

## **Part 3 – Responsibility for Functions Leicestershire County Council’s Constitution**

### **Section B - The Corporate Governance Committee**

1. The Corporate Governance Committee shall have power to appoint subcommittees to deal with any appointments for which it has responsibilities.
2. The extent to which the non-executive powers within the Committee’s remit have been delegated to chief officers, either by the full County Council or by the Committee (or by any of the bodies previously charged with the functions now within its remit), will be found:
  - (a) in the general scheme of delegation to heads of departments which appears in Section D of this Part; and
  - (b) in the record of specific delegations maintained by the Chief Executive for public inspection at County Hall and which constitutes Part 9 of this Constitution.
3. Subject to the delegations described in paragraph 2, the functions delegated to the Committee shall be:

#### **Corporate Governance Matters**

- (a) The promotion and maintenance of high standards within the Authority in relation to the operation of the Council’s Local Code of Governance and in particular to ensure:
  - (i) that an adequate risk management framework and associated control environment is in place;
  - (ii) that the Authority’s financial and non financial performance is properly monitored;
  - (iii) proper oversight of the financial reporting processes;
  - (iv) that the Council’s Treasury Management arrangements are appropriate and regularly monitored.
- (b) To review the Council’s Local Code of Governance as necessary and make recommendations to the County Council to ensure that it remains relevant to the Council’s work and practices.
- (c) To satisfy themselves that the County Council’s Statement of Accounts and those relating to the Leicestershire Pension Fund including the County Council’s Annual Governance Statement have been prepared in accordance with best practice.

- (d) To make recommendations to the County Council either directly or via the Constitution Committee on any amendments required to the Financial Procedure Rules and Contract Procedure Rules set out in Parts 4F and 4G of this Constitution and to make such changes as are considered necessary to the Standard Financial Instructions.
- (e) To monitor the adequacy and effectiveness of the external audit of the Council's services and functions and to:-
  - (i) consider, comment upon and note the arrangements chosen by the Council to select and appoint its statutory external auditor
  - (ii) review the External Auditor's disclosure of independence and objectivity and satisfy itself that no issues with compliance with ethical standards or problems with audit quality have been raised
  - (iii) consider the nature and scope of the external audit of the Council's services and functions;
  - (iv) consider external audit reports including the Auditor's Annual Report;
  - (v) monitor the County Council's response to the external auditors findings and the implementation of external audit recommendations.
- (f) To monitor the adequacy and effectiveness of the Internal Audit Service and to: -
  - (i) fulfil the role of 'the Board' for the purposes of the Public Sector Internal Audit Standards (the PSIAS)
  - (ii) Approve the internal audit charter
  - (iii) Approve risk based Internal Audit plans;
  - (iv) monitor progress against plans through the receipt of periodic progress reports and an annual Internal Audit report containing the annual opinion on the overall adequacy and effectiveness of the control environment and conformance to PSIAS;
  - (v) consider major Internal Audit findings and recommendations;
  - (vi) monitor the response to major Internal Audit findings and the implementation of its recommendations
  - (vii) contribute to and support an external quality assessment of the internal audit function.
- (g) Monitor the effectiveness of officer arrangements for ensuring an adequate internal control environment and combating fraud and corruption.
- (h) Monitor the arrangements for the identification monitoring and management of strategic and operational risk within the Council.
- (j) To liaise with the Executive and other bodies as appropriate on matters of corporate governance and financial accountability.

- (k) Advising on training for members of the Council on matters relating to the Corporate Governance of the Authority.

**Standards of Conduct Matters**

- (l) The promotion and maintenance of high standards of conduct by members and co-opted members within the County Council, including:-
- (i) Advising the County Council on the adoption or revision of its Code of Conduct;
  - (ii) Monitoring and advising the County Council about the operation of its Code of Conduct in the light of best practice and changes in the law.
- (m) To approve the Council's procedure for handling Member Conduct Complaints. (*See also the delegation to the Director of Law and Governance*).
- (n) Ensuring that all members and co-opted members of the County Council have access to training in all aspects of the Code of members, that this training is actively promoted, and that members are aware of the standards expected from local councillors under the Code.
- (o) Making arrangements for the appointment of independent persons whose views must be sought about allegations of a breach of the Members' Code of Conduct in accordance with the provisions of the Localism Act 2011.
- (p) To have oversight as part of the annual complaints report of the findings of the Local Government Ombudsman where there is a finding of maladministration against the Council.
- (q) To make voluntary payments or provide other benefits in cases of maladministration under section 92 of the Local Government Act 2000. (*See also the delegation to the Director of Law and Governance.*)
- (r) Making arrangements for members to receive dispensations to speak on or participate in matters in which they have interests. (*see also the delegation to the Director of Law and Governance.*)
- (s) Exempting members from vacation of office by failure to attend meetings.
- (t) Considering and determining representation seeking the removal of any LEA appointed school governor.
- (u) Subject to the powers of the Employment Committee in relation to Local Conditions of Service, advising as necessary on matters relating to the conduct of employees and procedures relating to the handling of complaints, including "whistle blowing".

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