



Report of the Monitoring Officer

Council – 7 July 2022

Amendments to the Council Constitution - Governance & Audit Committee - Terms of Reference

Purpose:	To update Council on amendments made to the Terms of Reference of the Governance and Audit Committee following legislative changes
Report Author:	Tracey Meredith
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar
For Information	

1. Background

1.1 The Local Government and Elections (Wales) Act 2022 made amendments to the Local Government (Wales) Measure 2011 which is the legislation that governs the functions and procedures relating to Governance and Audit Committees in Wales.

2. Changes brought about by the legislation

2.1 Changes have already been made to the terms of reference of the Committee and these changes have previously been reported to Council.

2.2 The only remaining change relates to the composition of the Committee. Prior to 5 May 2022 membership of the Committee had to include at least one lay member. Since 5 May 2022 the legislation provides that one third of the members of the Committee are to be lay persons.

2.3 The Terms of Reference have therefore been updated to reflect that requirement and also to include reference to the Chair having to be a lay

person and that the vice chair cannot be a member of the Cabinet or an assistant to the Cabinet.

- 2.4 There were also 2 additional typographical errors which have been amended at paragraphs u) and v) of the terms of reference.

3. Integrated Assessment Implications

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 3.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 3.4 An IIA Screening Form has been completed with the agreed outcome that a full IIA report is not required as this report is For Information report updating Council as to changes to terms of reference arising out of legislation.

4. Legal Implications

- 4.1 The Monitoring Officer has power under the Constitution (Article 15) to make changes to the Constitution where updates are required as a result of changes to legislation and/or the need to correct typographical

errors. This report is to advise Council of the changes being made by the Monitoring Officer.

5. Financial Implications

5.1 There are no financial implications associated with this report.

Background papers: None

Appendices:

Appendix A – Terms of Reference of the Governance and Audit Committee
Appendix B - IIA