

CARDIFF COUNCIL PARTICIPATION STRATEGY 2023-27

**TACKLING POVERTY, EQUALITY & PUBLIC HEALTH
(COUNCILLOR JULIE SANGANI / COUNCILLOR PETER
BRADBURY)**

AGENDA ITEM: 13

Reason for this Report

1. To consider and approve the Council's draft Participation Strategy 2023-27 for public consultation.

Background

2. Section 39 of the Local Government and Elections (Wales) Act 2021 ('the Act') places a duty on principal councils in Wales to encourage local people to participate in their decision making. This includes where decisions are made in partnership with another body or the decision is delegated to an individual.
3. Section 40 of the Act requires a principal council to prepare and publish a public participation strategy specifying how it proposes to comply with the duty to encourage local people to participate in its decision making. A public participation strategy must, in particular, address:
 - (a) ways of promoting awareness among local people of the principal council's functions;
 - (b) ways of promoting awareness among local people of how to become a member of the principal council, and what membership entails;
 - (c) ways of facilitating access for local people to information about decisions made, or to be made, by the principal council;
 - (d) ways of promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made;
 - (e) arrangements made, or to be made, for the purpose of bringing the views of the public to the attention of the Council's scrutiny committees in accordance with the requirements of Section 62 of the Local Government (Wales) Measure 2011;
 - (f) ways of promoting awareness among members of the principal council of the benefits of using social media to communicate with local people.

4. In preparing a public participation strategy, a principal council must consult local people (i.e. people who live, work or study within the council's area) and such other persons as it considers appropriate. In accordance with Section 41 of the Act, a principal council's first public participation strategy must be published as soon as reasonably practicable after 5 May 2022 when the legislative requirements came into force.
5. The Administration's '[Stronger, Fairer, Greener](#)' policy statement, which was approved by the Council's Cabinet on 14 July 2022, includes the commitment to: *"Introduce a new Community Participation Strategy, amplifying the voices of people who are currently less likely to get involved in the decision-making process."*
6. The Council's [Corporate Plan 2023-26](#) also includes the commitment to: *"Develop a draft of the Participation Strategy for public consultation by June 2023 with a focus on improving engagement with seldom heard voices and amplifying the voices of people who are currently less likely to get involved in the decision-making process."*

Participation Strategy 2023-27

7. In recognition of the distinct requirements of the public participation strategy, as set out in the Local Government and Election (Wales) Act 2021, the Council's draft Participation Strategy 2023-27 (**Appendix A**) consists of two distinct components:
 - **Part 1** – this section focuses on the Council's **Consultation and Engagement** arrangements, which seek to ensure that the citizen voice is at the heart of decision making. This sets out how the Council will provide and promote opportunities for local people to provide their views to the Council through consultation and engagement in a number of different ways, including, for example, questionnaire surveys, focus groups and the Council's Citizens Panel, as well as how such engagement will be conducted (i.e. online or face-to-face in person). It also makes clear how any such views and representations will be used by the Council to inform decision making and how this is communicated to local people.
 - **Part 2** – this section focuses on **Democratic Engagement** and promoting and supporting participation in the democratic process, including council decision making. It also provides information and promotes awareness of how local people can seek to become a councillor and what the role entails, as well as how local people can get involved directly in how decisions are made by the Council – for example, by asking Public Questions at Council meetings, submitting petitions to the Council and making representations to their local councillor(s). It will also link to other requirements of the Local Government and Elections (Wales) Act 2021, including the Council's Petition Scheme and Constitution Guide.

8. Both parts of the Participation Strategy will include an action plan setting out a range of actions to support the implementation of the Participation Strategy.

Consultation & Engagement

9. As part of the development of the draft Participation Strategy 2023-27, the Council has engaged extensively with a wide range of stakeholder to understand barriers to engagement and develop proposals for improvement, with a focus on understanding how the council can better reach out to groups who historically have not engaged in consultations. Stakeholders engaged with included local ward councillors in areas of low response, community organisations, representative bodies and Council Employee Networks.
10. Two workshops were held involving all elected members on 10 & 16 May 2023. The proposals contained within the draft Participation Strategy 2023-27 were also considered by the Council's Policy Review and Performance Scrutiny Committee on 22 March 2023, providing committee members with an opportunity to shape the development of the strategy. All recommendations made by the Committee were accepted.
11. It is proposed that a 6-week public consultation on the draft Participation Strategy 2023-27 (see **Appendix D**) will run from Monday 24 July 2023 to Monday 4 September 2023. Information will be translated into Welsh, Polish, Arabic and Bengali, and hard copies will also be printed and made publicly available as part of the consultation process. Targeted engagement will also be undertaken with the stakeholder groups identified in the strategy as being under-represented within consultation and engagement work. This will include direct engagement with advocacy groups and representative organisations and, to support the consultation exercise, focus groups will also be convened to engage with:
 - Older People (+75 years old)
 - Children and Young People
 - Black, Asian and Minority Ethnic Communities
 - People who identify as Disabled
12. A new [Petition Scheme](#) was approved by the Council on 17 March 2022 and was adopted with effect from 5 May 2022. The Council's Constitution Committee also recommended at its meeting on 28 February 2022 that the new Petition Scheme should be reviewed after six months of operation, with a public consultation as part of the development of the Council's public participation strategy and to take account of statutory guidance which should be finalised by that time. As part of the consultation on the Participation Strategy, the Council will seek feedback on Petition Schemes.
13. The statutory guidance on the Local Government and Elections (Wales) Act 2021 also states that the preparation of an effective Constitution Guide should form part of the council's strategy on encouraging public participation in decision making by the council. The draft Guide to the Constitution at **Appendix B** was considered previously by the Constitution Committee on

28 February 2022 and reported to Council on 17 March 2022. The Constitution Committee authorised the Monitoring Officer, in consultation with the Chair, to make any agreed changes to the draft Guide to the Constitution to reflect the views expressed as part of the consultation, before recommending it to Cabinet for approval as part of the Council's public participation strategy.

14. Following public consultation on the draft Participation Strategy 2023-27, it is proposed that a further report on the Participation Strategy 2023-27 will be considered for final approval by the Cabinet in Autumn 2023.

Reason for Recommendations

15. To enable the Council to undertake public consultation to inform the development of its Participation Strategy 2023-27 in accordance with the requirements of the Local Government and Elections (Wales) Act 2021.

Financial Implications

16. There are no direct financial implications arising from this report as the recommendation is to consult upon the proposed strategies contained within the appendices. In the development of the proposed actions in the contained strategies the presumption has been that the costs of implementation will be contained within existing budgetary allocations. Fuller financial implications will be required for the post-consultation Participation Strategy Cabinet report currently planned for Autumn 2023.

Legal Implications

17. The statutory provisions surrounding the duty to produce a participation strategy are set out in detail within the body of this report.
18. In considering this report, regard should be had to:
 - (a) the Public Sector duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, when making decisions, Councils must have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief;
 - (b) the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their respective duties under the Act, each public body

listed in the Act must set and published well-being objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national well-being goals. When exercising its functions, Cabinet should consider how the proposed decision will contribute towards meeting the well-being objectives set by the Council and in so doing achieve the national well-being goals. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Cabinet must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, Cabinet must:

- a) look to the long term;
 - b) focus on prevention by understanding the root causes of problems;
 - c) deliver an integrated approach to achieving the 7 national well-being goals;
 - d) work in collaboration with others to find shared sustainable solutions; and
 - e) involve people from all sections of the community in the decisions which affect them.
- c) Cabinet must also be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language and the report deals with all these obligations.

HR Implications

19. There are no HR implications directly related to this report.

Property Implications

20. There are no property implications in respect of the Participation Strategy 2023-27 report. Where there are property transactions or valuations required to deliver any proposals, they should be done so in accordance with the Council's relevant Asset Management process and in consultation with appropriate service areas.

RECOMMENDATIONS

Cabinet is recommended to:

1. Approve the Participation Strategy 2023-27 (Appendix A) for public consultation.
2. Note that the draft Guide to the Constitution (Appendix B) will form part of the consultation process.

3. Agree to consider a further report on the Participation Strategy 2023-27 for final approval in Autumn 2023.

SENIOR RESPONSIBLE OFFICER	Paul Orders Chief Executive
	7 July 2023

The following appendices are attached:

Appendix A: Cardiff Council Participation Strategy 2023-27 DRAFT

Appendix B: Draft Guide to the Constitution

Appendix C: Single Impact Assessment

Appendix D: Participation Strategy Consultation

The following background papers have been taken into account:

- Local Government & Elections (Wales) Act 2021
- [Council Report, 17 March 2022: Constitution Update](#)