

## The Corporate Committee Terms of Reference

The Corporate Committee has:-

- a) All the functions listed below in b) and stated not to be the responsibility of the Council's Executive/Cabinet in Reg 2 and Schedule 1 of the Local Authorities (functions and Responsibilities)(England) Regulations 2000 S.12853(as amended or further amended in any statute or subordinate legislation). References to paragraphs below are those in the appropriate Schedule of the Regulations.
- b) The following Schedule 1 Functions:
  - i) Paragraph C – Health and Safety at Work; all functions discharged otherwise than in the Council's capacity as employer.
  - ii) Paragraph D - Elections; all functions relating to Elections except the approval of pilot schemes for local elections which is reserved for Full Council.
  - iii) Paragraph H - Pensions; Determining the Council's policies as "Employing Authority " and determining the terms of release of Chief and Deputy Chief Officers aged 50 or over and made redundant or retired early with a claim on the pensions scheme. Exercising all the Council's functions as Administering Authority" and being responsible for the management and monitoring of the Council's Pension Fund and the approval all relevant policies and statements. This includes:
    - A) Selection, appointment and performance monitoring of investment managers, AVC scheme providers custodian and other specialist advisers;
    - B) Formulation of investment socially responsible investment and governance policies and maintaining a statement of investment principles;
    - C) Monitoring the Pension Fund Budget including Fund expenditure and actuarial valuations; and
    - D) Agreeing the admission and terms of admission of other bodies into the Council's Pension Scheme,

**Note: Whenever the Corporate Committee considers a report on a Pensions matter, the Chair will make a short announcement at the beginning or at other appropriate stage(s) in the meeting indicating whether the Committee is operating in its capacity as "Employing Authority" or as "Administering Authority". When the Committee is operating in its capacity as "Administering Authority" Members must have regard to their duty as quasi-trustees to act in the best interests of the Pension Fund above all other considerations. When the Committee meets in this capacity its membership shall include as non voting members one representative of each of these groups:(i)current pensioners,(ii) employees of the scheme, and (iii)other admitted bodies.**

(iv) Paragraph I - Miscellaneous; all functions except those retained by full Council in Article 4. The Committee's functions include:

- (A) All functions relating to public rights of way in Part 1 except the creation, stopping up and diversion of highways , footpaths and bridleways in connection with development control decisions which are delegated to the Planning Sub –Committee;
  - (B) Making arrangements for proper administration of financial affairs under section 151 Local Government Act 1972 but the appointment or dismissal of the Chief Finance officer is to be in accordance with the Officer Employment Procedure rules in Part 4
  - (C) Formulating the Treasury Management strategy statement and amendments to it for recommendations to full Council through Overview and Scrutiny Committee and in consultation with the Cabinet Member for Finance. Receiving quarterly monitoring reports and an out-turn report after the close of the year on treasury management policies and practices.
  - (D) Approving statements under the Accounts and Audit Regulations 2003 and any amendment or re-enactment of the Regulations and considering the external auditors report on issues arising from the audit of the accounts or any other concerns relating to accounting policies;
  - (E) Making arrangements for appointing and dismissing senior officers(deputy Chief Officers and above) by establishing Appointment /Dismissal Panels in accordance with the Officer Employment Procedure rules in part 4 and determining the terms and conditions of service of those staff below Senior Management grades, including procedures for dismissal. The Committee's functions include monitoring the operation and effectiveness of the scheme for the performance appraisal and remuneration of the Council's senior managers and chief officers. The Committee agrees the terms and conditions of employment, the pay structure and remuneration for these senior posts;
  - (F) Authorising the making of payments or the provision of other benefits in cases of maladministration;
  - (G) Making orders designating public places in order to confer power on the police to prevent nuisance by the consumption of alcohol.
  - (H) Taking decisions relating to changes to the establishment which are not covered by the Officer Scheme of Delegation.
- c) The following "Local Choice" functions set out in Schedule of the above regulations;-
- i) Any function under a local Act other than a function specified or referred to in Reg 2 or Schedule 1 or expressly delegated elsewhere in this Constitution;
  - ii) The determination of an appeal against any decision made by or on behalf of the authority;

- iii) Passing a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply to the Council's area (consent to the operation of loudspeakers).
- d) The Committee has the following Audit Functions;
  - i) Providing assurance about the adequacy of the Council's Risk Management Framework and Policy and Monitoring the effectiveness of systems for the management of risk across the Council and compliance with them.
  - ii) Maintaining an overview of the Council's Local Code of Corporate Governance;
  - iii) Monitoring the effectiveness of Council policies on "Whistleblowing" and Anti-Fraud and Corruption;
  - iv) Considering and recommending for adoption the Council's Annual Governance Statement;
  - v) Approving the Annual Internal Audit Plan and the Strategic Audit Plan and arrangements for provision of internal audit services to the Council and considering reports on internal audit activity;
  - vi) Receiving the Annual Audit Plan and the Annual Audit Letter from the external auditor and making recommendations on the latter. Considering arrangements for the appointment of the external auditor;
  - vii) Commissioning work from the internal and external auditors and receiving reports from the Head of Audit & Risk Management on any matter ; and
  - viii) Questioning officers and Cabinet Members on matters relevant to audit and to financial and non –financial performance and making recommendations on these matters to Cabinet and full Council.
  - ix) The Head of Audit's Annual Report
- e) The power to make recommendations to the Council on any of its functions set out in Article 4, and the power to establish sub Committees to consider and report on any such functions but this does not include recommendations to amend the Council's Constitution nor does it prevent the Council from making decisions on any matter when necessary without a prior recommendation from the Committee.
- f) There is a Protocol outside this Constitution setting out how the Corporate Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leader's of the Political Groups on the Council.