

# Extraordinary Standards Committee



9 April 2025

<b>Title</b>	Amendments to the Constitution
<b>Purpose of the report</b>	To make a recommendation
<b>Report Author</b>	Linda Heron, Monitoring Officer
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	Not applicable
<b>Corporate Priority</b>	This item is not in the current list of Corporate Priorities but still requires a Council decision.
<b>Recommendations</b>	Committee is asked to recommend to the Council to: Approve the proposed changes to the Terms of Reference in the Constitution as set out in this report.
<b>Reason for Recommendation</b>	To ensure that the Constitution supports good governance.

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>A matter requiring correction has been identified in the Constitution. This relates to the terms of reference for the Audit Committee.</li> </ul>	<ul style="list-style-type: none"> <li>To ensure the Constitution supports good governance.</li> </ul>
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> <li>Recommend the changes as set out in this report, to Council for approval.</li> </ul>	<ul style="list-style-type: none"> <li>Seek Council approval for the proposals.</li> <li>Once approved, the Constitution will be updated and published on the website.</li> </ul>

1.1 This report seeks a recommendation to Council to approve proposed amendments to the Constitution, which have the support of the Committee System Working Group.

## 2. Key issues

- 2.1 The Committee System Working Group (CSWG) is responsible for considering whether any amendments are required to the Constitution and making recommendations on these to the Standards Committee.
- 2.2 The proposed amendments relate to the terms of reference of the Audit Committee (Part 3b of the Constitution).
- 2.3 CIPFA guidance recommends that Audit Committee should include two co-opted independent members to provide appropriate technical expertise and to strengthen the capacity of the Committee to provide constructive challenge. Grant Thornton's report for the year ended 31 March 2024 also identified this point.
- 2.4 The Terms of Reference for Audit Committee state the Committee is comprised of 7 councillors and one independent member, and therefore require amendment to allow for two independent members.
- 2.5 The proposed changes to the Constitution were discussed with, and received the support of, the Committee System Working Group on 27 March 2025.
- 2.6 Clean and tracked change copies of the amended Parts of the Constitution are attached in Appendix 1.

### **3. Legal comments**

- 3.1 The Council has a statutory obligation to prepare a constitution and keep it up to date (Section 9P of the Local Government Act 2000).
- 3.2 The procedure for making changes to the Council's Constitution is set out in Article 13 of the Constitution.
- 3.3 The amendments set out in the body of this report is a matter for full Council.

### **4. Risk management comments**

- 4.1 None arising directly from this report save that the proposed amendments to the Constitution are required to implement recommendations from the external auditor's report and are aligned to CIPFA guidance.

### **5. Financial management comments**

- 5.1 Independent Member on Audit Committee receives an allowance of £750 pa (part 6 of the Constitution).
- 5.2 An appointment of another independent member would mean an additional £750 allowance per annum for the duration of the appointment (typically 2 years).

### **6. Other considerations**

- 6.1 An additional independent member will provide appropriate technical expertise which will increase the resilience of the Audit Committee and will better equip it to scrutinise risks issues.

### **7. Timetable for implementation**

- 7.1 A recommendation from Standards Committee will be considered by Council at its meeting on 24 April 2025.

7.2 The amendments will take effect upon agreement by Council and the Constitution will be updated and published as soon as reasonably practicable.

**8. Contact**

8.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer  
(l.heron@spelthorne.gov.uk)

**Please submit any material questions to the Mayor and Officer Contact by two days in advance of the meeting.**

**Background papers:** There are none

**Appendices:**

Appendix 1 - Part 3(b) Terms of Reference