

**CABINET MEETING: 6 JULY 2017**

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**APPOINTMENT OF ASSISTANTS TO CABINET MEMBERS AND  
MEMBER CHAMPIONS**

**REPORT OF THE CHIEF EXECUTIVE**

**AGENDA ITEM: 3**

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**PORTFOLIO : LEADER (COUNCILLOR HUW THOMAS)**

**Reason for this Report**

1. To consider the appointment of Assistants to Cabinet Members (or Cabinet Assistants) and Member Champions.

**Background**

2. Article 7.5 of the Council's Constitution relates to the appointment of Assistants to Cabinet Members, or alternatively referred to as 'Cabinet Assistants', and provides that:

*"The Cabinet may appoint Councillors to act as assistants to the Cabinet as the Cabinet considers reasonably necessary and appropriate. Their role will be:*

- (a) to assist the Cabinet collectively;*
- (b) to liaise with the Chairs and members of relevant Scrutiny Committees; and*
- (c) to act as observers at meetings of the Cabinet or a committee of the Cabinet*

*in accordance with the detailed Role Description set out in Appendix A.*

*Assistants to the Cabinet may not vote on any matters before the Cabinet, neither may they substitute for a Cabinet Member at a meeting of the Cabinet nor in any decision-making role."*

3. In order to widen member participation in Council business and provide additional support to Cabinet portfolios, on 15 May 2014, the Cabinet agreed to create three unremunerated Deputy Cabinet Member positions and approved a generic role description. Appointments to these positions were made subsequently by the Cabinet in June 2014.
4. The Council's Constitution Committee also considered the Deputy Cabinet Member appointments and the provisions of Article 7.5 of the

Constitution in June 2014. The Committee expressed some concern that the designation of 'Deputy Cabinet Member' may be misleading as the post-holders are not able to fully deputise for Cabinet members. The Committee therefore resolved to retain the title of 'Assistants to Cabinet Members' as used in the Constitution. As a result, in June 2015, the Cabinet revised the positions and approved three Assistant to Cabinet Member appointments.

5. The Cabinet report of 15 May 2014 also considered the role of Member Champions. These are elected members who, in addition to their other Council responsibilities, make sure that the policy issues that they are championing are taken into account when council policy is being developed and decisions are made. Member Champion roles usually exist to provide a voice for traditionally under-represented groups or raise the profile of certain issues to ensure that they are fully considered in policy and decision-making.
6. The Council has for some time allocated Member Champion roles for a particular policy area or issue to individual Cabinet Members on the basis of their respective portfolio responsibilities. In addition, the role of the Member Support & Development Champion has been undertaken historically on a non-executive basis by the Chair of the Democratic Services Committee.
7. On 15 May 2014, the Cabinet agreed a framework within which Member Champions could successfully contribute to more effective policy and decision making across the Council. The Cabinet also took the decision to invite expressions of interest from non-executive Members to serve as Member Champions and to enable appointments to be made by the Council. Subsequently, on 24 July 2014, the Council agreed to establish the following three non-executive Member Champion roles, which remained in place until the end of the 2016/17 municipal year:
  - Community & Food Growing
  - Cycling & Sustainable Transport
  - Diversity & Equality

#### **Assistants to Cabinet Members (or Cabinet Assistants)**

8. It is proposed that the following four Councillors be appointed as Assistants to Cabinet Members and it is expected that they will be referred to as the 'Cabinet Assistant' for their respective area of responsibility:
  - Citizen Engagement – Councillor Dilwar Ali
  - Community Engagement – Councillor Jennifer Burke-Davies
  - Local Environment – Councillor Jane Henshaw
  - Youth Services – Councillor Ashley Lister
9. A copy of the current role description for Assistants to Cabinet Members (or Cabinet Assistants), which was agreed by the Council on 20 October 2016 and which is appended to Article 7 of the Council's Constitution, is

attached as **Appendix A** to this report. The role description will be provided to all new post-holders in order to assist in clarifying their roles and responsibilities in the support of the Cabinet collectively. The Cabinet will seek to review these roles from time to time in order to reflect the work that has been completed by individual Assistants to Cabinet Members (or Cabinet Assistants) and any future priorities.

## **Member Champions**

10. The role of a Member Champion will vary according to the area/issue that is being championed and how the authority functions. For example, a Member Champion or Lead Member role can be undertaken by either the relevant Cabinet Member or by an appointed non-executive member. In addition, there is usually no defined role description or responsibilities for each specific Member Champion role. However, on 19 December 2013 and 22 October 2015 (updated version), the Council agreed to adopt the Welsh Local Government Association (WLGA) generic role description and person specification for Member Champions, as set out in **Appendix B** to this report. In order to clarify the roles and responsibilities of Member Champions, the Council may wish to consider including this role description (or similar) within the Constitution. It is therefore proposed that the role description for Member Champions be referred to the Constitution Committee for further consideration.
11. As noted previously in paragraph 5 of this report, it is customary for Member Champion roles to be created to provide a voice for traditionally under-represented groups and/or raise the profile of certain issues. However, as important issues become mainstreamed, it is appropriate that the Cabinet can exercise the discretion to absorb the role of “champion” into the relevant Cabinet portfolio responsibilities. This is important as there will be a need to review and refresh the number of Member Champion roles over time. The obvious concern is that a proliferation of Member Champions will render the role meaningless if there is no mechanism to identify where having a distinct “champion” can add most value.
12. A number of Member Champion or Lead Member roles, as listed below, were either agreed formally during the last administration or designated to Cabinet Members due to both their individual and collective responsibility for the various areas/issues:
  - Anti-Poverty
  - Anti-Slavery & Ethical Employment
  - Armed Forces
  - Biodiversity
  - Carers
  - Children & Young People
  - Community Benefits
  - Community & Food Growing
  - Cycling & Sustainable Transport
  - Dementia
  - Diversity & Equality
  - Domestic Abuse
  - Health & Safety
  - Homelessness
  - Night Time Economy
  - Older Persons
  - Risk (Management)
13. It is therefore proposed and considered appropriate that any Member Champion or Lead Member roles – including, but not limited to, those set

out above – should be absorbed or mainstreamed into the responsibilities of the relevant Cabinet Member, not least as many of the issues championed are now mainstreamed effectively within Cabinet portfolio responsibilities. The Cabinet would retain the discretion to allocate or reallocate any Member Champion or Lead Member roles as they consider appropriate in accordance with individual Cabinet member portfolio responsibilities.

14. The Cabinet may also consider the nomination of non-executive members to the role of Member Champion, as considered appropriate, with any future appointments to be approved by the Council.
15. Any Member Champions appointed by the Council will need to recognise and work effectively within the political management and executive working arrangements agreed by Council. They also have no decision making powers; may not commit the Council to any course of action or the deployment of any Council resources; and do not attract a Special Responsibility Allowance. Non-executive Member Champions have also, to date, been invited to provide Annual Reports on their work to Full Council on an annual basis.

### **Reasons for Recommendations**

16. To approve the appointment of four Assistants to Cabinet Members (or Cabinet Assistants); to enable the mainstreaming of Member Champion or Lead Member roles into relevant Cabinet portfolio responsibilities; and to allocate/reallocate any specific Member Champion roles to either executive or non-executive members for appointment by Council, as considered appropriate.

### **Legal Implications**

#### **Assistants to Cabinet Members**

17. As part of its executive arrangements, the Council is able to provide for Assistants to Cabinet Members (also sometimes referred to as Deputy Cabinet Members) to be appointed to assist the Cabinet. The National Assembly for Wales' Statutory Guidance on Executive Arrangements (SI 2006/56) states as follows:

*4.29 Local authorities will be free to determine whether to have deputy cabinet members but should they so decide, those deputies will be unable to substitute for a cabinet member at a cabinet meeting nor vote on behalf of the cabinet member for whom they deputise. Cabinet members cannot delegate decision-making power to individual elected members outside the cabinet. An executive, therefore, is not able to have formal substitute or deputy members. A separate executive is designed to increase transparency and accountability. Allowing formal substitution could cloud accountability. Since deputies cannot play a formal role in the decision-making process, their role, if appointed, would be a support and advisory one which could have a representational element.*

18. The Council's Constitution, Article 7.5 ('Assistants to Cabinet Members'), set out in paragraph 2 of the report, allows the Cabinet to appoint such Assistants to Cabinet Members as it considers reasonably necessary, details their role (in line with the statutory guidance), and specifically confirms that 'Assistants to the Cabinet may not vote on any matters before the Cabinet, neither may they substitute for a Cabinet Member at a meeting of the Cabinet nor in any decision making role.'
19. In considering appointments, Cabinet should note that an Assistant to a Cabinet Member should not be a member of a Scrutiny Committee which scrutinises his or her Cabinet Member's portfolio. This is because the Members' Code of Conduct expressly provides that a Member will have a prejudicial interest in any item of business at a Scrutiny Committee which relates to a Cabinet decision or action taken at the time that Member was a member of the Cabinet (Code, Rule 13.1). A Cabinet Assistant may, however, be a member of a Scrutiny Committee which has no responsibility for the scrutiny of his or her Cabinet Member's portfolio. This is expressly incorporated into the Cabinet Assistants' Role Description, which is appended as (Appendix A to Article 7 in the Constitution and) Appendix A to this report.

### Member Champions

20. Members will note from the body of the report that the role of a Member Champion is, in addition to other Council responsibilities, to advocate on behalf of the issues they are championing, aiming to ensure these issues are taken into account when council policy is being developed and decisions are made, as more fully set out in the approved Role Descriptions last considered by Council in October 2015 (Appendix B to this report). Member Champions have no decision making powers; may not commit the Council to any course of action or commit Council resources; do not attract a Special Responsibility Allowance; and are required to work within the political management and executive working arrangements agreed by Council.
21. The role of a Member Champion may relate to functions which are broadly the responsibility of the Cabinet or the Council or both, depending on the policy area or issue being championed. As the Member Champion role bears no formal decision making powers, any Member (a Cabinet member or a non-Cabinet member) may be appointed to the role. However, where a Member Champion role closely relates to a particular executive portfolio area, then it may be considered pragmatic for the relevant Cabinet member to undertake that Member Champion role. Accordingly, this report recommends the assimilation of the Member Champion roles listed in paragraph 12 into the responsibilities of the relevant Cabinet member.
22. The appointment of Member Champions is a matter for full Council, but Cabinet may make recommendations to full Council in this regard.
23. The Constitution currently makes no reference to Member Champions. In order to clarify the roles and responsibilities of Member Champions, this report recommends that the Constitution Committee be asked to

consider incorporating relevant provisions, such as the Member Champion Role Description appended at Appendix B, into the Constitution.

### **Financial Implications**

24. As stated in the body of the report, neither the Member Champion nor the Cabinet Assistant roles attract a Special Responsibility Allowance. Therefore, there are no direct financial implications arising from this report.

### **RECOMMENDATIONS**

Cabinet is recommended to:

1. approve the appointment of four Assistants to Cabinet Members (or Cabinet Assistants), as set out in paragraph 8 of this report;
2. agree to absorb and mainstream the Member Champion or Lead Member roles set out in paragraph 12 of this report within relevant Cabinet portfolio responsibilities and to allocate/reallocate any specific Member Champion roles to either executive or non-executive members for appointment by Council, as considered appropriate; and
3. agree to ask the Constitution Committee to consider incorporating provision for Member Champions within the Council's Constitution.

### **PAUL ORDERS**

Chief Executive  
30 June 2017

*The following appendices are attached:*

Appendix A: Assistant to Cabinet Member Role Description  
(Constitution, Article 7, Appendix A)

Appendix B: Member Champion Role Description  
(approved by Council in October 2015)

*The following background papers have been taken into account:*

Council Report, 20 October 2016 – Assistants to Cabinet Members  
Cabinet Report, 18 February 2016 – Appointment of Assistant to Cabinet Member  
Council Report, 13 October 2015 – Member Champions Annual Reports  
Cabinet Report, 11 June 2015 – Assistant Cabinet Members  
Council Report, 24 July 2014 – Member Champions  
Cabinet Report, 12 June 2014 – Deputy Cabinet Members Appointments  
Cabinet Report, 15 May 2014 – Deputy Cabinet Members and Member Champions