



City of Westminster

# General Purposes Committee

<b>Date:</b>	8 September 2022
<b>Classification:</b>	General Release
<b>Title:</b>	Appointment of Independent Person to the Audit and Performance Committee
<b>Wards Affected:</b>	All
<b>Policy Context:</b>	Governance of the City Council
<b>Financial Summary:</b>	The Independent Person will receive a special responsibility allowance of £2,500
<b>Report of:</b>	The Director of Law

## **1. Executive Summary**

- 1.1 To seek approval to appoint an independent person to the Audit and Performance Committee which is a key component of corporate governance. The Audit and Performance Committee is a key source of assurance about the organisation's arrangements for managing risk, maintaining an effective control environment, and reporting on financial and non-financial performance. An independent member with appropriate skills and experience will supplement those of the elected members and improve the effectiveness of the Committee.

## **2. Background**

- 2.1 The Chartered Institute for Public Finance and Accountancy (CIPFA) has for many years recommended that local authorities have an independent member as part of their audit committees. Westminster City Council recognises that adding an independent and technical expert to audit committees would further improve scrutiny on its financial position, especially in regards to the annual statement of accounts.
- 2.2 In recognition of that added value, the Council advertised for an independent member last year at the current £500 per annum member allowance level. No applications had been made. A review of allowance levels across London highlighted the annual level to between £2,000 and £2,500 per annum.

## **3. Recommendations**

That Council be recommended to:

- 1) Approve the appointment of an independent person to sit on the Audit and Performance Committee for a period of four years;
- 2) Agrees to delegate to the Director of Law, in consultation with the Chair of the Audit and Performance Committee/General Purposes Committee, authority to finalise the role description, skills, competencies and person specification attached as Appendix A.
- 3) Approve that the recruitment of the Independent Member be led by a panel consisting of the Chair of the Audit and Performance Committee, the Chair of the General Purposes Committee and a nominated Opposition Group member. The panel will be advised by the Director of Law, Director of Finance and Head of Governance and Councillor Liaison.
- 4) Amend the Members' Allowances Scheme to provide a remuneration of £2,500 per annum to the Audit and Performance Committee Independent Member.

#### **4. Role of the Independent Member**

- 4.1 Many local authorities include Independent Members on their audit committees (or similar) as this is seen as strengthening the internal control and governance of the authority. Independent Members with appropriate skills and experience can supplement those of elected Members and improve the effectiveness of such committees.
- 4.2 Guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) encourages local authorities to include independent members on their audit committees which is seen to bring positive benefits and be a mark of good practice to demonstrate good governance principles and independence from the executive and other political allegiances.
- 4.3 In recent months the Government has set out its intention to make independent audit members compulsory across Local Government. Given that the previous recruitment campaign was not effective an increase in allowance might make the role more marketable and allow the Council to put this action in place well before it becomes compulsory.
- 4.4 Independent Persons are non-councillors who are suitably qualified with experience in the area of audit/governance and bring specialist knowledge and insight to the workings and deliberations of the committee to provide:
- An effective independent assurance of the adequacy of the risk management framework.
  - Independent review of the Council's financial and non-financial performance.
  - Independent challenge to, and assurance over, the Council's internal control framework and wider governance processes.
- 4.5 The Independent Member would not have a vote in the same way as members of the committee and will be part of the committee in an advisory and consultative manner.

#### **5. Proposed Approach to Recruitment and Appointment**

- 5.1 The guidance is clear that the position should be publicly advertised and that appointments to it should be for a fixed term to enable a refresh from time to time. As such, it is proposed that the role be advertised for a four-year fixed term, renewable once.
- 5.2 It is suggested that the review of any expressions of interest be carried out by the Monitoring Officer and the Director of Corporate Finance in consultation with Chair of the Audit and Governance Committee/Chair of the General Purposes Committee. Interviews would then be undertaken by the Chair of the

Audit and Performance Committee, the Chair of the General Purposes Committee and a nominated Opposition Group member. The panel will be advised by the Director of Law, Director of Finance and Head of Governance and Councillor Liaison.

- 5.3 It is proposed that following the recruitment exercise, a report be presented to the General Purposes Committee to make recommendations to Full Council to formally appoint the Independent Member.
- 5.4 A draft role description and person specification is attached as Appendix A for information.

## **6. Remuneration**

- 6.1 Currently, the Council's Scheme of Members' Allowances includes a Special Responsibility Allowance (SRA) of £500 for Independent Members. However, should Members support the idea of appointing an Independent Member to the Committee, it is proposed that it is considered appropriate for the Audit and Performance Committee Independent Member to receive an SRA of £2,500 which better reflects the range of duties they will be expected to carry out in providing assistance to the work of the of the Committee.
- 6.2 As such, with consideration given to the projected level of service to the authority and time necessary to fulfil the role, it is recommended that the Council's Members' Allowances Scheme be amended to provide a remuneration of £2,500 per annum to the Audit and Performance Committee Independent Member.

## **7. Financial Implications**

- 7.1 Any costs associated with the recruitment, selection, appointment and subsequent disbursements to any Independent Member will be contained from within existing revenue service budgets.

## **8. Legal Implications**

- 8.1 The Audit and Performance 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, financial reporting and performance of the Council. The appointment of a non-voting Independent Member on the committee will assist and promote good governance and scrutiny of the committee.

## **9. Carbon Impact**

None.

**If you have any queries about this Report or wish to inspect any  
of the Background Papers, please contact:**

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## **APPENDICES**

### **BACKGROUND PAPERS**

CIPFA Guidance



## City of Westminster

### ***Independent Member of Audit and Performance Committee***

#### **What we value at Westminster**

We believe that through our leadership and working together we can create the best environment to support growth that benefits our local communities and our unique heritage of which we are the proud custodian.

Our vision is for Westminster to be an unrivalled City of choice and aspiration where the connections we build amongst our teams, residents, businesses and visitor's gets stronger as everyone plays their part in and benefits from the city's continued success.

#### **Our culture**

At Westminster we have a culture of openness, transparency and integrity where everyone has the opportunity to thrive and develop to be the very best

The Westminster Way is the Council's commitment to our staff and is underpinned by three pillars:

- **Personal development:** Everyone has talent. We want everyone to thrive at Westminster and so we take the time to nurture talent coaching and mentoring our people to be the very best
- **Value our people and diversity:** Everyone is valued. We embrace our differences, to bring new perspectives to the future challenges of our city
- **The Westminster Way of working:** Everyone is a leader. At Westminster we encourage everyone to develop themselves to have a growth mindset and an outward looking approach to provide the best service to our residents, businesses and visitors. We champion modern and agile working and an open and transparent outlook to the way we work

In order to do the very best for our communities, we believe that our workforce should be representative of the people we work on behalf of, our residents and businesses. That is why at Westminster we celebrate and embrace our differences.

	<p>We are passionate about creating a workplace where all can thrive, and where every single person has the opportunity to develop, grow and to be valued for their contribution</p>
<p><b>Portfolio/responsibilities of this role</b></p>	<p>Westminster City Council's Audit and Performance committee specifically seeks an independent member with expert knowledge of the CIPFA Code of Practice on Local Authority Accounting and a senior understanding of local government auditing standards so that they can provide strong technical scrutiny of the Council's statement of accounts.</p> <p>The independent member will complement the skills and expertise of the Committee and work to provide robust and constructive challenge.</p> <p>The Council recognises the valuable input and different perspective independent members bring into the Council's decision-making process. Their role depends in what capacity they are appointed, which could be as representatives of an organisation or an interest group or they may be co-opted for their expertise or experience.</p> <p>An independent member's role is to complement, rather than replace, the role of elected Members who remain accountable to the electorate and are ultimately responsible for decision making. Independent members of Audit and Performance Committee are by law subject to the Members' Code of Conduct and requirements to register disclosable pecuniary interests.</p> <p><b><u>Audit and Performance Committee Constitutional Terms of Reference</u></b></p> <p><b>Audit Activity</b></p> <ul style="list-style-type: none"> <li>• To consider the head of internal audit's annual report including the auditor's opinion on the Council's control environment and a summary of internal audit and anti-fraud activity and key findings</li> <li>• To consider reports, at regular intervals, which summarise: the performance of the Council's internal audit and anti-fraud service provider/s audits and investigations undertaken and key findings progress with implementation of agreed recommendations</li> <li>• To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance</li> <li>• To consider specific reports as agreed with the external auditor</li> <li>• To comment on the scope and depth of external audit work and to ensure it gives value for money</li> </ul>

- To liaise with the Public Sector Audit Appointments (PSAA) body over the appointment of the Council's external Auditor
- To comment on the proposed work plans of internal and external audit

#### **Regulatory Framework**

- To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour
- To review any issue referred to it by the Chief Executive or a Director, or any Council body
- To monitor the effective development and operation of risk management and corporate governance in the Council
- To monitor Council policies on 'Raising Concerns at Work', the Council's complaints process and the Antifraud and Corruption Strategy; specifically, the effectiveness of arrangements in place to ensure the Council is compliant with the Bribery Act 2010
- To oversee the production of the authority's Statement on Internal Control and to recommend its adoption
- To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice
- To consider the Council's compliance with its own and other published standards and controls
- To maintain an overview of the arrangements in place for maintaining High Ethical Standards throughout the Authority and in this context to receive a report annually from the Director of Law and the Chief Finance Officer

#### **Accounts**

- To review the annual statement of accounts and approve these for publication. 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



- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts

#### **Performance Monitoring**

- To review and scrutinise the financial implications of external inspection reports relating to the City Council
- To receive the quarterly performance monitoring report and refer any issues which in the Committee's view require more detailed scrutiny to the relevant Policy and Scrutiny Committee
- To review and scrutinise personnel issues where they impact on the financial or operational performance of the Council including but not limited to agency costs, long-term sickness, ill health early retirements and vacancies; and
- To review and scrutinise Stage 2 complaints made against the City Council and monitor progress
- To consider and advise upon, prior to tender, the most appropriate contractual arrangements where a proposed contract has been referred to the Committee by the Chief Executive
- To maintain an overview of overall contract performance on behalf of the Council
- To review and scrutinise contracts let by the Council for value for money and adherence to the Council's Procurement Code
- To review and scrutinise the Council's value for money to Council tax payers
- To scrutinise any item of expenditure that the Committee deems necessary in order to ensure probity and value for money.

#### **Staffing**

- To advise the Cabinet Member for with responsibility for Finance on issues relating to the remuneration of all staff as necessary
- In the course of carrying out its duties in respect of the above, to have regard to the suitability and application of any grading or performance related pay schemes operated, or proposed, by the Council

<b>What do we expect this role to achieve?</b>	<p>To play an active role in the work of the Audit and Performance Committee which has responsibility for audit, governance and performance matters and for other non-Executive matters specified under the relevant legislation, save for those that are reserved to Council or another decision-making body under the Council's Constitution.</p> <p>To demonstrate senior expertise of local government accounting and auditing – particularly regarding CIPFA Code of Practice on Local Authority Accounting in the UK – providing robust technical scrutiny of the Council's annual statement of accounts on behalf of the Committee.</p> <p>Other requirements of this role:</p> <ul style="list-style-type: none"> <li>• Has not been a councillor or employee of Westminster City Council in the past five years</li> <li>• Is not related to or close friend of a Westminster City Council member or employee</li> <li>• Is not an active member of any political party or have a public profile in relation to political activities</li> <li>• Must formally agree to observe the Code of Conduct for members and</li> <li>• Complete a Register of Interests form on appointment</li> <li>• Must be able to attend committee meetings as programmed (approximately six evening meetings per year in person)</li> <li>• Must be committed to a four-year term of office</li> </ul>
<b>Band/Salary range</b>	Independent Members of the Audit and Performance Committee shall be paid a Special Responsibility Allowance of £2,500 per annum.
<b>Work style</b>	<p>The successful candidate will need to be available to attend and participate in the meetings of the Audit and Performance Committee (and any relevant training sessions for the Committee) which are held in the evening (starting at 6.30pm), normally on 5 or 6 occasions per year.</p> <p>All meetings are held at Westminster City Council, 64 Victoria Street, London, SW1E 6QP</p>
<b>Your manager &amp; team</b>	The the key point of liaison for the role will be the Lead Scrutiny Advisor in the Governance and Councillor Liaison Team. The role will be responsible to the Chairman of Audit & Performance.
<b>Experience</b>	<ul style="list-style-type: none"> <li>• Experience of committee work and/or operating in a political environment</li> <li>• Interest in public service and local government</li> <li>• A demonstrable interest in local issues</li> </ul>
<b>Skills</b>	<ul style="list-style-type: none"> <li>• A good skills communicator; Inquisitive, open minded and non-judgemental</li> </ul>

	<ul style="list-style-type: none"> <li>• Understanding of the committee’s main functions and principles of good corporate and financial governance</li> <li>• A person in whose impartiality and integrity the public can have confidence</li> <li>• Ability and willingness to maintain confidentiality</li> </ul> <p><b>Qualifications</b></p> <table border="1" data-bbox="547 495 1382 931"> <thead> <tr> <th data-bbox="547 495 967 555">Qualification</th> <th data-bbox="967 495 1382 555">Level</th> </tr> </thead> <tbody> <tr> <td data-bbox="547 555 967 692">CCAB/CIMA (or overseas equivalent)</td> <td data-bbox="967 555 1382 692">Qualified or relevant knowledge and experience. CIPFA qualification preferable</td> </tr> <tr> <td data-bbox="547 692 967 792">Degree</td> <td data-bbox="967 692 1382 792">Or relevant knowledge and experience essential</td> </tr> <tr> <td data-bbox="547 792 967 931">Experience</td> <td data-bbox="967 792 1382 931">Expert experience of CIPFA Code of Practice on Local Authority Accounting in the UK</td> </tr> </tbody> </table>	Qualification	Level	CCAB/CIMA (or overseas equivalent)	Qualified or relevant knowledge and experience. CIPFA qualification preferable	Degree	Or relevant knowledge and experience essential	Experience	Expert experience of CIPFA Code of Practice on Local Authority Accounting in the UK
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<p><b>Corporate standards</b></p>	<p><b>Values and behaviours</b></p> <ul style="list-style-type: none"> <li>• Our values and behaviours are at the heart of everything we do. We expect you to work in this Westminster Way empowering, engaging and encouraging your teammates to deliver our corporate vision.</li> <li>• <b>Compliance</b> We expect you to ensure legal, regulatory and policy compliance in area of your specialism, identifying opportunities and risks and escalate/report where appropriate.</li> <li>• <b>Equality and diversity</b> We value equality and diversity as a city council and we want you to support and promote this in your day to day work.</li> </ul>								

