PART 3 – RESPONSBILITY FOR FUNCTIONS

APPENDIX 2 – TERMS OF REFERENCE FOR COMMITTEES

Committee	Terms of Reference
Appointments (convened as and when required)	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. All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Audit	Statement of Purpose
	 Our Audit Committee is a key component of Cardiff Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. The purpose of our Audit Committee is to provide independent assurance to the members of Cardiff Council of the adequacy of the risk management framework and the internal control environment. It provides an independent review of Cardiff Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.
	 Governance, Risk & Control To review the Council's corporate governance arrangements against the good governance framework, including the ethical 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.

Committee	Terms of Reference
	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.
	To review the governance and assurance arrangements for significant partnerships or collaborations.
	 Internal Audit To approve the Internal Audit Charter.
	To review proposals in relation to the appointment of external providers of internal audit services and to make recommendations.
	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.
	To approve significant interim changes to the risk based internal audit plan and resource requirements.
	To make appropriate enquiries of both management and the audit manager to determine if there are any inappropriate scope or resource limitations.
	To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Audit Manager. To approve and periodically review safeguards to limit such impairments.

Committee	Terms of Reference
	 To consider reports from the Audit Manager on Internal Audit's performance during the year, including the performance of external providers of internal audit services. These will include: Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work; Regular reports on the results of the Quality Assurance and Improvement Programme (QAIP); Reports on instances where the internal audit function does not conform to the PSIAS and Local Government Application Note (LGAN) considering whether the nonconformance is significant enough that it must be included in the Annual Governance Statement.
	To consider the Audit Manager's annual report:
	 The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit; The opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and control together with a summary of the work supporting the opinion – these will assist the committee in reviewing the Annual Governance Statement.
	To consider summaries of specific internal audit reports as requested.
	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.
	To contribute to the Quality Assurance and Improvement Programme and in particular the external quality assessment of internal audit that takes place at least once every five years.
	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 provide free and unfettered access to the Audit Committee Chair for the Audit Manager, including the opportunity for a private meeting with the Committee.

Committee	Terms of Reference
	External Audit
	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.
	Financial Reporting
	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.
	 Accountability Arrangements 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.
	To report to Council on an annual basis and to publish an Annual Report on the Committee's work, performance in relation to the terms of reference and its effectiveness 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.

Committee	Terms of Reference
	To work in synergy with the five Scrutiny Committees of the Council and liaise with other Council Committees as and when appropriate to avoid duplication in work programmes.
	 Training & Development 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	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:-
	(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	(a) To champion the life chances and rights of Children Looked After; Children in need; Care Leavers and children and young people in the criminal justice system across the Council, with Elected Members and partners.
	(b) To actively promote real and sustained improvements by ensuring that there are mechanisms in place to:
	 ascertain and have regard to the child or young person's view, wishes and feelings, so far as reasonable practicable;
	 have regard to the importance of promoting and respecting the child or young person's dignity; have regard to the characteristics, culture and beliefs of
	 the child or young person; have regard to the importance of providing appropriate support to enable the child or young person to participate in decisions that affect them;
	 have regard to the importance of promoting the upbringing of the child by the child's family, in so far as doing so is consistent with promoting the child's well-bring; Where the child is under the age of 16, ascertain and have
	regard to the views, wishes and feelings of those with parental responsibility for the child, in so far as doing so is consistent with the well-being of the child, and reasonably practicable

Committee	Terms of Reference
	That there is a follow on provision for young people leaving care that meets the need of young adults
	(c) To develop and undertake a programme of consultation, listening and engagement events with Children Looked After, Children in Need and Care Leavers as well as visits to services providing support and advice to those children and young people.
	(d) To recommend ways in which more integrated services can be developed across all Council directorates, schools and other stakeholders to lead towards
	 Improved education attainment and achievement for Children Looked After, Children in need and Care Leavers; Emotional and Mental Health and Well-being Support for Children Looked After, Children in Need, and Care Leavers;
	 Improvements in services for children with disabilities To encourage Looked After Children, Children in need and Care Leavers to become active citizens.
	(e) To ensure performance monitoring systems are in place, and regularly review performance data to ensure sustained performance improvements in outcomes;
	(f) To benchmark and learn from best practice of other Local Authorities
	(g) To receive all relevant Children's Services inspection and annual reports, including: Children's Homes Quality of Care Report; Child Practice Review Themes, Fostering Annual Quality of Care Report; Adoption Fostering Annual Quality of Care Report; 4C's Commissioning; Out of Area Annual Report; Education Report; Children's Complaints reports; and Advocacy Annual Report;
	(h) To develop, monitor and review a corporate parenting strategy, and ensure its effective implementation through work plans and corporate parenting training programmes;
	(i) To submit an annual progress report to the Cabinet and make recommendations where responsibility for that function rests with the Cabinet;
	(j) To report to the Children and Young People's Scrutiny Committee as necessary;
	(k) To recommend the appointment of co-opted members to the Committee for approval by Council;

Committee	Terms of Reference
	(I) To submit an Annual Report on the work of the Committee to full Council.
	(m)All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Council Appeals	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.
	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.
	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.
	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.
	In hearing an appeal the Committee shall conform to the rules of natural justice.
	All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Democratic Services	(a) To carry out the local authority's function of designating the Head of Democratic Services.
	(b) To keep under review the adequacy of provision of staff, accommodation and other resources made available to discharge the democratic services functions of the Authority.
	(c) To make reports, at least annually, to the full Council in relation to these matters.

Committee	Terms of Reference
Disciplinary &	To hear and determine:
Grievance Appeals (convened as and when required)	(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;
required)	(b) all other appeals from disciplinary actions which may be referred to it, whether by the Council or a Committee;
	(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
	(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
	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.
	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:
	(i) is a member of the Cabinet or of a Committee principally concerned with the service in which the employee concerned is employed; or
	(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.
	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.
	In any hearing the Committee shall conform to the rules of natural justice.

Committee	Terms of Reference
	All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Employment Conditions	(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;
	(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.
	(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Family Absence Appeals Panel	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.
	All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Licensing	To be the Council's Licensing Committee as required by the Licensing Act 2003 and Gambling Act 2005 and any reenactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under those Acts or otherwise required by law to be discharged by the statutory Licensing Committee.
	All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Local Authority Governors Panel	For School Governing Bodies constituted under The Government of Maintained Schools (Wales) Regulations 2005:
	(a) To advise the Council on appointments and removal of governors to those places allocated to the Local Authority;

Committee	Terms of Reference
	(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
	(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Planning	(a) Those functions listed in Section A 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.
	(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.
	(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Public Protection	(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, the Gambling Act 2005 or any other legislative provision;
	(b) In relation to those functions acting as Appeal Committee where appropriate;
	(c) The discharge of any function relating to the control of pollution;
	(d) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area;
	(e) Any function relating to contaminated land;
	(f) The service of an abatement notice in respect of a statutory nuisance; and

Committee	Terms of Reference
	(g) Any function under a local Act of a licensing or regulatory nature,
	without prejudice to the functions lawfully exercised by the Shared Regulatory Services Joint Committee, pursuant to the Shared Regulatory Service Collaboration Agreement dated 10 th April 2015.
	All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Standards & Ethics	(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.
	(b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate.
	(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.
	(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.
	(e) To oversee and monitor the Council's whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints.
	(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.
	(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
	(h) To recommend to Council and the Cabinet any additional guidance on issues of probity.
	(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.
	(j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties.

Committee	Terms of Reference
Committee	All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
Danaises	To dischause the forestions of the control of the control of
Pensions Committee	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
	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:-

Committee	Terms of Reference
Committee	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: 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.
	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.
	 h) Consider any pension compliance matters raised by the Fund's Local Pension Board.

Committee	Terms of Reference
	All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.
SCRUTINY	
Children & Young People	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:
	 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
	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.
	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.
Community & Adult Services	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:
	 Public and Private Housing Disabled Facilities Grants Community Safety Neighbourhood Renewal and Communities First Advice & Benefits Consumer Protection Older Persons Strategy Adult Social Care Community Care Services Mental Health & Physical Impairment

Committee	Terms of Reference
	Commissioning StrategyHealth Partnership
	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.
	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.
	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.
Economy & Culture	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.
	 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 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.

Committee	Terms of Reference
Environmental	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. 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:
	 Strategic Planning Policy Sustainability Policy Environmental Health Policy
	 Public Protection Policy Licensing Policy Waste Management Strategic Waste Projects
	Street CleansingCycling and WalkingStreetscape
	 Strategic Transportation Partnership Transport Policy and Development Intelligent Transport Solutions Public Transport Parking Management
	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.
	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.
Policy Review & Performance	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:
	 Council Business Management and Constitutional Issues Cardiff Council Corporate Plan Strategic Policy Development Strategic Programmes
	 Community Planning & vision Forum Voluntary Sector Relations Citizen Engagement & Consultation Corporate Communications
	Contact Centre Services and Service Access

Committee	Terms of Reference
	 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
	To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources.
	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.
	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.