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Date
30 September 2005

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Dear Marc

Committee Standing Orders

Sophie asked me to review the further changes which have been proposed to the Standing Orders of the Finance & Resources and Audit Committees and I enclose versions of both documents which are marked up with draft amendments which reflect those proposed changes.

In the process of preparing the mark ups, I noted that the Standing Orders for the Finance & Resources Committee have already been amended to provide for the appointment of a member who is a "Chartered Accountant" and that it is proposed that a similar provision be included in the Audit Committee's Standing Orders.

Clearly it is sensible for both committees to have members who are appropriately qualified and experienced in accountancy matters but I am concerned that the Council would not be able to justify objectively the limitation of these posts to only Chartered Accountants as opposed to accountants of a similar standing who have followed other routes to qualification.

There are few instances of public bodies being subject to specific requirements in relation to the appointment of auditors and, consequently, the standard normally adopted is to appoint persons who are qualified for appointment as a company auditor (a defined term) under the Companies Acts. Those who are eligible to act as company auditors are not just Chartered Accountants (i.e. Fellows of the Institute of Chartered Accountants in England and Wales) but their counterparts in Scotland and Ireland, Certified Accountants and Authorised Public Accountants.

This is a matter of significance for HPC as, traditionally, it was more difficult for candidates from disadvantaged backgrounds and ethnic minorities to secure training places to qualify via the chartered route. Unless there is a good reason for specifying that only Chartered Accountants may be appointed, the limitation may run counter to HPC's obligations to promote equality and, in recruitment terms, may well yield a pool of applicants which is less diverse than it could be.

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If there is a specific and objective reason for the limitation then the matter need not be considered further but, if the intention is to secure individuals with appropriate qualifications and experience in audit and financial control then I would suggest that the language used is widened to "accountant who is qualified to be appointed as a company auditor under the Companies Acts". I have included suggested wording in both drafts for the Council's consideration.

Finally, I note that in the report to Council reference is made to "CIB" checks which I assume should have been a reference to "CRB" checks. Although HPC can require prospective registrants to undergo such checks, it cannot require prospective employees to do so and seeking to do so would be contrary to the Rehabilitation of Offenders Act 1974. I suspect that some confusion may have arisen because an exception to that Act does exist in subordinate legislation in relation to accountants, but that exception relates to their admission and continuing registration as a member of the profession and not to their employment in a specific post.

Yours sincerely

Jonathan Bracken

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