

## DEMOCRATIC SERVICES COMMITTEE

Minutes of a meeting held on 22<sup>nd</sup> July, 2019.

Present: Councillor L.O. Rowlands (Chairman); Councillor N.P. Hodges (Vice-Chairman); Councillors: G.D.D. Carroll, O. Griffiths, K.F. McCaffer, M.J.G. Morgan, A.R. Robertson, N.C. Thomas and M.R. Wilson.

### 176 APOLOGIES FOR ABSENCE –

These were received from Councillor Mrs. S.M. Hanks,

### 177 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 25<sup>th</sup> June, 2019 be approved as a correct record.

### 178 DECLARATIONS OF INTEREST –

No declarations were received.

### 179 WRITTEN RESPONSE BY THE WELSH GOVERNMENT TO THE REPORT OF THE EQUALITY, LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE ENTITLED DIVERSITY IN LOCAL GOVERNMENT – APRIL 2019 (HDS) –

The equality, Local Government and Communities Committee had made 22 recommendations in its report which were predominantly for the Welsh Government (WG) to consider and if agreed then implement. These ranged from publicity campaigns to encourage greater diversity of candidates standing for election, to mock elections for young people to run concurrently with Assembly elections. Some of the above Committee's recommendations would require new and additional resources from the WG. However, as a matter of urgency, the above Committee was of the view that the WG should establish an Access to Elected Office fund in Wales. Whilst it did not specify how much resource should be allocated, the fund would assist individuals with disabilities to run for office. The fund could also be extended to assist individuals from other under-represented groups in Wales.

In addition to the above, the equality, Local Government and Communities Committee made a number of recommendations in relation to aspects of the administration of local government business. These included relaxing restrictions on Members' remote attendance at formal Council meetings, and expanding opportunities for job-sharing at Cabinet level. The Committee also called for the collective reporting of care allowances for dependents claimed by Members – anecdotal evidence suggested some Members were deterred from claiming the allowance for fear of public criticism.

The above Committee also considered that social media presented Elected Members with a platform to engage and communicate with the electorate in a way that was not previously possible. However, it also took the view that it provided a platform for sharing abuse and harassment and accordingly called for stronger guidance for candidates and elected representatives on what was, and was not, acceptable behaviour on social media. Further to this, it also recommended a review of the robustness of support mechanisms for Members experiencing online abuse and harassment whilst carrying out their public duties.

Members of the Democratic Services Committee considered the response, although they considered the financial implications had to a degree been ignored, in particular the cost to businesses and the cost associated with making facilities compliant with disability legislation. Generally, the findings of WG that there would be no additional funding required to implement the recommendations was questioned as there would clearly be financial implications for Local Authorities.

The Committee made the following observations on the recommendations listed:

- Recommendation 2 – accepted in principle, however Members had lingering concerns regarding the technical capabilities / reliability of equipment and the impact of the same in the event of a technical failure which left the Member attending the meeting remotely cut off from the meeting and unable to continue remote attendance. Reference was also made regarding Part II agenda items.

Members had concerns in regard to the impact on the democratic process as the meeting would have to be adjourned, resulting in unforeseen implications for members of the public who may be also in attendance (Potentially registered to speak), leaving the Council open to criticism. However, it was suggested that agenda conferences could be undertaken remotely.

- Recommendations 3 and 4 – Job sharing was considered to be a difficult scenario of a single Member Ward or in the case of all non-Executive Members and unlikely to work. It was noted that following a recent Lead Member and Officers for Member Support Network MSO Networking meeting, attended by the Chairman and Head of Democratic Services earlier in July, it had been reported that it had yet to be proven useful for diversity and proved problematic in practice. The Chairman advised that the Swansea Council had had issues in relation to Cabinet Member job share arrangements which had transpired not to have been technically shared due to statutory limitations and the ability to make payments in such instances due to Senior Salaries that could be paid. Suggestion was made relating to the establishment of Assistant Cabinet Member posts, non-payment, but a career development opportunity as in the case at Cardiff Council.

A Member referred to the issue of car packages as many services did not exist in the evening to support evening meetings.

- Recommendation 5 – A number of Members considered the timing of meetings was an issue. A number of Councils had meetings in the day, but

unfortunately businesses needed to recognise that although there was legislation for a Councillor to be able to undertake their duties with paid leave, in practice this was not always feasible in small organisations where the employer may be reluctant to authorise leave due to the cost to the business and therefore this presented an environment where there would not be a consistent approach across private and public sector organisations. It was unlikely that any Member would raise their legislative rights with their employer for fear of sanctions. There were also concerns that too many candidates came from the public sector as opposed from the private sector, although the provision was already there within legislation to provide that employers should provide time for employees to attend meetings, this was not happening on a regular basis. It was important that all members advised potential candidates of the work involved. Westminster and Welsh Government needed to appreciate this.

- Recommendation 7 – Accepted in principle, however it was noted that the general public did not necessarily understand the differences between the Local Authority and Town and Community Councils and areas of service responsibility. All Members agreed with the aspirations of the report, but considered that the authors of the report did not necessarily understand the wider issues; it actually ignored the process for which people / candidates were selected. Discussions needed to be held with political parties to discuss internal selection processes relating to the selection of candidates and information / assistance provided to candidates by the political party associations.
- Recommendation 16 – The Head of Democratic Services suggested that political parties had a key role in this area. Experience suggested that candidates did not receive candidate information provided by the Council. It was his view that it was important that prospective candidates knew how much was expected of them. He indicated that some Authorities provided prospective candidate briefing sessions as a means of providing support to candidates prior to elections taken place. Members accepted it was up to the political parties themselves to support and provide information to candidates to ensure that they understood the expectations and the commitment required once elected. It was agreed that all political parties should take the responsibility for advising candidates of the detail of the role of being an Elected Member.
- Recommendation 17 – Accepted in principle, Members considered that there should be scope for this made within the existing Welsh Bacalaureate.

RESOLVED – T H A T the response by the Welsh Government to the Report of the Equality, Local Government and Communities Committee entitled Diversity in Local Government be noted and the comments of the Committee on the same be forwarded to Welsh Government.

Reason for decision

To advise Welsh Government of the Democratic Services Committee's observations on the matter.

## 180 ANNUAL REPORT OF HEAD OF DEMOCRATIC SERVICES (HDS) –

The Local Government (Wales) Measure 2011 ("the Measure") required the Council to appoint a Democratic Services Committee. The Measure also required the Council to designate one of its officers to the statutory post of "Head of Democratic Services" and provide that officer with sufficient resources to discharge these statutory functions.

The purpose of the report was to provide the Committee with an outline of the staff resources existing within Democratic Services and a summary of the wide range of duties undertaken, ongoing developments and plans for the future.

The following was a summary of work undertaken in the last twelve months and ongoing work / initiatives in which the section was actively engaged. The Democratic Services Committee would continue to be kept fully informed on progress of these, and other, initiatives.

As reported in my predecessor's Annual Report the Wales Audit Office (WAO) had been undertaking a review designed to explore with Councils how 'fit for the future' their scrutiny functions were across Wales. This included considering how Councils were responding to current challenges, including the Well-being of Future Generations Act (WFG Act), in relation to their scrutiny activity, as well as how Councils were beginning to undertake scrutiny of Public Service Boards. The review examined how well-placed Councils were to respond to future challenges, including continued pressure on public finances and the possible move towards more regional working between Local Authorities

A number of Scrutiny Committee meetings at that time were observed as subsequent to this activity the WAO published its report relating to the Council in July 2018, which included a number of proposals for improvement which had been reported to the Scrutiny Committee Chairmen and Vice-Chairmen Group at its meeting on 19<sup>th</sup> September, 2018 which was also attended by WAO representatives. The WAO report was also considered by the Corporate Performance and Resources Scrutiny Committee in November 2018. Both the Group and Scrutiny Committee considered a draft Action Plan in response to the report findings. An update report in relation to progressing the above Action Plan was planned to be considered at the next meeting of the Scrutiny Committee Chairmen and Vice-Chairmen Group in late July 2019.

The Council Constitution remained under review and reports to Council were submitted when changes were deemed necessary with the Constitution being updated as and when required.


The Council procured a new webcasting solution appointing Civico as its streaming provider and was implemented November, 2018. The Council continued to provide live broadcasting of the Planning Committee and Full Council, with this service recently being extended to Scrutiny Committee meetings in circumstances when a Scrutiny Committee would be considering Council proposals where it affected residents and the public on a County wide basis, e.g. proposed Car Parking Charging Policy. A decision on whether to broadcast any meeting in the above circumstances was taken in consultation with the relevant Scrutiny Committee Chairman.

The new Local Government and Elections Bill which was likely to be enacted early in 2020, may include a requirement of all Council meetings to be webcast in the future. When discussing further webcasting opportunities, Members were informed that there would be resourcing implications should the Bill require all Committee meetings to be webcast.

The arrangements for public speaking at meetings of the Council's Planning Committee had been in place since February 2015 and were working well, with public involvement at the vast majority of meetings. The process provided an opportunity for increased public engagement in the planning application process. During the Municipal Year 2018/19, 28 individual registrations to speak at Planning Committee meetings were received

As far as Scrutiny Committees were concerned, the arrangements for public speaking were introduced at the beginning of 2016. The process was designed to enhance / increase opportunities for public participation in the Council's democratic processes. Officers from Democratic Services and the Communications Unit would continue to look at ways of increasing the level of public engagement in the Scrutiny process. During the Municipal Year 2018/19, there were 45 individual registrations to speak at Scrutiny Committee meetings.

The below table sets out the performance indicator used to measure satisfaction rates with the above arrangements:

Performance Indicator	Q4 2017/2018	Q4 2018/2019	Q4 Target 2018/2019	Direction of Travel	Commentary
CPM/227: Satisfaction with the process for public speaking at committees.	64.55%	66.67%	75%		The performance of 67% represented 4 satisfied or very satisfied responses received out of a total of 6 responses by respondents when asked how satisfied they were with the overall process for public

					speaking during the year. 2. Although this was below the target of 75% it was important to note that this only related to a small number of responses.
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A significant amount of work had already been undertaken by the Democratic Services Team (supported by colleagues) in this area as alluded to in my earlier comments within the report e.g. Member Expo events.

The team also undertook to provide a number of Member Development sessions in relation to Rules of Debate processes and procedures knowledge building. This subject had been identified from Member feedback at the Member Focus Group facilitated by the WLGA in April, 2018.

Work of the Central South Consortium continued to be monitored by the Learning and Culture Scrutiny Committee holding the Consortium to account, with invitations being extended throughout the year for officer attendance at Committees. The Managing Director of the Central South Consortium also attended each Scrutiny Committee in the South East Wales Consortium on an annual basis, in January / February each year.

The Central South Consortium continued to hold regular group meetings with Chairs of Scrutiny Committees and the Democratic Services Officers in each of the Local Authorities in order to consider proposals to deepen the Consortium's relationship with the scrutiny function on a regional level to consider regional performance and share best practice and information.

In terms of the Cardiff Capital Region, a Joint Scrutiny Committee was now in existence to scrutinise the various project streams relating to the Regional City Deal. The Council's representative on the Joint Committee was the Chairman of the Environment and Regeneration Scrutiny Committee as agreed by Council. To date three meetings of the Joint Committee have been held, including one site visit to the Semi-Conductor site in Newport. The meetings were also attended by one of the Team's Democratic and Scrutiny Services Officers.

A for work to be undertaken in the year ahead the Head of Democratic Services indicated that it was proposed to review the Council's Member Development Strategy and Programme. The outcome of the Member Personal Development Interview process would inform the content of the Programme going forward in addition to Member Expo events.

The Team would also be undertaking a Member Scrutiny Satisfaction Survey and would continue to consult with the public who had participated in our public speaking arrangements at Planning and Scrutiny Committee meetings.

The Team would be involved in part with the rollout of Microsoft Office 365 to elected Members. The “Early Adoption” phase was proposed to include a small number of Elected Members taking part in a pilot from September. This would be followed by an anticipated Council-wide rollout later in September, 2019 which was anticipated to be completed in the following 6-8 months.

As part of Tranche 4 budget savings the Head of Democratic Services highlighted a £2k target to achieve relating to the reduction printing of hard copy Committee agendas.

RESOLVED- T H A T the report and the comprehensive amount of work alluded to be noted and recognised.

Reason for resolution

To keep Members informed

181 MEMBER PERSONAL DEVELOPMENT INTERVIEWS (HDS) –

The Local Government (Wales) Measure 2011 contains a requirement that Local Authorities have in place a facility whereby Members are offered the opportunity to have their training and development needs reviewed on an annual basis. The training and development of Members is important to the Council and the constituents they service as it helps them to improve and to carry out their role as Councillor as effectively as possible.

The Committee's views on the content of the current Member Personal Development pro forma set out at Appendix A and to confirm whether the Committee considers it to be still fit for purpose.

The Local Government (Wales) Measure 2011 contains a requirement that Local Authorities have in place a facility whereby Members are offered the opportunity to have their training and development needs reviewed on an annual basis. The training and development of Members is important to the Council and the constituents they service as it helps them to improve and to carry out their role as Councillor as effectively as possible.

The Committee's views on the content of the current Member Personal Development pro forma set out at Appendix A and to confirm whether the Committee considers it to be still fit for purpose.

Members suggested that in the future in the Member Development Process it would be useful to have guided tours of the Council’s offices, i.e. the Alps, Civic Offices and Dock Offices, so Members could understand where officers were based.

In considering Scrutiny recommendations by Cabinet, Members suggested that Cabinet should also be clear about the reasons why Cabinet had not decided to adopt Scrutiny recommendations as opposed to just noting the report.

The Members thanked officers for the good report and were asked to provide the Head of Democratic Services by email with any further comments regarding the current process.

RESOLVED –

(1) T H A T the current Member Personal Development pro forma be endorsed for future use.

(2) T H A T the outcome of the Member Personal Development interviews undertaken be taken into account in delivery of the ongoing Member Development Programme be approved.

Reason for decisions

(1&2) To inform the Council's Member Development Programme.