



Annual Council

20 May 2019

Subject: Appointment of Independent Member to serve on the Governance and Audit Committee

Report by: Monitoring Officer

Contact Officer: Alan Robinson
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Purpose / Summary: To appoint an Independent Member to serve on Governance and Audit Committee.

RECOMMENDATION(S):

(a) That the person named in paragraph 2.1 be re-appointed to serve as the Governance and Audit Committee Independent Person from 20 May 2019 for a period of 4 years to 2023.

IMPLICATIONS

Legal: None associated with this report.

Financial : FIN/14/20 A payment of £60 for the first 4 hours of attendance at a meeting and a second payment of £60 for attendance in excess of 4 hours. These costs will be met from existing budgets.

Staffing: None associated with this report.

Equality and Diversity including Human Rights : None

Risk Assessment : N/A

Climate Related Risks and Opportunities : None

Title and Location of any Background Papers used in the preparation of this report:
None

Call in and Urgency:

Is the decision one to which Rule 14 of the Scrutiny Procedure Rules apply?

Yes No

Key Decision:

Yes No

1. Background

- 1.1 WLDC appoints 3 Independent Persons to sit on the Governance and Audit Committee for a period of office of 4 years.
- 1.2 The period of office of one Independent Person expires in May 2019.
- 1.3 West Lindsey website plus social media was used to advertise the vacancy and an application was received from the current postholder only, resulting in him being re-appointed. Copies of the advertisement, person specification and background information are attached at Appendix A.
- 1.4 Interview was held on 7 March 2019 for the candidate. The Panel comprised Councillor Giles McNeill, Alan Robinson (Strategic Lead for Governance and People/Monitoring Officer/Returning Officer), and James O'Shaughnessy (Corporate Policy Manager/Deputy Monitoring Officer).

2. Recommended for Appointment

- 2.1 It is **RECOMMENDED** that the following candidate be re-appointed to serve on the Remuneration Panel, for a 4 year period, until May 2023:

Mr Andrew Morriss

Independent Person for Governance & Audit Committee

WANT TO DO SOMETHING WORTHWHILE FOR YOUR LOCAL COMMUNITY?

WOULD YOU LIKE TO BE AN INDEPENDENT MEMBER OF WEST LINDSEY'S GOVERNANCE AND AUDIT COMMITTEE?

West Lindsey District Council is looking to recruit one independent person who would like to be considered for membership of the Governance and Audit Committee. The Council is looking for someone who has knowledge of local government finance and who could demonstrate an ability to establish good working relationships with Councillors and managers.

The Council needs someone who is resident or working in the District, who is objective and politically independent, with the ability to analyse information, to join the Committee.

In return you can look forward to doing something interesting and worthwhile for the local community.

You will be paid an allowance of £60.00 per meeting plus travelling expenses.

If this opportunity interests you, but you would like to discuss it further without committing yourself, please telephone Alan Robinson, Strategic Lead Governance & People/Monitoring Officer, on 01427 676509. Alternatively, you can request an information pack and application details by calling 01427 676594 / 676595, or by email on committeeadmin@west-lindsey.gov.uk

Closing Date: 1st February 2019

Interview Date: 7th March 2019 at the Guildhall

The Council has a commitment to equal opportunities and welcomes applicants from all sections of the community. Also we operate a no smoking policy.



“Governance & Audit Committees are about governance, financial reporting, and the performance of the whole authority.

Good corporate governance requires independent, effective assurance about the adequacy of financial management and reporting, enhancing public trust and confidence”

Having an independent Governance & Audit Committee is identified as good practice for local government, to give an independent view of the way that the Authority conducts its business.

Although this is not a legal requirement of the Authority, West Lindsey has elected to follow best practice to ensure that we gain the benefits from this independent view.

The benefits for operating an effective Governance & Audit committee are that it:

- Raises greater awareness of the need for internal control and the implementation of audit recommendations
- Increases public confidence in the objectivity and fairness of financial and other reporting
- Reinforces the importance and independence of internal and external audit and any other similar review process such as the Annual Governance Statement.

The role of the Governance & Audit Committee is to provide:

- Independent assurance of the adequacy of the risk management framework and the associated control environment in the Authority.
- Independent review of financial and non-financial performance as far as it affects the Authority’s exposure to risk and weakens the control environment.
- Assurance that any issues from the drawing up, auditing and certifying the annual accounts are properly dealt with and appropriate accounting policies applies.

The Governance & Audit Committee has responsibility for the following functions:

(a) Corporate Governance

1. Monitoring the operation of the Council's Constitution and keeping its terms under review, including all procedure rules.
2. Considering and making recommendations on any proposal to make changes to the constitution prior to its consideration by the council.
3. To inform the work of the Remuneration Panel in advance of them making submissions to Council.
4. To keep under review the terms of reference of member level bodies and delegations of council functions to committees and formally appointed bodies and officers.
5. Agreeing and updating regularly the Council's Local Code of Governance.
6. Monitoring its operation and compliance with it, and using it as a benchmark against performance for the Annual Governance Statement.
7. Following a decision of Council to undertake a community governance review to agree the terms of reference for and conduct such a review, making recommendations to Council who will determine the outcome of such reviews.
8. Exercising functions relating to elections and parishes set out in Part D of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (or any replacement or amendment of it).
9. Reviewing the adequacy of the Council's corporate governance arrangements (including matters such as internal control and risk management) and approving the annual governance statement.
10. To approve the financial and contract procedure rules between Annual Councils.

(b) Accounts and Audit

1. Considering the Council's arrangement relating to accounts including;
 - (i) the approval of the statement of accounts and any material amendments of the accounts recommended by the auditors;

- (ii) to keep under review the Council's financial and management accounts and financial information as it sees fit.
- 2. Considering the Council's arrangements relating to the external audit requirements including the receipt of the external audit reports so as to;
 - (i) inform the operation of the Council's current or future audit arrangements;
 - (ii) provide a basis for gaining the necessary assurance regarding governance prior to the approval of the Council's accounts.
- 3. Considering the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- 4. Considering the Council's arrangements relating to internal audit requirements including:
 - (i) considering the Annual Internal Audit report, reviewing and making recommendations on issues contained therein;
 - (ii) monitoring the management and performance of internal audit;
 - (iii) agreeing and reviewing the nature and scope of the Annual Audit Plan.
- 5. Considering summaries of specific internal audit reports of significance or as requested.
- 6. Considering reports from internal audit on agreed recommendations not implemented within a reasonable timescale.
- 7. Considering specific reports as agreed with the external auditor.
- 8. Recommending to the Council the appointment of the Council's external auditor.
- 9. Scrutinising the draft Treasury Management Strategy.

(c) Regulatory Framework (Assurance Framework)

- 1. Reviewing any issues referred to it by the Chief Executive, a Director, the Chief Finance Officer or any Council body.
- 2. Monitoring the effective development and operation of risk management and corporate governance in the Council.

3. Monitoring Council policies on confidential reporting code, anti-fraud and anti-corruption policy and Council's complaint process.
4. Approving payments or providing other benefits in cases of maladministration as required and making recommendations arising from any review of a report of the Local Government Ombudsman.

(d) Ethics and standards

1. Promote and maintain high standards of conduct by Councillors and co-opted members.

Note:

Once appointed to serve or substitute on this committee, members must receive training prior to approval of the Annual Statement of Accounts.

Nominations be sought to form a pool of trained substitutes in order to ensure that decisions are made by fully trained members.

The Leader of the Council, other group leaders, the Chairman of the Challenge and Improvement Committee and the Chairman of the Standards Sub-Committee may be required to attend this committee but may not be appointed to it.

The committee will include at least one independent member.



**Guildhall, Gainsborough
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THE COUNCIL – BRIEF OVERVIEW

The District of West Lindsey is the largest and most rural in the County of Lincolnshire in the East Midlands Region.

One of seven District areas in the County, West Lindsey includes villages to the North of the City of Lincoln, following the route of the river Trent and the Nottinghamshire border to the West, and bordering North Lincolnshire and North East Lincolnshire, the coastal district of East Lindsey, and North Kesteven to the South East.

The District covers 115,773 hectares (447 square miles), with the administrative centre in Gainsborough on the River Trent to the West and market towns of Caistor and Market Rasen to the East.

The topography of the District varies from the low Trent Valley to the West to the rolling hills bordering the Lincolnshire Wolds Area of Outstanding National Beauty in the East.

There are 20 wards in the district and where available information is presented at this level. The Council's political composition currently is:

Conservative Group:	24 Members
Liberal Democrat Group:	7 Members
Labour	3 Members
Independent	1 Member
Lincs Independent	1 Member

The district is made up of 128 parishes of which 72 have parish councils and 39 smaller ones who have parish meetings.

One of the main features of the district is that people are spread across a large area – described as the sparsity factor. The mid year estimates for 2014 give the district a population of approx 91,800.

This ranges from Gainsborough, the principal town with approx 9,000 houses, and the small towns of Market Rasen and Caistor that are smaller than some of our villages such as Saxilby with over 1,800 houses.

This factor affects the delivery of services in the District and is also an issue that is taken

into account when looking at levels of deprivation in the district.

There are also great differences in the characteristics and levels of need across the district, with some wards rating among the highest levels of deprivation in the country, and others being amongst the most affluent.

For more detailed information about the Council and the District of West Lindsey please visit our website at www.west-lindsey.gov.uk.



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DISQUALIFICATIONS FOR APPOINTMENT

Summary of Sections 80 and 81 of the Local Government Act 1972

- (1) A person shall be disqualified from being appointed if he/she:
 - (a) holds any paid office or employment with the Authority;
 - (b) is a person who has been adjudged bankrupt or made a composition or arrangement with his/her creditors;
 - (c) has, within five years before the day of his/her appointment, been convicted of any offence and had passed upon him/her a sentence of Imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine;
 - (d) has been convicted of a corrupt or illegal practice under Part III of the Representation of the People Act 1983;
 - (e) is disqualified for membership for a specified period by Order of the Court because of his/her involvement in expenditure contrary to law;
And
 - (f) is disqualified from membership for five years following an Auditor's Certificate that a loss or deficiency has been caused by his/her wilful misconduct while a member of a local authority.

- 2 The disqualification attaching to a person by reason of having been adjudged bankrupt ceases:
 - (a) on his/her discharge from bankruptcy unless the bankruptcy order

made against the person is previously annulled; and

(b) if the bankruptcy order is so annulled, on the date of the annulment.

3 The disqualification attaching to a person by reason of his/her having made a composition or arrangement with his/her creditors ceases:

(a) on the date on which payment is completed if he/she pays the debt in full; or

(b) in any other case, on the expiration of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.

If you have any queries as to whether or not you may be disqualified from appointment, please ring Alan Robinson, Strategic Lead Governance & People/Monitoring Officer 01427 676509.

JOB DESCRIPTION

Governance & Audit Committee – Independent Person

Experience

You will be a person who has experience of working in a medium/large organisation at a senior level or other experience which would give similar benefits.

Financial management experience (accountancy, audit or management of a large budget) would be advantageous.

Skills

- Able to understand complex issues and the importance of accountability and probity in public life.
- Able to analyse and assess evidence and come to a rational conclusion.
- Able to reconcile the ideal with reality and practicality.
- Able to demonstrate objectivity.
- Able to demonstrate integrity and discretion.
- Able to make decisions.
- Must possess effective interpersonal skills.

Knowledge

Some knowledge of local government would be useful.

Knowledge of corporate governance arrangements in either public or private sectors would be beneficial.

Knowledge of risk management.

Commitment

This post will take up about seven evenings per annum for meetings plus preparation time.

Other

- You must not hold any paid office or employment with the Authority.
- You must have no criminal convictions.
- You must not be an undischarged bankrupt.
- You should have no significant business dealings with the Council.
- You should have no connection with any political group.

Payment

This public office does not command a salary, however a modest allowance will be paid together with reimbursement for travelling and subsistence expenses

PERSON SPECIFICATION

Requirement	Essential	Desirable
1. Educational	Appropriate financial training and experience Knowledge of internal control and audit standards	Demonstrate continued updating of professional skills
2. Work Experience	Able to demonstrate the ability to work closely with politicians Experience of the internal control function in a large, multi-disciplinary organisation Operated within a formal risk management framework Worked for 10 years at a senior level	Previously chaired an audit committee or similar
3. Abilities, Intelligence & Special Aptitudes	Influencing and consensus building Listening skills	Knowledge of local government finance

Requirement	Essential	Desirable
4. Adjustment & Social Skills	<p>Ability to establish good working relationships with Councillors and managers</p> <p>Ability to manage and present information orally to groups in politically sensitive environments</p> <p>Able to demonstrate strong leadership</p> <p>Assertive in pursuing the correct course of action</p> <p>Able to work effectively with colleagues who may have different levels of experience and understanding</p>	<p>Diplomacy and tact</p> <p>Live in or have connections with the County</p>
5. Motivation	<p>Enthusiastic, not easily deterred and able to convey enthusiasm to others</p> <p>Committed to excellent public services</p>	
6. Equal Opportunities	<p>Understanding and commitment to promoting equality of opportunity in service delivery with an understanding of the issues underpinning these values</p>	