

DEMOCRATIC SERVICES COMMITTEE

13 NOVEMBER 2023

Present: Councillor Lancaster(Chairperson)
Councillors Ash-Edwards, Davies, Lay and Thomson

65 : APPOINTMENT OF CHAIR AND COMMITTEE MEMBERSHIP

The Council, at its annual meeting on 25 May 2023 appointed Councillor John Lancaster as Chairperson and the following Members to the Committee:

Councillors Lancaster, Ash-Edwards, Carter, Davies, Derbyshire, Goodway, Lay, Palmer, Parry, Simmons and Thomson. There is currently one vacancy.

66 : TERMS OF REFERENCE

The Council, at its annual meeting on 25 May 2023 agreed the following terms of reference:

- To carry out the Local Authority's function of designating the Head of Democratic Services;
- 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;

To make reports, at least annually, to the full Council in relation to these matters.

67 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Russell Goodway.

68 : DECLARATIONS OF INTEREST

No declarations of interest were received in accordance with the Members Code of Conduct.

69 : MINUTES

The minutes of the meeting held on 6 February 2023 were approved by the Committee as a correct record and were signed by the Chairperson.

70 : WELSH GOVERNMENT STATUTORY AND NON-STATUTORY GUIDANCE FOR PRINCIPAL COUNCILS IN WALES

The Committee was provided with a report on the Welsh Government's Statutory and Non-Statutory Guidance for Principal Councils in Wales, otherwise known as the Democracy Handbook, issued in June 2023 and which included updated guidance under the Local Government (Wales) Measure 2011 for the Democratic Services Committee as well as new guidance on the democracy provisions introduced by the Local Government and Elections (Wales) Act 2021.

Members were advised how the finalised guidance affects the composition and functions of the Democratic Services Committee; timing of Council including committee meetings; training, development and support for Local Authority Members; research support and services for Councillors; arrangements for securing effective overview and scrutiny; appointment of persons to chair Overview and Scrutiny Committees; co-opted members of Overview and Scrutiny Committees; call-in arrangements; Councillor Calls for Action; taking into account the views of the public; and Joint Overview and Scrutiny Committees.

Members were invited to ask questions and make observations, which are summarised as follows:

- Members expressed concern that the public were only aware of the work of scrutiny committees when they discussed things that them personally and the discussions were reported in the media. They discussed whether updating the terms of reference might help promote them. Officers advised that there was guidance on the Council website but there might be a need to improve how the information was displayed.
- Members discussed the problem of committee meetings being scheduled at conflicting or overlapping times and the difficulty if Members were involved in more than 1 committee. Officers advised that every effort is made to avoid clashes but it is not always possible as meetings need to be scheduled at a time that is convenient for the majority of members.
- Members discussed how the effectiveness of public participation could be assessed. Officers advised that there is a lack of public understanding on how to engage with committees. The task is to improve public awareness, and monitor how many people attend meetings, participate and engage. Officers will build up data ahead of the 2027 Local Authority Elections.
- Members discussed how Councillors could be supported in getting a wider perspective through being given access to the trade press and given an overview of the rest of the UK. Officers advised that Data Cymru provides information on wards from the 2021 census, and that Officers are working with Cabinet Office regarding data on Corporate Plans and with the WLGA on data for Democratic Services. Reference was made to the difference between having information and intelligence and the need for analysis in a simplified format and the identification of what Members need as a priority.
- Members discussed whether there was an inconsistency with the statutory guidance regarding the requirements on Group Leaders. Officers advised that the Statutory Guidance sometimes uses words such as 'must' and sometimes 'should' or 'may'. Where Cardiff Council exceeds the requirements of the Statutory Guidance it is because the Council has best practice.

RESOLVED:

- a. To note the contents of the report and the Statutory and Non Statutory Guidance for Principal Councils in Wales attached at Appendix A.

- b. To note the inclusion of the following topics on the Democratic Services Committee's forward work programme:
 - The development of a Research Support and Services for Councillors Protocol
 - Consideration and development of the Annual Review process.
- c. To note that the development of the criteria for the Councillor Calls for Action will be considered by the Constitution Committee.
- d. To note the intention to undertake a self-assessment of the Scrutiny function with support from the Scrutiny Chairs and the Scrutiny Committee Members to ensure that the requirements of the statutory guidance are being met.

71 : CONSULTATION - WELSH LOCAL GOVERNMENT ASSOCIATION (WLGA) CHARTER SELF ASSESSMENT FRAMEWORK

The Committee was provided with a summary of the report on the proposed self-assessment framework which is planned to replace the WLGA Charter for Member Support and Development. Members were advised that the WLGA is reviewing the self-assessment checklist and is seeking feedback from LA's.

Members were invited to ask questions and make observations, which are summarised as follows:

- Members expressed the view that the use of the term 'underrepresented groups' is not helpful as it does not mean the same as 'protected characteristics'. Level of representation is subject to change at elections and it is not clear whether it is to be measured against the LA area or the UK. Members suggested that the word 'traditionally' be inserted before 'underrepresented'. Members also suggested removal of the words 'given positions of responsibility wherever possible' as they suggested that Council Leaders should appoint Members to office regardless of their political orientation. Officers advised that encouraging or enrolling people into office was a matter for political groups.
- Members expressed concern that questions in the consultation document could elicit a simple yes/no response and it would be open to interpretation how useful the response was or how engaged the LA would be in the process. Officers advised that they would expect responses to contain some explanation.
- Members discussed whether the Council was doing enough to ensure that people contemplating standing for office did so. Officers advised that Cardiff has a more diverse population than other LA's and this is reflected in the greater diversity among Councillors. Officers will discuss with political groups how they can encourage more diversity in representation. Officers recognise the need to make the process for standing for election as Councillor as simple as possible.
- Members discussed whether Self-Assessment for Councillors would be annual. Officers advised that the Standards and Ethics Committee was currently looking at a 2-year cycle. The last survey was the exit survey in 2022

and the next is proposed for March 2024. It will include questions on inappropriate behaviour and neurodiversity.

RESOLVED:

To note the information contained in the report and its appendix.

72 : INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) DRAFT ANNUAL REPORT 2024 – 2025

The Committee was provided with a summary of the report, which included details of the proposed increase in Basic Salary for Councillors and proposals for Senior Salaries and remuneration for Committee Chairs. There was also a proposal for a new hourly rate for co-opted members with flexibility for Officers to decide when the hourly rate or a day or a half-day rate was appropriate.

Members were invited to ask questions and make observations, which are summarised as follows:

- Members discussed how easy it was to get co-opted members to serve on committees. Officers advised that co-opted members are recruited in different ways depending on the committee. There will be a temptation to serve for the LA that pays the highest rate and this proposal is an attempt to ensure that the standard is the same across Wales.
- Members discussed the increase in remuneration and the differences in workload among Councillors.
- Members discussed the encouragement of sustainable travel and expressed the view that some Councillors may feel safer using their own transport than public transport.

RESOLVED TO:

- a. consider the proposals of the Independent Remuneration Panel for Wales (IRPW) in its Draft Annual Report for 2024-25 published on 13 October 2023 and attached at Appendix A and the consultation questions attached at Appendix B.
- b. agree appropriate responses to the consultation questions for submission to the IRPW.
- c. Delegate authority to the Head of Democratic Services, in consultation with the Chair of the Democratic Services Committee, to finalise the consultation response and submit it to the IRPW before the end of the consultation period on 8th December.

73 : MULTI-LOCATION MEETING UPDATE

The Committee was provided with an update on the use of the Council's multi-location meeting arrangements and the performance of the Council's conferencing system.

Gary Jones, Head of Democratic Services, described the enhancements that had been made to the conferencing system and how various issues identified through use and testing had been addressed. The Council is continuing to work with the contractors to ensure continuous improvement. The system can be affected by a failure to install updates on all devices. The policy on multi-location meetings will be reviewed later in the year.

Members were invited to ask questions and make observations, which are summarised as follows:

- Members raised concerns that the failures in the conferencing system during public meetings made the Council look unprofessional. They noted that similar issues had not arisen when the Council used Microsoft Teams during the Covid lockdown. Officers explained that Teams had limitations that made it unsuitable for multi-location meetings and particularly meetings of full Council. The conferencing system allows for simple and straightforward voting and is also suitable for dual language use. Tests have shown improvement but some problems remain, the causes of which cannot be identified. Officers will continue to work with the contractors to improve the system.
- Members discussed whether there was anything in legislation that prevented the Council from encouraging members to turn up to public meetings. The view was expressed that there were many reasons why Councillors did not attend meetings in person and Councillors should not need to be apologetic about attending remotely. Officers advised that Councillors were encouraged to attend in person but are allowed to join remotely. Members have various problems with joining remotely and need to give officers adequate notice if they intend to do so.
- Members sought information on how many Councillors had downloaded the Conferencing System app rather than joining it through the browser. Officers advised that they had been encouraging Councillors to use the app because it uses less processing power than the browser and allows members of the public to join via the browser. The app can be downloaded onto a mobile phone very quickly.
- Members discussed the continuing problems with asking questions remotely and sought clarification on the bandwidth requirements. Officers advised that the bandwidth restraints were not significant.

RESOLVED:

To note the content of the report and the actions that are being taken to improve the use of the council's multi-location meetings.

74 : MEMBER DEVELOPMENT PROGRAMME UPDATE

The Committee was provided with a summary of the report which covered completed learning, scheduled learning sessions, planning learning topics, future training and mandatory training.

Members were advised that the number of Councillors who had completed the Supporting Equality in Cardiff's Diverse Communities e-learning was now 77 (97.47%). Officers had been advised that the proposal to hold a Hate Crime Awareness Session on 18th December at 6.30pm was not suitable.

The Committee was provided with a summary of future learning opportunities including Media and Social Media Skills, PREVENT, the Introduction to the Rights of a Child and Welsh language courses. Members were advised that the Council recommended that mandatory training needed to be completed within 6 months from 25th June 2023.

Members were invited to ask questions and make observations, which are summarised as follows:

- Members wished to know whether there were any sanctions that could be applied if Councillors did not complete their mandatory training within 6 months. Officers advise that the Standards and Ethics Committee had made recommendations to Council for mandatory training to be completed within 6 months and potential sanctions be applied. No sanctions are in place as there is no statutory requirement to complete the training. Officers understand that the outstanding members are hoping to complete the training modules as soon as possible.
- Members sought clarification on whether there was any risk to the Council if a Councillor made a mistake because they had not completed their training. Officers advised that if a complaint was made against a councillor the Ombudsman would examine the training they had received. If a councillor had not completed training it could count against them. Councillors must comply with the law in relation to equality and Data Protection. If training is provided it should minimise the risk to the Council.
- Officers advised that the Council would review what training should be mandatory after 26 December 2023.

RESOLVED:

- a. To note the information set out in the report.
- b. To identify any additional media and social media training content that would benefit their use of media and social media when engaging with their communities.
- c. To approve that the following recommendations be submitted to Council for approval:
 - i. The existing Elected Member Learning and Development Strategy 2019-22 be amended as shown at Appendix A with immediate effect.
 - ii. a review of the Elected Member Learning and Development Strategy be undertaken by the Democratic Services Committee and submitted to Council for approval in 2024.
- d. That any outstanding mandatory training identified as part of the Member Induction be completed within 6 months of 25 June 2023 when Council approved the amendment of the Members' Code of Conduct.

75 : MEMBER ENQUIRIES SERVICE UPDATE

The Committee was provided with a summary of the report on the progress being made to develop the use of the Member Enquiries System (MES). Members were advised that the Halo system had now been incorporated. Discussions had been held with service area officers about reducing or extending the periods for responding to enquiries. Officers advised that it was difficult to identify enquiries that could be classified as sufficiently urgent to require a 5-day deadline, as they were either already subject to statutory deadlines or individual circumstances already made them urgent. It was not considered beneficial to make a wide range of enquiries urgent.

Members were advised that the system has extensive reporting ability, and it is possible to assess how different service areas are responding to enquiries, where there are backlogs and the reasons for them, and to provide weekly updates for members.

Members were invited to ask questions and make observations, which are summarised as follows:

- Members expressed the view that it was more useful to have responses from named officers than from departments. Officers advise that the inclusion of officers' names was being examined. Members are being asked to use the system rather than contact officers directly as otherwise the enquiry is lost to the system.
- Members expressed a desire for a breakdown of costs of using external providers. Officers advised that a fact sheet could be provided for Members.

RESOLVED:

To note:

- a. the consultation and evaluations that have been undertaken to improve the MES.
- b. the implementation of the Member Enquiries element of the corporate Complaints, Compliments and Enquiries Management system.
- c. the plans to deliver further improvements to the Members Enquiries Service.
- d. the current performance data from the MES.
- e. that a further update on the implementation of the new system will be provided at a subsequent meeting of the Committee.

76 : DEMOCRATIC SERVICES ACTIVITIES AND SERVICE SUPPORT

The Committee was provided with an update on the performance of the Council's Democratic Services since the last meeting on 6th February 2023.

Members were advised that Michele Chesterman and Harry Mayo had been recruited to fill Grade 6 roles and it is hoped to recruit to other roles once a full business case has been approved. Democratic Services is hoping to recruit an apprentice to start in January 2024 to work on digital systems. Savings are being sought in provision of printed documents, streamlining processes and revisions to timescales.

The Head of Democratic Services has been consulting with an external expert on the preparation of questions on neurodiversity for the Member Survey 2023-24. To improve democratic awareness, a series of videos have been made and launched on an all-Wales web page. A pilot Democratic Engagement workshop hosted by the Lord Mayor with Howardian Primary School Y3-6 was held as part of the Democracy Ambassadors Programme and 14 schools and Cardiff People First have signed up for similar events.

RESOLVED:

To note the report.

77 : DEMOCRATIC SERVICES FORWARD WORK PROGRAMME

Gary Jones, Head of Democratic Services, provided Members with an update on topics for inclusion in the Committee's Forward Work Programme. These included the Democratic Services Draft Annual report, Elected Member Research Protocol, Elected Member Survey, Members' ICT Protocol and Elected Member Learning and Development Strategy.

Members discussed the date of the next meeting and potential clashes with other meetings. Officers advised that alternative dates, start times or an abridged agenda would be explored.

RESOLVED:

To approve the Committee's Forward Work Programme.

78 : URGENT ITEMS (IF ANY)

No urgent items were received.

79 : DATE OF NEXT MEETING

The date of the next meeting is to be confirmed.

The meeting terminated at 6.17 pm