

PART 3 – RESPONSIBILITY FOR FUNCTIONS

APPENDIX 2 – TERMS OF REFERENCE FOR COMMITTEES

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| Appointments (convened as and when required) | <p>To discharge the functions of the authority in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders)(Wales) Regulations 2006) and the statutory Head of Democratic Services, in accordance with the Employment Procedure Rules and any other relevant Council policies and procedures.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Audit | <p><u>Governance, Risk & Control</u></p> <ul style="list-style-type: none">• To review the Council’s corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.• To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account the internal audit opinion on the overall adequacy and effectiveness of the Council’s framework of governance, risk management and internal control.• To consider the council’s arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.• To consider the Council’s framework of assurance and ensure that it adequately addresses the risk and priorities of the Council.• To monitor the effective development and operation of risk management in the Council.• To monitor progress in addressing risk-related issues reported to the committee.• To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.• To review the assessment of fraud risks and potential harm to the council from fraud and corruption.• To monitor the Counter-fraud strategy, actions and resources. |

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| | <p data-bbox="448 230 639 264"><u>Internal Audit</u></p> <ul style="list-style-type: none"> <li data-bbox="448 271 1066 304">• To approve the Internal Audit Charter. <li data-bbox="448 344 1390 490">• To approve the risk-based internal audit plan, containing internal audit's resource requirements, the approach to using other sources of assurances and any work required to place reliance upon those other sources. <li data-bbox="448 530 1390 676">• To approve significant changes to the risk-based internal audit plan, including audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources. <li data-bbox="448 716 1390 790">• To approve significant interim changes to the risk based internal audit plan and resource requirements. <li data-bbox="448 831 1390 936">• To make appropriate enquiries of both management and the audit manager to determine if there are any inappropriate scope or resource limitations. <li data-bbox="448 976 1390 1413">• To consider reports from the Audit Manager on Internal Audit's performance during the year. These will include: <ul style="list-style-type: none"> <li data-bbox="523 1055 1390 1160">- Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work; <li data-bbox="523 1167 1390 1240">- Regular reports on the results of the Quality Assurance and Improvement Programme; <li data-bbox="523 1247 1390 1413">- Reports on instances where the internal audit function does not conform to the PSIAS and Local Government Application Note considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement. <li data-bbox="448 1453 1390 1637">• The opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and internal control together with a summary of the work supporting the opinion – these will assist the committee in reviewing the Annual Governance Statement. <li data-bbox="448 1677 1390 1751">• To consider summaries of specific internal audit reports as requested. <li data-bbox="448 1792 1390 1975">• To receive reports outlining the action taken where the Audit Manager has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions. <li data-bbox="448 2016 1390 2078">• To contribute to the Quality Assurance and Improvement Programme and in particular the external quality assessment |

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| | <p>of internal audit that takes place at least once every five years.</p> <ul style="list-style-type: none"> • To consider a report on the effectiveness of internal audit to support the Annual governance Statement, where required to do so by the Accounts and Audit Regulations. • To support the development of effective communication with the audit manager. <p><u>External Audit</u></p> <ul style="list-style-type: none"> • To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance. • To consider specific reports as agreed with the external auditors. • To comment on the scope and depth of external audit work and to ensure it gives value for money. • To commission work from internal and external audit. • To advise and recommend on the effectiveness of relationships between external and internal audit and other inspector agencies or relevant bodies. <p><u>Financial Reporting</u></p> <ul style="list-style-type: none"> • To review the annual statement of accounts. 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. • To seek assurances that the Council has complied with the Treasury Management Strategy and Practices by demonstrating effective control of the associated risks and pursuing optimum performance consistent with those risks. <p><u>Accountability Arrangements</u></p> <ul style="list-style-type: none"> • To report to Council on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of the governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions. |

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| | <ul style="list-style-type: none"> • To report to Council on an annual basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose. • To raise the profile of probity generally within the Council and to report on matters of concern to the individual Cabinet Member, relevant Scrutiny Committee, Cabinet or to Council as necessary and appropriate. • To work in synergy with the Scrutiny Committees of the Council and liaise with other Council Committees as and when appropriate to avoid duplication in work programmes. <p><u>Training & Development</u></p> <ul style="list-style-type: none"> • To attend relevant training session in accordance with the Member Development Programme including specialist training tailored for Members of the Audit Committee e.g. treasury management. |
| Constitution | <p>To review the Council's Constitution, and to recommend to Council and/or Cabinet any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-</p> <ul style="list-style-type: none"> (a) Drafting improvements to enhance clarity and remove minor anomalies. (b) Updating to reflect legislative changes and matters of record. (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought). |
| Corporate Parenting Advisory Committee | <ul style="list-style-type: none"> (a) To actively promote real and sustained improvements in the life chances of Looked After Children, Children in Need, Care Leavers and children and young people in the criminal justice system and to work within an annual programme to that end; (b) To develop, monitor and review a corporate parenting strategy, and ensure its effective implementation through work plans and corporate parenting training programmes; (c) To seek to ensure that the life chances of Looked After Children, Children in Need and care leavers are maximised in terms of health, educational attainment, and access to training and employment, to aid the transition to a secure and productive adulthood; (d) To recommend ways in which more integrated services can be developed across all Council directorates, schools and other |

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| | <p>stakeholders to lead towards better outcomes for Looked After Children, Children in Need and care leavers;</p> <p>(e) To ensure that mechanisms are in place to enable Looked After Children, Children in Need and care leavers, to play an integral role in service planning and design, and that their views are regularly sought and acted upon;</p> <p>(f) To ensure performance monitoring systems are in place, and regularly review performance data to ensure sustained performance improvements in outcomes for Looked After Children, Children in Need and care leavers;</p> <p>(g) To receive all relevant Children’s Services inspection and annual reports, including: Children’s Homes Quality of Care Report; Case Practice Reviews, Fostering Annual Quality of Care Report; Adoption Fostering Annual Quality of Care Report; 4C’s Commissioning; Out of Area Annual Report; Annual Report of Brighter Futures (with education); Children’s Complaints reports; and Advocacy Annual Report;</p> <p>(h) To report to the Cabinet at least twice a year;</p> <p>(i) To make recommendations to the Cabinet where responsibility for that function rests with the Cabinet;</p> <p>(j) To report to the Children and Young People’s Scrutiny Committee as necessary;</p> <p>(k) To recommend the appointment of co-opted members to the Committee for approval by Council;</p> <p>(l) To develop and undertake a programme of consultation, listening and engagement events with Looked After Children and care leavers, as well as visits to services providing support and advice to Looked After Children, Children in Need and care leavers;</p> <p>(m) To submit an Annual Report on the work of the Committee to full Council.</p> <p>(n) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Council Appeals | <p>To hear and determine appeals (other than those appeals which are within the terms of reference of any other Committee) from determinations and decisions of the Authority where there is a statutory requirement for there to be an appeal to Members of the Council or where such appeal is allowed for in any policy or procedure approved by the Council.</p> |

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| | <p>On hearing an appeal the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, within the range of decisions permissible at law.</p> <p>The Committee, when sitting to hear an appeal, shall not include any Members of the Cabinet, or Members of any Committee principally concerned with the service by which the decision or determination has been made, or Members who have been concerned in any previous consideration of the matter, which has given rise to or from which the appeal arises.</p> <p>At each sitting of the Committee to hear an appeal, the Committee shall, firstly, ensure that the appeal has been properly made and, secondly, that the appellant has been afforded the opportunity of being represented at the hearing of his/her appeal by such friend, lawyer or other representative as he/she may choose.</p> <p>In hearing an appeal the Committee shall conform to the rules of natural justice.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Democratic Services | <p>(a) To carry out the local authority's function of designating the Head of Democratic Services.</p> <p>(b) To keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services in order to ensure that it is adequate for the responsibilities of the post.</p> <p>(c) To make reports, at least annually, to the full Council in relation to these matters.</p> |
| Disciplinary & Grievance Appeals (convened as and when required) | <p>To hear and determine:</p> <p>(a) all appeals by employees of the Council who may have a right to appeal to Councillors in accordance with disciplinary and grievance procedures approved by the Council;</p> <p>(b) all other appeals from disciplinary actions which may be referred to it, whether by the Council or a Committee;</p> <p>(c) grievances by and against the Chief Executive in accordance with grievance procedures approved by the Council; and, with a differently constituted membership, appeals following decisions on such grievances; and</p> |

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| | <p>(d) in exceptional circumstances, where the Chief Executive cannot address matters because of an associated grievance, disciplinary proceedings against the Chief Operating Officer; a Corporate Chief Officer or a Chief Officer; and, with a differently constituted membership, appeals following decisions in such disciplinary proceedings</p> <p>On hearing each case the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, except where retirement or redundancy is contemplated, when consultation with the Cabinet will take place prior to determination of the matter.</p> <p>The Committee, when sitting to hear an individual case, shall comprise not less than three nor more than five members. From the members appointed to serve on the Committee, those who are to sit to hear any particular matter shall be chosen by rota following consultation with the Group Whips, subject to the exclusion of any member who:</p> <p>(i) is a member of the Cabinet or of a Committee principally concerned with the service in which the employee concerned is employed; or</p> <p>(ii) has been concerned in any previous consideration of the matter which has given rise to the disciplinary action, grievance, or decision from which an appeal arises.</p> <p>At each sitting of the Committee to hear a disciplinary matter or appeal, the Committee shall, firstly, ensure that the matter of complaint has been clearly put to the employee and, secondly, that the employee has been afforded the opportunity of being represented at the hearing by such friend, trade union officer, lawyer or other representative as he/she may choose.</p> <p>In any hearing the Committee shall conform to the rules of natural justice.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Employment Conditions | <p>(a) to consider and determine policy and issues arising from the organisation, terms and conditions of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time where this is necessary, subject to the approval of Council in respect of any determination or variation of the remuneration of Chief Officers;</p> |

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| | <p>(b) to decide requests for re-grading of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time, whether by way of appeal by an employee against a decision to refuse a re-grading application or to decide applications for re-grading which are supported, subject to the approval of Council in respect of any determination or variation of the remuneration of a Chief Officer.</p> <p>(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Family Absence Appeals Panel | <p>To be the Appeals Panel required pursuant to Regulation 36(1) of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 and any amendment thereof; and to discharge all functions of the Panel pursuant to those Regulations.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Licensing | <p>To be the Council's Licensing Committee as required by the Licensing Act 2003 and Gambling Act 2005 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under those Acts.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Local Authority Governors Panel | <p>For School Governing Bodies constituted under The Government of Maintained Schools (Wales) Regulations 2005:</p> <p>(a) To advise the Council on appointments and removal of governors to those places allocated to the Local Authority;</p> <p>(b) To consider and make decisions relating to the recruitment, training and vetting of potential governors and any other matters that may be referred to the Panel by the Cabinet for the Constitution Committee; and</p> <p>(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Planning | <p>(a) Those functions listed in Section A of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any</p> |

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| | <p>amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p> <p>(b) Those functions listed in paragraphs 3 and 4 of Section I of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p> <p>(d) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Public Protection | <p>(a) Those functions listed in Sections B and C, and paragraph 10 of Section I, of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities)(Wales) Regulations 2007 (the Regulations), any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations, except to the extent that such matters fall to the Licensing Committee by virtue of Section 7 of the Licensing Act 2003 or the Gambling Act 2005.</p> <p>(b) In relation to those functions acting as Appeal Committee where appropriate.</p> <p>(c) The discharge of any function relating to the control of pollution or the management of air quality.</p> <p>(d) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.</p> <p>(e) Any function relating to contaminated land.</p> <p>(f) The service of an abatement notice in respect of a statutory nuisance.</p> <p>(g) Any function under a local Act of a licensing or regulatory nature.</p> <p>(h) Any function in relation to the making of an Alcohol Consumption in Designated Public Places Order under the provisions of the Criminal Justice and Police Act 2001.</p> <p>Without prejudice to the functions lawfully exercised by the Shared Regulatory Services Joint Committee, pursuant to the Shared Regulatory Service Collaboration Agreement dated 10th April 2015.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |

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| Standards & Ethics | <p>(a) To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services, and to report to the Council on any matters of concern.</p> <p>(b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate.</p> <p>(c) To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application.</p> <p>(d) To consider and determine the outcome of complaints that Councillors and co-opted members have acted in breach of the Code in accordance with procedures agreed by the Standards Committee, including the imposition of any penalties available to the Committee.</p> <p>(e) To oversee and monitor the Council's whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints.</p> <p>(f) To grant or refuse requests for dispensations in respect of Members' interests under the Members Code of Conduct in accordance with the relevant statutory provisions.</p> <p>(g) To undertake those functions in relation to community councils situated in the area of the Council and members of those community councils which are required by law</p> <p>(h) To recommend to Council and the Cabinet any additional guidance on issues of probity.</p> <p>(i) To hear and determine any complaints of misconduct by Members or a report of the Monitoring Officer, whether on reference from the Ombudsman or otherwise.</p> <p>(j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Pensions Committee | <p>To discharge the functions of the authority as Administering Authority of the Cardiff & Vale of Glamorgan Pension Fund ('the Fund') as described in the Local Government Pension Scheme (LGPS) Regulations made under the Superannuation Act 1972 (sections 7,12 or 24) and Section 18(3A) of the Local Government and Housing Act 1989; and</p> |

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| | <p>To discharge the following specific strategic functions with regards to the Fund, taking account of advice from the Corporate Director Resources and the Fund's professional advisers:-</p> <ul style="list-style-type: none"> a) Determining the Fund's aims and objectives, strategies, statutory compliance statements, policies and procedures for the overall management of the Fund, including in relation to the following areas: <ul style="list-style-type: none"> i) Governance – approving the Governance Policy and Compliance Statement for the Fund; ii) Funding Strategy – approving the Fund's Funding Strategy Statement including ongoing monitoring and management of the liabilities, giving due consideration to the results and impact of the triennial actuarial valuation and interim reports; iii) Investment strategy - approving the Fund's investment strategy, Statement of Investment Principles and Myners Compliance Statement including setting investment targets and ensuring these are aligned with the Fund's specific liability profile and risk appetite; iv) Communications Strategy – approving the Fund's Communication Strategy; v) Discretions – determining how the various administering authority discretions are operated for the Fund; and vi) Internal Dispute Resolution Procedure – determining how the Scheme Member disputes are administered. b) Monitoring the implementation of these policies and strategies as outlined in a) above on an ongoing basis. c) Considering the Fund's financial statements as part of the approval process and agreeing the Fund's Annual Report. Receive internal and external audit reports on the same. d) Receiving ongoing reports from the Corporate Director Resources in relation to the delegated operational functions. e) To provide independent assurance to members of the Fund of the adequacy of the risk management and associated control environment, responsible for the Fund's financial and non-financial performance. f) To adhere to the principles set out in the Pensions Regulator Code of Practice and undertake its duties in compliance with the obligations imposed on it. g) To receive regular training to enable Committee Members to make effective decisions and be fully aware of their statutory and fiduciary responsibilities and their stewardship role. |

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| | <p>h) Consider any pension compliance matters raised by the Fund's Local Pension Board.</p> <p>i) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| SCRUTINY | |
| Children & Young People | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of children and young people, including :</p> <ul style="list-style-type: none"> • School Improvement • Schools Organisation • School Support Services • Education Welfare & Inclusion • Early Years Development • Special Educational needs • Governor Services • Children's Social Services • Youth Services and Justice • Children's Play Services <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, Welsh Government Sponsored Public Bodies, joint local government services and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> |
| Community & Adult Services | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of community and adult services, including:</p> <ul style="list-style-type: none"> • Public and Private Housing • Disabled Facilities Grants • Community Safety • Neighbourhood Renewal and Communities First • Advice & Benefits • Consumer Protection • Older Persons Strategy |

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| | <ul style="list-style-type: none"> • Adult Social Care • Community Care Services • Mental Health & Physical Impairment • Commissioning Strategy • Health Partnership <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> <p>To be the Council's Crime and Disorder Committee as required by the Police and Justice Act 2006 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under that Act.</p> |
| Economy & Culture | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of economic regeneration.</p> <ul style="list-style-type: none"> • Cardiff City Region City Deal • Inward Investment and the marketing of Cardiff • Economic Strategy & Employment • European Funding & Investment • Small to Medium Enterprise Support • Cardiff Harbour Authority • Lifelong Learning • Leisure Centres • Sports Development • Parks & Green Spaces • Libraries, Arts & Culture • Civic Buildings • Events & Tourism • Strategic Projects • Innovation & Technology Centres • Local Training & Enterprise <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-</p> |

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| | <p>governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance or service delivery in this area.</p> |
| Environmental | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of environmental sustainability, including:</p> <ul style="list-style-type: none"> • Strategic Planning Policy • Sustainability Policy • Environmental Health Policy • Public Protection Policy • Licensing Policy • Waste Management • Strategic Waste Projects • Street Cleansing • Cycling and Walking • Streetscape • Strategic Transportation Partnership • Transport Policy and Development • Intelligent Transport Solutions • Public Transport • Parking Management <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> |
| Policy Review & Performance | <p>To scrutinise, monitor and review the overall operation of the Cardiff Programme for Improvement and the effectiveness of the general implementation of the Council's policies, aims and objectives, including:</p> <ul style="list-style-type: none"> • Council Business Management and Constitutional Issues • Cardiff Council Corporate Plan • Strategic Policy Development • Strategic Programmes • Community Planning & vision Forum • Voluntary Sector Relations |

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| | <ul style="list-style-type: none"> • Citizen Engagement & Consultation • Corporate Communications • Contact Centre Services and Service Access • International Policy • Cardiff Local Development Plan • Equalities • Finance and Corporate Grants • Organisational Development • Cardiff Efficiencies Programme • E-Government • Information and Communication Technology • Council Property • Commissioning and Procurement • Carbon Management • Legal Services • Public Services Board <p>To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources.</p> <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> |