interest or wellbeing of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a sensitive interest you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests as set out at 7.2 above and appendix C you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have a Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

8.0 Gifts and Hospitality

A Councillor:

- 8.1 Shall not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

- 8.2 Shall register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 8.3 Shall register with the Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept.**

The presumption should always be not to accept significant gifts or hospitality but there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered.

You do not need to register gifts and hospitality which are not related to your role as a Councillor.

It is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B: Discloseable Pecuniary Interests

"**Disclosable Pecuniary Interest**" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in the table below.

"**Partner**" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts	<p>Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issues share capital of that class.</p>

* 'Director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Appendix C: Disclosure of Other Registrable Interests

You must register as an Other Registrable Interest:

- a) any unpaid directorships
- b) any Body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any Body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

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Cherwell District Council

Council

18 May 2022

Standards Arrangements – Appointment of Independent Person

Report of Interim Monitoring Officer

This report is public

Purpose of report

To appoint an Independent Person in light of the resignation of a current Independent Person.

1.0 Recommendations

The meeting is recommended:

- 1.1 to appoint Dr Sadie Reynolds as an Independent Person, to be appointed for a term expiring on the date of the December Council meeting in 2025.
- 1.2 to note that the appointment of the Independent Person may be renewable in 2025 for a further term of four years subject to the Independent Person wishing to continue in the role and Council agreeing the renewal of the appointment.

2.0 Introduction

- 2.1 The Localism Act 2011 (“the Act”) (Section 28, subsections (7) and (8)) requires the standards arrangements adopted by the Council to include provision for the appointment of at least one independent person to assist the Monitoring Officer in dealing with complaints about councillors’ standards of behaviour and alleged breaches of the Members’ Code of Conduct.
- 2.2 The Local Authorities (Standing Orders)(England)(Amendment) Regulation 15 (“The Regulations”) require the Council to invite relevant Independent Persons to a Panel (being a committee appointed by the authority under section 102(4) of the Local Government Act 1972) for the purposes of advising the authority on matters relating to dismissal of relevant officers of the authority. Such invitation must be issued to all relevant Independent Persons with a view to appointing at least two Independent Persons to the Panel. The relevant officers to which these provisions apply by legislation are the council’s Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

- 2.3 Following a robust recruitment process, at the 13 December 2021 Council meeting, Mr Graham Matthews and Mr Tom Edwards were appointed Independent Persons for a term of four years expiring on the date of the December meeting of Council in 2025.
- 2.4 Whilst there is a requirement to appoint one Independent, at the December 2021 Council meeting, Members agreed to appoint two Independent Persons to ensure resilience.
- 2.5 Due to personal reasons, Mr Graham Matthews tendered his resignation as an Independent Person in March 2022. It is therefore necessary for Council to appoint an Independent Person to ensure that there remains two Independent Persons.

3.0 Report Details

- 3.1 In light of the resignation of Mr Graham Matthews, the Council currently has one Independent Person. Whilst the Council is still complying with the requirements of the Localism Act 2011 (section 28(7)), to have at least one Independent Person, the Standards Committee and Council agreed that two Independent Persons should it be necessary to set up a Panel in compliance with The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015. Having two Independent Persons also provides for resilience.
- 3.2 The report to the 13 December 2021 Council meeting ([Minute 55 refers](#)) sets out the robust recruitment process for the two Independent Persons appointed at that meeting, which had regard to the Act:
- The recruitment exercise to include advertisement, application and interview.
 - The interview panel to consist of the Monitoring Officer, the Chairman of the Standards Committee and two members of the Standards Committee, one of whom to be an opposition member.
 - Interviews will be carried out virtually via video conference in November 2021 (exact date(s) to be agreed by the interview panel)
 - The appointments to be confirmed at the 13 December 2021 Council meeting with a positive vote by a majority of councillors
 - The appointments to be for 4 years (to December 2025)
 - The Independent Person “job description” and “role profile” to be approved by the Monitoring Officer, in consultation with the Chairman of the Standards Committee
 - The statutory restrictions whereby an Independent Person must not be a Member, co-opted Member or officer of Cherwell District Council or a Member, co-opted Member or officer of a parish council that falls within the area of Cherwell District Council

- Any application from an existing Independent Person to be considered on its merits

- 3.3 As part of the recruitment process, six applications were received and all candidates interviewed. The Panel had been extremely impressed with all candidates and considered all were appointable.
- 3.4 Given the robustness of the recent recruitment process, at its meeting of 17 March 2022, the Standards Committee considered that it would be appropriate to delegate authority to the Interim Monitoring Officer, following consultation with the Chairman, to approach the candidates who were not appointed in the first instance to ascertain if they are still interested in the role.
- 3.5 After consultation with the Chairman of the Standards Committee, the Interim Monitoring Officer approached Dr Sadie Reynolds, who confirmed she would be happy to be appointed. Council is therefore recommended to Council the appointment of Dr Reynolds as an Independent Person.
- 3.6 There is no prescribed time limit on the terms of office of Independent Persons and these are therefore within the discretion of the Council. To ensure consistency with the term of the current remaining Independent Person, it is recommended the appointment also be until the date of the December meeting of Council in 2025.

4.0 Conclusion and Reasons for Recommendations

- 4.1 To comply with the statutory requirements the Council must appoint at least one Independent Person. Due to the resignation of one Independent Person, the Committee

5.0 Consultation

None in the preparation of this report

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to appoint a second Independent Person. This is not recommended as there would be no resilience in support to the Monitoring Officer in the case of the current Independent Person being unavailable or having a conflict of interest.

7.0 Implications

Financial and Resource Implications

- 7.1 Each independent person receives an annual allowance of £768 and can claim travel expenses for attending meetings in person. This is provided for in the

Members' Allowances budget. The law is clear that the payment of an allowance does not negate independence.

Comments checked by:

Michael Furness, Assistant Director of Finance & Section 151 Officer,
01295 221845, Michael.Furness@cherwell-dc.gov.uk

Legal Implications

- 7.2 To comply with the requirements of the Localism Act 2011 (section 28(7)), the Council should appoint at least one Independent Person. However, should it be necessary to set up a Panel in compliance with The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 referred to in paragraph 2.2 above it is recommended that the Council appoints two Independent Persons.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law, Governance & Democratic Services,
Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

- 7.3 Failing to appoint an Independent Person would place the Council in breach of its statutory duty under the Act and prevent the Monitoring Officer from dealing with complaints in accordance with the Council's code of conduct complaints procedure.
- 7.4 In addition in the event of there being a need to consider dismissal of a relevant officer and the Council not having appointed at least two Independent Persons the Council would be required to approach another local authority to seek to invite their appointed Independent Persons to form part of a Panel.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.5 The recent recruitment process was fair and open therefore this approach to reach out to previous applicants will enable the Independent Persons to be appointed on merit.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus,
01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N.A

Wards Affected

All

Links to Corporate Plan and Policy Framework

Not applicable – this report is made pursuant to a statutory requirement.

Lead Councillor

None

Document Information

Appendix number and title

- None

Background papers

None

Report Author and contact details

Natasha Clark, Governance and Elections Manager & Lesley Farrell, Democratic and Elections Officer

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Cherwell District Council

Council

18 May 2022

Annual Report of the Accounts, Audit & Risk Committee 2021/22

Report of Assistant Director of Finance & Section 151 Officer

This report is public

Purpose of report

This report presents the annual report of the Accounts, Audit & Risk Committee 2021/22 and seeks agreement to amend the Terms of Reference of the Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the contents of the Annual Report of the Accounts, Audit & Risk Committee 2021/22 (Appendix 1).
- 1.2 Agree the updated Terms of Reference for the Accounts, Audit and Risk Committee (Appendix 2).

2.0 Introduction

- 2.1 The Accounts, Audit & Risk Committee Annual Report 2021/22 is attached at Appendix 1.
- 2.2 The Annual Report contains information relating to the work of Accounts, Audit & Risk Committee during 2021/22.

3.0 Report Details

Annual Report

- 3.1 Within recommended practice for Audit Committees (CIPFA, Chartered Institute of Public Finance and Accountancy – Audit Committees Practical Guidance 2018), the

committee should report on an annual basis to Council on how the committee has discharged its responsibilities.

- 3.2 The Annual Report 2021/22 was approved at the March meeting of the Accounts, Audit & Risk Committee.

Amended Terms of Reference

- 3.3 The current Terms of Reference require Accounts, Audit & Risk Committee members and any member who attends as a substitute to have received training before attending a committee meeting.
- 3.4 It is proposed that the requirement for attending training prior to attending a committee meeting be retained for permanent Accounts, Audit & Risk Committee members but removed for any member who attends as a substitute. This will assist Committee Members who need to appoint a substitute as they would be able to draw on their whole Group.
- 3.5 At the 19 January 2022 Accounts, Audit and Risk Committee meeting, the Committee agreed arrangements for the appointment of an Independent Member to the Committee ([Minute 57](#) refers).
- 3.6 Whilst it is not a statutory requirement for the Council to appoint an Independent Member, it is considered best practice. The Independent Member would not have voting rights on decisions at meetings of the Accounts, Audit & Risk Committee, rather, they would be part of the Committee in an advisory and consultative manner fully involved in the discussion on issues coming before the Committee.
- 3.7 The decision to appoint an Independent Member to the Accounts, Audit and Risk Committee rests with Full Council and requires an amendment to the Terms of Reference of the Committee to include an Independent Member (non-voting) as part of the membership of the Committee. This report is seeking agreement to amend the Terms of Reference accordingly.
- 3.8 The Accounts, Audit & Risk Committee delegated authority to the Monitoring Officer, in consultation with the Chairman of the Committee, to carry out the recruitment process and submit a report to Full Council seeking agreement to the proposed appointment. Subject to there being a suitable candidate, it is anticipated that this report will be submitted to the July meeting of Council.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Council is invited to note the content of the Accounts, Audit & Risk Committee Annual Report 2021/22.

5.0 Consultation

None.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: None in relation to the Annual Report as this is submitted to Council as required by the Constitution. Council could reject the amendments to the Terms of Reference, however these changes are supported by the Accounts, Audit & Risk Committee.

7. Implications

Financial and Resource Implications

- 7.1 There are no financial implications in relation to the Accounts, Audit & Risk Committee Annual Report.
- 7.2 The Councils' Members' Allowance Scheme sets an annual allowance of £768 and a travel/mileage allowance for co-opted members. This is provided for in the Members' Allowance budget.
- 7.3 The recruitment exercise for the appointment of an Independent Member would carry a modest financial cost which can be accommodated within existing budgets.

Comments checked by:

Michael Furness, Assistant Director of Finance, 01295 221845
michael.furness@cherwell-dc.gov.uk

Legal Implications

- 7.4 A council's audit committee is established further to the Local Government Acts 1972 and 2000 and its purpose is to give assurance to elected Members and the public about the governance and financial reporting of the council.
- 7.5 The Constitution requires the Accounts, Audit & Risk Committee to submit an Annual Report to Council. This report fulfils that requirement.
- 7.6 Whilst there is no statutory requirement to appoint an Independent Member, rather it is considered best practice and the appointment of an Independent Member will assist and promote good governance.

Comments checked by:

Shahin Ismail, Assistant Director Law, Governance & Democratic Services & Monitoring Officer, Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

- 7.7 There are no risk management issues in relation to the Annual Report.

- 7.8 The proposal to appoint an Independent Member to the Accounts, Audit and Risk Committee ensures compliance with CIPFA best practice guidance and seeks to address the risk that the effectiveness of the Committee may not be optimised through bringing in additional skills knowledge and expertise that add value to the experience and knowledge already provided by existing Members of the Committee.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus, 01295 221556
Celia.Prado-Teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.9 There are no equalities and inclusion in relation to the Annual Report.
- 7.10 The recruitment of an Independent Member will be an open and fair process, in line with our commitment to equal opportunities in employment and will positively welcome applications from all sections of the community, working within the framework of the law and published codes of practice.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus, 01295 221556
Celia.Prado-Teeling@cherwell-dc.gov.uk

Sustainability Implications

- 7.5 There are no sustainability issues arising directly from this report

Comments checked by:

Sandra Fisher Martins, Programme Manager, Climate Action, sandra.fisher-martins@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision (N/A)

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

All wards are affected

Links to Corporate Plan and Policy Framework

All corporate plan themes.

Lead Councillor

Councillor Mike Kerford-Byrnes, Chairman of the Accounts, Audit & Risk Committee
2021/22

Document Information

Appendix number and title

- Appendix 1: Annual Report of the Accounts, Audit & Risk Committee 2021/22
- Appendix 2: Revised Terms of Reference Accounts, Audit & Risk Committee

Background papers

None

Report Author and contact details

Michael Furness, Assistant Director of Finance, michael.furness@cherwell-dc.gov.uk

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**Accounts, Audit & Risk Committee
Annual Report**

**Report of the work of the Accounts, Audit
& Risk Committee during 2021-22**

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Annex

1. Accounts, Audit & Risk Committee Functions (terms of reference)

Chairman's Introduction

As the Chairman I am very pleased to present this annual report which sets out the role of the Accounts, Audit & Risk Committee and summarises the work we have undertaken during the financial year 2021/22.

The Committee is a key component of the council's governance framework, providing independent support to ensure good governance and strong public financial management.

The Committee continues to be well supported by Officers, providing a high standard of reports and presentations. I would like to thank the Finance Team, Risk & Performance Team, and Internal Audit for their input.

I should like to take this opportunity to give my personal thanks to all the officers, my Vice Chairman Cllr Hugo Brown and without exception, all fellow Committee members who have contributed and supported the work of the Committee in such a meaningful and positive way throughout the past year, despite the challenges presented by the COVID pandemic to the administration and operation of the department.

COUNCILLOR MIKE KERFORD-BYRNES

Chairman, Accounts, Audit & Risk Committee

Role of the Accounts, Audit & Risk Committee

The Accounts, Audit & Risk Committee operates in accordance with the “Audit Committees, Practical Guidance for Local Authorities” produced by the Chartered Institute of Public Finance and Accountancy (CIPFA) in 2018. The Guidance defines the purpose of an Audit Committee as follows:

1. Audit committees are a key component of an authority's governance framework. Their function is to provide an independent and high - level resource to support good governance and strong public financial management.
2. The purpose of and Audit Committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes. By overseeing internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.

The key functions of the Account’s Audit & Risk Committee are defined within its terms of reference; this is attached as Annex 1 to this report.

How the Committee has discharged its responsibilities during 2021/22

Key AARC Activities	June 21	July 21	Sept 21	Nov 21	Jan 22	March 22
Financial Reporting						
Considered monthly performance, risk & finance monthly report						
2020/21 Annual Statement of Accounts up-date						
Review of Treasury Management Outturn 2020/21						
Treasury Management 2021/22 update						
Capital and Investment Strategy 2022/23						
Treasury Management Strategy 2022/23						
Treasury Management Training						
Housing Benefit Subsidy Audit						
Housing Benefit Risk Based Verification Policy						
Review of Support to Subsidiaries						
Internal Audit						
Annual Report of the Chief Internal Auditor 2020/21						
Internal Audit Strategy and Plan 2021/22						
Review of Internal Audit Reports and monitor of in-year progress						
Review of Internal Audit Charter and Quality Assurance Programme						
Update on implementation of management actions from audit of GDPR 2021/22						
External Audit						
External audit progress updates						
Review of those charged with governance – response to EY						
Annual Audit Opinion						
Appointment of External Auditors						
Governance & Risk Management						
As above under financial reporting - Considered monthly performance, risk & finance monthly report						
Approval of Annual Governance Statement (AGS) for 2020/21						
Annual Governance Statement – review of actions						
AARC – draft annual report						
Appointment of independent member						
Risk Management Training						

Key AARC Activities	June 21	July 21	Sept 21	Nov 21	Jan 22	March 22
Counter-Fraud						
Approval of Counter-Fraud Strategy and plan for 2021/22						
Counter-Fraud Plan update						

Our work in 2020/21

The key activities of the Committee are captured in the table above. In summary:

Financial Reporting

The Committee reviewed and approved the annual statement of accounts on behalf of the Council and considered the external auditors report. The Committee reviewed the proposed accounting policies for the statement of accounts.

The Committee receives reports on Treasury Management throughout the year, exercising its stewardship role, including the Treasury Management Outturn Report for 2020/21 and quarterly Treasury Management monitoring reports for 2021/22. Additionally, the Committee considered the Capital and Investment Strategy and the Treasury Management Strategy 2022/23 and submitted recommendations for the adoption of all three to full Council. The Committee have provided effective scrutiny of the treasury management strategy and policies through receiving regular reports of activity, reviewing the treasury risk profile and adequacy of treasury risk management.

Internal Audit

The Committee approved the Internal Audit Strategy for 2021/22, including the annual audit plan.

The Committee receives regular progress reports from the Chief Internal Auditor, including summaries of the outcomes from Internal Audit work.

The Committee has continued to review, and monitor material weaknesses identified from the internal audit reports with Senior Managers attending to provide assurance on how the issues were being addressed. This has supported the implementation of the actions plans to deliver the required improvements in key areas for the Council.

The completion of the Internal Audit Plan and the annual statement of the Chief Internal Auditor is produced for the Committee at the end of the financial year. Based on the evidence of the reports presented to the Committee, the internal audit team continues to provide an effective challenge and therefore assurance on the key risk activities.

The Committee approves the Internal Audit Charter on an annual basis, this was approved at the July 2021 meeting.

External Audit

The Council's external auditors, Ernst and Young, attended the committee meetings during 2021/22, providing regular updates on their work plan and any matters arising.

The Committee is satisfied that the External Auditors are free to carry out their duties without restrictions. We are also assured that if identified they would bring any material issues to the attention of the Committee.

The Committee endorses the nationally expressed criticisms of the intensity and timetables of External Audits. They are especially concerned about the knock-on effects of delays to the 2020/21 Audit on the start (and completion) of the 2021/22 Audit.

Governance & Risk Management

The Committee approved the Annual Governance Statement (AGS) for 2020/21 as part of the Council's accounts.

The Committee receives regular updates on risk management, considering the Performance, Risk and Finance Monitoring Report which includes review of the Leadership Risk Register.

The Committee have considered and agreed to the recruitment and appointment of an independent member in line with good practice guidelines for audit committees.

Counter-Fraud

The Committee receives regular updates from the Counter Fraud Team on outcomes of investigations. The Committee plays a key role in monitoring the effectiveness of the Council's counter fraud arrangements.

Overall, the Council has a strong system of internal control, so as expected, there is very little fraud identified; however nationally statistics show that fraud is on the increase, so it is important that the Council remains vigilant.

Annex 1 – Accounts, Audit & Risk Committee Terms of Reference

Accounts, Audit and Risk Committee Terms of Reference

Accounts, Audit and Risk Committee shall comprise 8 members with unnamed Substitutes. Every permanent Committee member shall undertake appropriate training before being permitted to serve on the Committee.

Statement of Purpose

1. The Accounts, Audit and Risk Committee is a key component of Cherwell District Council's corporate governance framework. It provides an independent and high-level focus on the adequacy of the risk management framework, the internal control environment, the integrity of the financial reporting and governance processes. By overseeing internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.

Governance, risk and control

2. To review the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.

3. To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.

4. To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.

5. To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.

6. To monitor the effective development and operation of risk management in the council.

7. To monitor progress in addressing risk-related issues reported to the committee.

8. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.

9. To review the assessment of fraud risks and potential harm to the council from fraud and corruption.

10. To monitor the counter-fraud strategy, actions and resources.

11. To review the governance and assurance arrangements for significant partnerships or collaborations.

Internal Audit

12. To approve the internal audit charter.

13. To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.

14. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.

15. To approve significant interim changes to the risk-based internal audit plan and resource requirements.

16. To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
17. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
18. To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
 - a) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
 - b) regular reports on the results of the QAIP (Quality Assurance Improvement Programme)
 - c) reports on instances where the internal audit function does not conform to the PSIAS (Public Sector Internal Audit Standards), considering whether the non-conformance is significant enough that it must be included in the AGS.
19. To consider the head of internal audit's annual report:
 - a) The statement of the level of conformance with the PSIAS and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
 - b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.
20. To consider summaries of specific internal audit reports as requested.
21. To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
22. To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
23. To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

External audit

24. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA (Public Sector Audit Appointments) or the authority's auditor panel as appropriate.
25. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
26. To consider specific reports as agreed with the external auditor.
27. To comment on the scope and depth of external audit work and to ensure it gives value for money.
28. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

Financial reporting

29. To review the annual statement of accounts. Specifically, to consider 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.
30. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Accountability arrangements

31. To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.

32. To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee.

33. To publish an annual report on the work of the committee.

Treasury Management

34. To be responsible for ensuring effective scrutiny of the treasury management strategy and policies. Receiving regular reports of activity, reviewing the treasury risk profile and adequacy of treasury risk management processes.

Accounts, Audit and Risk Committee Terms of Reference

(The Accounts, Audit and Risk Committee shall comprise 8 members with unnamed substitutes *and 1 Independent Member (non-voting)*. Every permanent Committee member ~~or appointed substitute~~ shall undertake appropriate training before being permitted to serve on the Committee. *Substitute Members are not required to undertake such training*)

Statement of Purpose

1. The Accounts, Audit and Risk Committee is a key component of Cherwell District Council's corporate governance framework. It provides an independent and high-level focus on the adequacy of the risk management framework, the internal control environment, the integrity of the financial reporting and governance processes. By overseeing internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.

Governance, risk and control

2. To review the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
3. To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
4. To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
5. To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
6. To monitor the effective development and operation of risk management in the council.
7. To monitor progress in addressing risk-related issues reported to the committee.
8. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
9. To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
10. To monitor the counter-fraud strategy, actions and resources.
11. To review the governance and assurance arrangements for significant partnerships or collaborations.

Internal Audit

12. To approve the internal audit charter.
13. To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.

14. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
15. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
16. To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
17. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
18. To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
 - a) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
 - b) regular reports on the results of the QAIP (Quality Assurance Improvement Programme)
 - c) reports on instances where the internal audit function does not conform to the PSIAS (Public Sector Internal Audit Standards), considering whether the non-conformance is significant enough that it must be included in the AGS.
19. To consider the head of internal audit's annual report:
 - a) The statement of the level of conformance with the PSIAS and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
 - b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.
20. To consider summaries of specific internal audit reports as requested.
21. To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
22. To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
23. To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

External audit

24. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA (Public Sector Audit Appointments) or the authority's auditor panel as appropriate.
25. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
26. To consider specific reports as agreed with the external auditor.
27. To comment on the scope and depth of external audit work and to ensure it gives value for money.
28. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
29. Recommend to Full Council whether the external auditors should be selected by Public Sector Audit Appointments (PSAA) or whether internal arrangements should be set up to appoint the auditors.

Financial reporting

30. To review the annual statement of accounts. Specifically, to consider 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.
31. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Accountability arrangements

32. To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
33. To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee.
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Treasury Management

35. To be responsible for ensuring effective scrutiny of the treasury management strategy and policies. Receiving regular reports of activity, reviewing the treasury risk profile and adequacy of treasury risk management processes.

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