



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

AGENDA

Committee	DEMOCRATIC SERVICES COMMITTEE
Date and Time of Meeting	WEDNESDAY, 20 JANUARY 2016, 10.30AM
Venue	COMMITTEE ROOM 4, COUNTY HALL, ATLANTIC WHARF, CARDIFF
Membership	Councillor Clark (Chair) Councillors Dilwar Ali, Chaundy, Goddard, Graham, Hinchey, Hyde, Lomax, Murphy, Robson and Ben Thomas (1 vacancy)

1 **Apologies for Absence**

To receive apologies for absence.

2 **Declarations of Interest**

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

3 **Minutes** (*Pages 1 - 8*)

To approve as a correct record the minutes of the meeting 30 September 2015 – attached

4 **The Draft Local Government Bill: Consultation** (*Pages 9 - 44*)

Director of Governance and Legal Services report attached

5 **Review of Support Services to Members Task Group Report**

To receive and consider recommendations of the Democratic Services Committee – Review of Support Services to Members Task Group.

6 **Members ICT Project Update** (*Pages 45 - 52*)

Report of the Director Governance and Legal Services attached.

7 Member Development Programme 2015 16 Update (Pages 53 - 62)

Report of the Director Governance & Legal Services attached

8 Date of Next Meeting

Next meeting is scheduled for Wednesday 23 March 2016 at 10.30am.

Marie Rosenthal
Director Governance and Legal Services

Date: Thursday, 14 January 2016

Contact: Andrea Redmond Tel 029 20872434 Email A.Redmond@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

DEMOCRATIC SERVICES COMMITTEE

30 SEPTEMBER 2015

Present: County Councillor Clark(Chairperson)
County Councillors Dilwar Ali, Chaundy, Hinchey, Hyde, Lomax,
Murphy and Robson

13 : DECLARATIONS OF INTEREST

The Chairperson reminded Members of their responsibility under Part III of the Members' Code of Conduct to declare any interest in general terms and to complete personal interest forms at the start of the meeting and then, prior to the commencement of the discussion of the item in question, specify whether it is a personal or prejudicial interest. If the interest is prejudicial, Members would be asked to leave the meeting and if the interest is personal, Members would be invited to stay, speak and vote.

14 : MINUTES

The minutes of the meeting held on 15 July 2015 were approved by the Committee as a correct record and were signed by the Chairperson.

Matters Arising

The Chairperson asked that an item on the budget be included on the Committee's work programme.

Members requested that a list of the action points which arise at each meeting be appended to the minutes for ease of reference in the future.

15 : MEMBER DEVELOPMENT PROGRAMME AND ALL WALES ACADEMY PORTAL

The Committee received a report on the Member Development Programme and All Wales Academy Portal and were asked to consider the Member Development Programme for Quarter 1, 2015/16. Members were asked to note that the Programme reflects the Continuing Professional Development for Councillors Competency Framework as part of its objective setting.

In January 2014 the Committee established a Steering Group with a remit to develop and deliver a Member Development Strategy which would provide a framework from which a full range of development opportunities could be delivered. This would allow Members to carry out their roles as Community Leaders and representatives of the Council. The Committee reaffirmed the Members Development Strategy for 2015 at its meeting on 15 July 2015.

The Members Development Steering Group met in July and August. A copy of the scope and content of the meetings was appended to the report. The Steering Group had received information on Members Development opportunities offered by the Cardiff Academy and a briefing from Rachel Searle, Project Officer from the All Wales Academy (AWA). The Committee was advised that the Steering Group had

produced a Member Development Programme for the period September to December 2015. The Group would meet further in November in order to agree a programme to May 2016.

The All Wales Academy (AWA) for Local Government is a collaboration between local authorities, the Welsh Local Government Association, Wales TUC and Skills for Justice. It is a bi-lingual e-learning website which is available to all local authorities in Wales providing access to local government staff and elected members to a range of e-learning modules. Rebecca Bradshaw, Learning and Development Specialist in the Cardiff Academy, was invited to deliver a presentation on the AWA e-learning portal. The Committee also received a live demonstration of the website and the resources available.

Marie Rosenthal, Director of Governance and Legal stated that it was hoped AWA would enable Members to have flexible access Members Development opportunities when their own commitments allow it. Members were encouraged to also look at the employee section of the website as there were a number of useful courses available. Officers advised that, in the case of mandatory training, officers would be able to remotely monitor which Members had completed the training.

Members sought further information on the time commitments for each module. Rebecca Bradshaw advised that, on average, modules would take between 30 minutes and an hour to complete. However, Members are able to break each module down into more manageable 'bite size' sections and monitor their progress using the progress bar provided within each module. It was suggested that it may be useful for some Members to receive a briefing on the basic processes of AMA, such as how to access the webpage and how to log on prior to a meeting of the full Council.

The Chairperson referred to the current Member Development Programme appended to the report. Members were asked to comment on the contents of the programme. The Committee were happy to support the programme. It was anticipated that Member Development session would take place in the Cardiff Academy training suite in City Hall. Responding to a question from the Committee, officers advised that the training suite did not have work stations but the Cardiff Academy Business Office did have workstations which would be made available for one-to-one training and support.

The Committee discussed the feasibility of establishing peer groups to provide Member to Member training. Such training support would incur little additional cost. Members supported the suggestion and asked officers to investigate what Member peer group training was feasible.

The Committee also indicated their approval in principle for the sharing training events with other local authorities. Such training events would provide uniformity across authorities; present opportunities for sharing facilities and experiences; and an opportunity to reclaim the cost associated with hosting the event. Members requested that neighbouring local authorities be invited to invest in and improve the Cardiff Academy facilities also.

Officers advised that in an attempt to raise awareness of the Member Development Programme and hence, improve attendance, the programme was published on the

Members section of the intranet. In future Members will receive invitations to Member Development Programme events via their Outlook calendar. The invitations will include the details of course venues and times and possibly reference materials. Any Members unable to attend the sessions can be referred to relevant AWA modules.

The Chairperson asked the Committee for comments on the 3 Member Briefing sessions on the Organisational Development Programme which were to take place prior to meetings of the full Council. Members considered that any Member Briefings prior to full Council should, ideally, relate to the Council business contained in the summons to be transacted at that meeting.

The Committee also discussed the optimum days and times for Member Development Sessions and Member Briefings. These events tended to take place on Mondays and Thursdays, although there was a need to settle into an identifiable pattern. Members considered that a slot on Monday's prior to group meetings was preferable. Members considered that briefing materials should also be provided electronically, as it was not always possible for Members to attend briefing sessions. Such information should be concise and should highlight the key themes.

AGREED – That

- (1) the work of the Member Development Steering Group and Member Development Programme to December 2015 be endorsed;
- (2) the Committee notes that the Member Development Programme from January 2016 to May 2016 would be finalised for the next Committee meeting.

16 : MEMBERS ICT PROJECT FEEDBACK

The Committee received a report on Members ICT Project Feedback, evaluating the implementation of the Member IT Project 2014/15. The project aimed to deliver a new agile way of working for Councillors by utilising technology to reduce reliance on paper copies and generate savings on printing and postage costs.

An evaluation of the project to assess the outcomes, lessons learnt and to enable IT officers to consider any feedback was undertaken following the full meeting of the Council on 23 July 2015.

The Committee had received an update on the performance of the tablets at its meeting of 25 March 2015. Members were advised that a number of unforeseen hardware and software faults had occurred during the roll out period. The report summarised the nature of the faults which had occurred and the actions taken by ICT to mitigate those faults. On 15 July 2015 the ICT Service Manager advised that, following discussions with the supplier of the devices, three upgraded versions of the device had been made available for Members to pilot.

The Committee was advised that the administrative savings on printing and postage currently stood at £28k. Members had previously requested that a full analysis of the costs of IT support for the project be evaluated as part of the review. The ICT Service Manager undertook a review of the service calls made in relation to the

project, as compared to service calls made under the previous arrangements. The additional ICT support costs were estimated at circa £6,500. The additional costs of training, Democratic Services staff support; smartphone call charges and keyboards had not been quantified.

The results of the IT Questionnaire Survey were set out in the report. A total of 49 responses (65.33%) were received. An overview and evaluation of the survey results was appended to the report at Appendix B.

Members of the Committee commented on the survey and provided anecdotal examples of some of the technical problems which they had experienced. The ICT Service Manager recognised that there were issues with the performance of the devices. However, these issues had been addressed and the devices were fairly stable. Some difficulties still remained around resetting of passwords. Members were advised that the process for resetting passwords on the new devices would be simplified.

The ICT Service Manager advised that the supplier had agreed to accept the return of the original devices and their replacement by the upgraded device at nil extra cost. Pending the results of the pilot exercise, it was recommended that a phased transition to the new equipment be agreed. Officers advised that the software on the new devices would be the same as the software on the original devices.

The Committee discussed the pilot exercise for the new devices. Members considered that, pending the results of the pilot exercise, all Councillors should be encouraged to upgrade their devices.

AGREED – That:

- (1) the result of the evaluation of the ICT Member Project be noted;
- (2) the updated analysis of the business case as set out in the financial implications section of the report be noted;
- (3) the pilot of the upgraded tablet be approved and devices be provided to Councillors Dilwar Ali, Hinchey and Hyde to trial as soon as possible;
- (4) officers draft a list of success criteria for evaluation of the upgraded tablet trial;
- (5) the evaluation outcomes of the trial be reported for consideration to the Committee on 20 January 2016;
- (6) pending the success of the trial, the Director of Governance and Legal Services be delegated authority to agree with the ICT Service Manager that discussions be finalised with the provider on the replacement of tablets with the upgraded versions, at no cost to the authority;
- (7) a list of costs for ancillary equipment including an appropriate keyboard, for the tablets be provided to the Committee.

17 : MEMBERS SERVICES: SUPPORT FOR MEMBERS

The Local Government (Wales) Measure 2011 requires that the Democratic Services Committee keep under review the provision of staff, accommodation and other resources made available to support Members. The Director of Governance and Legal Services presented a report on Members Services: Support for Members, updating the Committee on the current position with regard to the resources available to Members.

The report provided an overview of the services provided to Members by the Democratic Services Team. A summary of the impact of the budget savings for 2014/15 and 2015/16 was also included in the report.

The Committee was advised that in order to mitigate the impact of these savings, a strategy had been agreed to introduce more efficient ways of working, with increased reliance on technology and supporting elected Members to become more independent. Significant investment has also been made in office systems and processes for Democratic Services with the introduction of the modern.gov software. This had led to an improved service to Councillors, officers and members of the public in accessing Committee papers and maintaining accurate records. It is anticipated that more benefits would be realised and these would be reported to the Committee in due course. Details of the Member IT Project and the Members Online Information Service were also set out in the report.

Members were requested to give their views on the continuation of posting and copying services. Usage guidelines on these have been agreed by Group Whips and the services had only been able to continue on a temporary basis. However, there was no permanent funding for these services. It was noted that the majority of Members do not make use of these services. All Members have access to the 'Printsmart' copies in City and County Hall.

Appendix A to the report set out in summary form a list of the support services that continue to be provided to all Members by Democratic Services staff, alongside statutory Committee workloads.

Members are also able to claim for the mailing of moderate amounts of ward related correspondence. Officers recommended that this service cease.

Members are also provided with up to 250 photocopies of a document not to exceed 4 sides of A4 with a maximum per calendar month of 500 sheets for self-distribution. Officers recommended that this service cease and Members make their own photocopies.

Additionally, Members can each claim 50 duplicated documents to be posted 2nd Class with each document not exceeding four sides of A4. Any documents over and above this allocation may be processed for Members to deliver themselves up to a maximum of 250. Officers recommended that this service continue, but Members arrange their own photocopying.

Annually, Members are entitled to claim 2nd class stamps to use for Council business up to £50 in value per year. Officers recommended that this service continue.

The Committee discussed the content of the report and the recommendations contained within it. The Chairperson proposed establishing a cross-party working group to be tasked with considering what resources Councillors need in order to perform their roles effectively. The Chairperson sought volunteers from the Committee to participate in the working group. Councillors Chaundy, Hyde, Murphy and Robson agreed to join the Chairperson on the working group. The Chairperson requested officers to invite any Members not present at the meeting to join the working group also.

Members voiced concerns regarding the impact the financial reductions to date were having on the remaining members of staff. Members were also made aware of the huge implications school admission appeals were having on resources and questioned whether services to Members were suffering as a result.

AGREED – That the Committee:

- (1) notes the position for 2015/16 in relation to the provision of staff, accommodation and other resources made available for Democratic Services as set out in the report and Appendix A;
- (2) establishes a cross-party Working Group to consider what resources are required by Members in order for them to perform their roles effectively.

18 : WORK PLAN 2015/16

The Committee discussed potential items for the work plan for the remaining 2 meetings.

AGREED – That the following items be included on the Committee's work plan:

Budget 2016/17
Member Support
ICT Pilot
Members Charter
Member Development Plan Update
Independent Remuneration Panel Wales report

19 : DATE OF NEXT MEETING

Members noted that the next scheduled meeting of the Committee will take place on 20 January 2016.

The meeting terminated at 1.00 pm

DEMOCRATIC SERVICES COMMITTEE ACTIONS – 30 SEPTEMBER 2015

MINUTES

- Enable Members to reply to emails from Modern.gov (actioned). GP
- Append list of action points to Committee minutes in future (actioned) GP

ALL WALES ACADEMY (AWA)

- Advise Members how to enable pop ups if they wish to access the AWA on Apple devices. RB
- With reference to Modules found on the Employee section of AWA – officers to investigate whether it is possible to include relevant modules in the Councillors Section (action taken). GN/RB
- Arrange for Members to receive basic training AWA on log in, etc., - to be done as part of other training (actioned). GN

MEMBER DEVELOPMENT PROGRAMME

- Progress/scope the possibility of establishing Member Peer Groups – Member to Member training. GN
- Pursue the sharing /offering of training opportunities to other local authorities (actioned). GN
- Officers to note that the Committee did not support Organisational Development Programme (ODP) briefings prior to Council. Members considered that training/briefings should relate to the business included on the Council Summons for that meeting. GN
- Provide more useful information and open source data online. GN
- Provide concise materials electronically following formal briefing events. GN

MEMBER ICT PROJECT FEEDBACK

- Pilot of new upgraded devices to commence immediately for 4 weeks (actioned). PB/HD
- Establish a set of success criteria against which the upgraded devices will be evaluated. List of success criteria to be circulated to the Committee (actioned). PB/HD
GP/GN
- If pilot is evaluated as successful then proceed with roll out of replacement devices. PB/HD
GP/GN
- Provide the additional costs for supplying a keyboard with upgraded devices to the Committee. PB/HD

SUPPORT FOR MEMBERS

- Cross Party Working Group to be established to consider what resources are required for Members to carry out their roles effectively. Consultation with political groups and Whips be undertaken (actioned). GP
- Invites for the Cross Party Working Group be sent to those Members not present (actioned). GP

WORK PROGRAMME

- Items for Work Programme

Support for Members Task Group Report – January

Budget – January

Members Charter – March

ICT Pilot Outcomes – January

Independent Remuneration Panel for Wales Report – March



DEMOCRATIC SERVICES COMMITTEE:

20 JANUARY 2016

REPORT OF THE DIRECTOR GOVERNANCE & LEGAL SERVICES

**DRAFT LOCAL GOVERNMENT (WALES) BILL – WELSH GOVERNMENT
CONSULTATION**

Reason for this Report

1. To enable the Committee to consider the Welsh Government's draft Local Government (Wales) Bill proposals in so far as they concern matters relevant to the Committee; and inform Cabinet of any comments to be included in the corporate response to the Welsh Government's consultation in this respect.

Background

2. In July 2014, the Welsh Ministers published the Devolution, Democracy and Delivery White Paper – Reforming Local Government, which stated the Welsh Ministers' intention to introduce legislation to deliver local government reform. Two further White Papers were published in October 2015 and February 2015 further developing these proposals. The first Local Government (Wales) Bill was passed by the Assembly on 20 October 2015, enabling preparations to be made for the programme of local government mergers and reform.

Issues

3. The Welsh Government is now consulting upon a second Local Government (Wales) Bill. The stated purpose of the Bill is to establish new Counties by the merger of existing Counties and County Boroughs, to establish a new and reformed legislative framework for local government democracy, accountability, performance and finance, and to establish a statutory Public Services Staff Commission. The consultation is intended to provide the opportunity for comments on the proposals to be considered by the Welsh Government after the May 2016 elections, to inform its decision on how to proceed. The deadline for responses is 15 February 2016.
4. The draft Bill and accompanying documentation total around 650 pages, and 'not only expands on the much heralded structural reform, but proposes wholesale reform of how councils are governed and managed too' (extract from Welsh Local Government Association spokesperson's response to publication of the draft Bill).

5. Part 4 of the draft Bill imposes statutory duties upon the Members of the proposed new County Councils relating to the performance of their functions. Members are placed under a statutory obligation to attend meetings; hold regular ward surgeries; answer correspondence; complete compulsory training courses; and publish an annual report. Leaders of political groups are required to take reasonable steps to promote and maintain high standards of conduct by Members of their group (draft Bill, Part 4, Chapters 2 and 4).
6. The draft Bill places a duty on each Member of a County Council to prepare an annual report, which must be submitted to the Council's Head of Democratic Services. The annual report must be about the Member's activities as a Member of that Council during the 12 month period to which the report relates and it must set out the results of those activities, if those results are known to the member (draft Bill, Part 4, Chapter 2).
7. The procedure for handling complaints about an alleged failure by a Councillor to abide by the duties imposed is set out in Chapter 3, Part 4 of the draft Bill. If the Council's Head of Democratic Services considers that a Member of the Council may have breached the duty to make a report (as per paragraph 6) then they may notify the monitoring officer who may investigate further (draft Bill, Part 4, Chapter 3).
8. The draft Bill also includes a provision which will remove the restriction on a Monitoring Officer also being designated as the Council's Head of Democratic Services. Additionally, the Bill makes provision for the post of Head of Democratic Services to be included within the definition of chief officer for the purposes of the pay accountability provisions. This recognises the status of the Head of Democratic Services and requires, amongst other things, County Councils to publish the remuneration of Heads of Democratic Services in their annual statement of accounts (draft Bill, Part 4, Chapter 6).
9. Part 4 of the draft Bill is attached at **Appendix A**. Members are invited to provide comments on the provisions of Part 4 of the Bill in so far as they relate to matters within the remit of the Committee (current or proposed).
10. Members may wish to note that other aspects of the draft Bill are being carefully considered by other relevant parts of the Council; and a corporate response will be collated in due course.

Legal Implications

11. Relevant legal provisions are set out in the draft Bill, Part 4, attached at **Appendix A**.

Financial Implications

12. There are no financial implications arising from this report.

RECOMMENDATION

The Committee is recommended to:

1. note the provisions of Part 4 of the draft Local Government (Wales) Bill, set out in **Appendix A**, in so far as they relate to matters within the (current or proposed) remit of the Committee, and provide comments as appropriate; and
2. delegate authority to the Monitoring Officer, in consultation with the Chair, to prepare a response to the Welsh Government's consultation on behalf of the Committee to be incorporated in the Corporate response.

Marie Rosenthal
Director Governance & Legal Services and Monitoring Officer
14 January 2016

APPENDICES

Appendix A Draft Local Government (Wales) Bill, Part 4

Background papers

[Consultation Documents, Draft Local Government \(Wales\) Bill](#) -

Welsh Local Government Association Statement on the Draft Local Government (Wales) Bill, 24th November 2015

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(4) In subsection (3) –

- (a) after “constitution” insert “or, as the case may be, their constitution guide”;
- (b) for the words “who requests” to the end of the subsection, substitute “on request, either free of charge or at a charge representing no more than the cost of providing the copy”.

80 **Duty on county councils to publish official addresses**

A county council must publish on its website, and in any other manner it considers appropriate, an official electronic and postal address for each member of the council, to which correspondence for the member may be sent.

PART 4

FUNCTIONS OF COUNTY COUNCILS AND THEIR MEMBERS

CHAPTER 1

OVERVIEW OF PART

81 **Overview**

In this Part –

- (a) Chapters 2 to 4 impose duties upon members of a county council which relate to their performance, and make connected provision, including for the enforcement of those duties;
- (b) Chapter 5 makes provision –
 - (i) for objectives to be set relating to the performance of an executive of a council operating executive arrangements;
 - (ii) for candidates for election as executive leader of a council to produce written manifestos;
 - (iii) for the appointment of assistants to executives where a council is operating executive arrangements;
 - (iv) for issuing guidance to elected mayors and executive leaders on equality and diversity;
- (c) Chapter 6 makes provision –
 - (i) removing the requirement for a county council to designate a head of paid service and requiring instead that a chief executive be appointed for the council, whose functions will include duties imposed under that Chapter;
 - (ii) relating to the appointment of the head of democratic services of a county council, and a council’s pay policy as it relates to that post;
- (d) Chapter 7 makes provision –
 - (i) in respect of the meetings and functions of overview and scrutiny committees;

- (ii) requiring standards committees to produce annual reports on the exercise of their functions;
- (e) Chapter 8 makes minor amendments to the 2000 Act and the Local Government (Democracy) (Wales) Act 2013 (anaw 4).

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CHAPTER 2

DUTIES ON MEMBERS OF COUNTY COUNCILS

Performance duties

82 Members of county councils to attend meetings

- (1) A member of a county council must attend all relevant meetings.
- 10 (2) But a member is not in breach of the duty under subsection (1) if the member has a good reason for not complying with the duty.
- (3) For the purposes of subsection (1), each of the following is a relevant meeting –
 - (a) a meeting of the county council of which the person is a member;
 - 15 (b) a meeting of a committee or sub-committee of the county council, if the person is a member of that committee or sub-committee;
 - (c) a meeting of any joint committee, joint board or other body of which the person is a member, if that committee, board or body is discharging any of the functions of the county council, or has been appointed to advise the council on any matter relating to the discharge of its functions;
 - 20 (d) if a county council is operating executive arrangements and the person is a member of the executive, a meeting of the executive or of a committee of the executive of which the person is a member;
 - (e) any other meeting that the person would reasonably be expected to attend in the exercise of his or her functions as a member of the county council.
 - 25 (4) Subsection (1) does not apply to a member of a county council who is exercising a right to a family absence under Part 2 of the 2011 Measure.
 - (5) Nothing in this section affects the operation of section 85 of the 1972 Act (vacation of office because of failure to attend meetings for six months).

83 Members of county councils to hold surgeries

- 30 (1) A member of a county council must hold a surgery at least four times in every relevant 12 month period.
- (2) But a member is not in breach of the duty under subsection (1) if the member has a good reason for not complying with the duty.
- 35 (3) A member holds a surgery if the member makes himself or herself available for at least one hour to meet members of the public to discuss matters in private.
- (4) In complying with subsection (1), the member must ensure that the location, date and time of the surgery is published on the council's website and in any other manner he or she thinks appropriate more than seven days before the day of the surgery.

- (5) For the purposes of this section, a relevant 12 month period is –
- (a) the period of 12 months starting with the day on which the member assumes office as member of the council, and
 - (b) each subsequent period of 12 months.
- 5 (6) For the purposes of subsection (5), any period during which a member is exercising a right to a family absence under Part 2 of the 2011 Measure is to be disregarded; accordingly, the following two periods are to be treated as consecutive –
- (a) any part of a 12 month period that falls immediately before the period of family absence, and
 - 10 (b) the period that begins immediately after the period of family absence.

84 Members of county councils to answer correspondence

- (1) A member of a county council must respond to all correspondence sent to his or her official address within 14 days of receipt.
- 15 (2) But a member is not in breach of the duty under subsection (1) if the member has a good reason for not complying with the duty.
- (3) A member's "official address" is any address (whether postal or electronic) which is published by the council under section 80.
- (4) This section does not apply to a member of a county council who is exercising a right to a family absence under Part 2 of the 2011 Measure.

85 Members of county councils to complete training

- 20 (1) A member of a county council must complete all compulsory training courses.
- (2) But a member is not in breach of the duty under subsection (1) if the member has a good reason for not complying with the duty.
- 25 (3) Training is compulsory if the county council of which a person is a member has notified the person that he or she must complete it.
- (4) This section does not apply to a member of a county council who is exercising a right to a family absence under Part 2 of the 2011 Measure.

Duty to make an annual report

86 Members of county councils to make annual reports

- 30 (1) A member of a county council must make a report –
- (a) about his or her activities as a member of the council during the period of 12 months to which the report relates;
 - (b) setting out the results of those activities, if known to the member.
- 35 (2) A member of a county council must submit his or her report made under subsection (1) (an "annual report") to the county council's head of democratic services in accordance with the council's standing orders made by virtue of subsection (3)(b).
- (3) A county council must specify in its standing orders –

- (a) the period to which annual reports must relate, and
 - (b) when annual reports must be submitted to the head of democratic services.
- (4) Standing orders made under subsection (3)(b) must not permit an annual report to be submitted after the end of the period of three months starting with the day of the annual meeting of the county council which follows the period to which the annual report relates.
- (5) A county council must publish the annual reports submitted by its members.

CHAPTER 3

BREACHES OF DUTIES UNDER CHAPTER 2

Possible breach of performance duties

87 Complaints about a member's non-compliance with duties

- (1) A person may make a complaint about a possible breach by a member of a county council of a duty imposed by section 82, 83, 84 or 85 to the monitoring officer of that council.
- (2) A complaint under subsection (1) must be made in writing.

88 Deciding whether to investigate possible breach of performance duties

- (1) If the monitoring officer of a county council –
- (a) receives a complaint under section 87, or
 - (b) otherwise has reason to believe that a member has breached a duty under section 82, 83, 84 or 85,
- he or she must refer the matter to the chair of the standards committee of the county council.
- (2) The monitoring officer and the chair of the standards committee must together consider whether or not the matter should be investigated.
- (3) When considering whether a matter should be investigated, the monitoring officer and the chair of the standards committee must consider –
- (a) in cases where the monitoring officer has received a complaint under section 87 –
 - (i) whether the complaint is frivolous or vexatious, and
 - (ii) whether the complaint relates to the same, or substantially the same, facts as a complaint that has already been disposed of, and
 - (b) in all cases, whether it is appropriate for the matter to be investigated.
- (4) If either the monitoring officer or the chair of the standards committee consider that a matter should be investigated, the monitoring officer must investigate the matter.
- (5) If the monitoring officer and the chair of the standards committee both consider that a matter should not be investigated, no investigation may take place; and, in cases where the monitoring officer has received a complaint under section 87, the monitoring officer must as soon as practicable take reasonable steps to –
- (a) notify the person who made the complaint that the matter will not be investigated,

and

(b) give reasons for that decision.

- (6) The monitoring officer and the chair of the standards committee may, for the purpose of deciding whether to investigate a matter, make such enquiries as they think necessary.

5 *Possible breach of duty to make annual report*

89 **Deciding whether to investigate possible breach of duty to make annual report**

- (1) This section applies where the head of democratic services for a county council considers that a member of the county council may have breached the duty under section 86.

- (2) The head of democratic services may –

- 10 (a) notify the monitoring officer of the council, who may investigate the matter;
(b) if the head of democratic services is also the monitoring officer of the council, investigate the matter (in the exercise of his or her functions as monitoring officer).

- (3) When considering whether to conduct an investigation under this section, the monitoring officer must consult the chair of the standards committee of the county council on
15 whether it is appropriate for the matter to be investigated.

Investigations, reports and sanctions

90 **Investigation by monitoring officer**

- (1) This section applies if the monitoring officer of a county council investigates a matter under section 88 (possible breach of performance duties) or 89 (possible breach of duty to
20 make annual report).

- (2) The monitoring officer must give the member who is the subject of the investigation an opportunity to respond to the matter being investigated.

- (3) The monitoring officer may –

- 25 (a) ask any person for information relating to the matter being investigated, and
(b) ask any person to assist him or her in conducting the investigation.

91 **Monitoring officer's report**

- (1) After conducting an investigation under section 88 or 89, the monitoring officer of a county council must –

- 30 (a) provide the standards committee of the county council with a report on the investigation,
(b) make any recommendations to the standards committee that the monitoring officer considers appropriate,
(c) send a copy of the report, and any recommendations made, to the member of the county council who was the subject of the investigation, and
35 (d) if the investigation results from a complaint under section 87, take reasonable steps to send a copy of the report, and any recommendations made, to the person who made the complaint.

- (2) The standards committee must allow the monitoring officer to appear before it for the purpose of presenting the report and any recommendations made.
- (3) The Welsh Ministers may by regulations make provision about the publicity to be given to reports and recommendations provided under this section.

5 **92 Consideration of matter by standards committee**

- (1) This section applies if the standards committee of a county council receives a report from a monitoring officer under section 91.
- (2) The standards committee must determine whether there is any evidence of a breach of the duty in question.
- 10 (3) If the standards committee determines that there is no evidence of a breach of the duty, it must –
 - (a) notify the member who is the subject of the report, and
 - (b) if the report results from a complaint under section 87, take reasonable steps to notify the person who made the complaint.
- 15 (4) If the standards committee determines that there is evidence of a breach of the duty, it must give the member who is the subject of the report written notice that he or she may make representations to the standards committee, either orally or in writing, in respect of the report.
- 20 (5) The standards committee may, for the purposes of exercising its functions under this section –
 - (a) ask the monitoring officer to attend before it for the purposes of assisting it, and
 - (b) ask any person for information, or invite any person to make representations to it.
- (6) The monitoring officer may not unreasonably refuse a request made under subsection (5).
- 25 (7) The standards committee must determine the period within which a member may make representations under subsection (4); but the period must not be less than 28 days starting with the day on which the member is given notice under that subsection.

93 Standards committee's determination

- 30 (1) After the period determined under section 92(7) for making representations has ended, the standards committee must determine whether the member who is the subject of the report under section 91 has breached the duty in question.
- (2) If the standards committee determines that the member has breached the duty, it may decide to –
 - 35 (a) censure the member,
 - (b) suspend or partially suspend the member from being a member of the county council for a period not exceeding six months, or
 - (c) take no further action.
- (3) The standards committee must –
 - (a) notify the member of its determination under this section, and of any action that will follow, and

- (b) if the report results from a complaint under section 87, take reasonable steps to notify the person who made the complaint of those matters.
- (4) The Welsh Ministers may by regulations make provision about the publicity that is to be given to any determination under this section and to any action taken against a member.
- 5 (5) The Welsh Ministers must by regulations make provision conferring rights of appeal on members of a county council against any determination of a standards committee under this section.

CHAPTER 4

FURTHER PROVISION ABOUT DUTIES ON MEMBERS

Regulations and guidance relating to Chapters 2 and 3

94 Regulations

- (1) The Welsh Ministers may by regulations make further provision about the way in which a possible breach of a duty imposed by Chapter 2 is to be dealt with.
- (2) Regulations under subsection (1) may, in particular, make provision—
- 15 (a) about matters to be taken into account in considering whether a possible breach of a duty should be investigated;
- (b) about matters to be taken into account in determining whether a member has breached a duty;
- 20 (c) enabling a monitoring officer or a standards committee to refer a possible breach of a duty, or any other matter that comes to the monitoring officer or the standards committee's attention in the course of an investigation, to the monitoring officer or the standards committee of another relevant authority;
- (d) about procedures to be followed by a monitoring officer or a standards committee;
- (e) about the disclosure of information;
- 25 (f) enabling sums to be paid to persons by way of expenses and allowances or costs;
- (g) about how appeals are to be made, considered and determined.
- (3) For the purposes of subsection (2)(c), a "relevant authority" means—
- (a) a county council;
- (b) a fire and rescue authority;
- 30 (c) a National Park authority for a National Park.

95 Guidance

A person exercising functions under Chapter 2 or 3 must have regard to any guidance issued by the Welsh Ministers.

Related amendments

35 96 Standards committee to provide training

In section 54 of the 2000 Act (functions of standards committees), before subsection (3)

insert—

“(2B) A standards committee of a county council in Wales also has the specific function of advising, training or arranging to train members of the council on matters relating to the duties imposed by sections 82 to 86 of the Local Government (Wales) Act 2017 (duties to attend meetings, hold surgeries, answer correspondence, complete training and make annual reports).”

97 Amendments to the 2011 Measure

(1) The 2011 Measure is amended as follows.

(2) Section 5 is repealed.

(3) In section 7, after subsection (1), insert—

“(1A) A local authority must—

(a) consider whether it should be compulsory for its members to complete any training under section 85 of the Local Government (Wales) Act 2017, and

(b) in exercising its functions under subsection (1), secure the provision of any training which it is compulsory for a member to attend under section 85 of that Act.”

Role of leaders of political groups on county councils

98 Duties of leaders of political groups in relation to standards of conduct

(1) The 2000 Act is amended as follows.

(2) After section 52 insert—

“52A County councils: duties of leaders of political groups in relation to standards of conduct

(1) A leader of a political group consisting of members of a county council in Wales—

(a) must take reasonable steps to promote and maintain high standards of conduct by the members of the group, and

(b) must co-operate with the council’s standards committee (and any sub-committee of the committee) in the exercise of the standards committee’s functions.

(2) In complying with subsection (1), a leader of a political group must have regard to any guidance issued by the Welsh Ministers.

(3) The Welsh Ministers may by regulations make provision for the purposes of this section about the circumstances in which—

(a) members of a county council in Wales are to be treated as constituting a political group;

(b) a member of a political group is to be treated as a leader of the

group.

(4) Before making regulations under subsection (3), the Welsh Ministers must consult such persons as they consider appropriate.”

(3) In section 54 (functions of standards committees), after subsection (2) insert –

“(2A) A standards committee of a county council in Wales also has the specific functions of –

(a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and

(b) advising, training or arranging to train leaders of political groups on the council about matters relating to those duties.”

CHAPTER 5

EXECUTIVES OF COUNTY COUNCILS

99 Objectives to be met by council executives

In the 2000 Act, at the appropriate place insert the following section –

“15A Duty to set objectives etc. in relation to discharge of functions

(1) As soon as practicable after an elected mayor or, as the case may be, executive leader of a local authority is elected, he or she must set objectives to be met by the executive in the discharge of functions which, under executive arrangements, are the responsibility of the executive.

(2) An elected mayor or executive leader must keep objectives set under this section under review, and may revise the objectives at any time.

(3) As soon as is reasonably practicable after 31 March in each year, the elected mayor or the executive leader of a local authority must prepare a report on the extent to which objectives set under this section have been achieved.

(4) An elected mayor or executive leader must arrange for the publication of –

(a) objectives set under this section, and

(b) reports prepared under subsection (3).”

100 Manifestos: election of executive leader

(1) In paragraph 2 of Schedule 1 (leader and cabinet executives, Wales) to the 2000 Act –

(a) insert –

“(1A) The executive arrangements –

(a) must include provision requiring a candidate for election as the executive leader to prepare a written manifesto, and provision for ensuring that copies of the manifesto are made available before the election to the other members of the authority;

(b) may include other provision with respect to the election of the executive leader.”;

(b) in sub-paragraph (2)–

(i) after “may” insert “also”, and

(ii) in paragraph (a) omit “election and”.

(2) After paragraph 2 of Schedule 1 insert –

“2A The standing orders of a local authority operating executive arrangements which involve a leader and cabinet executive (Wales) must include provision for the purpose of ensuring that a candidate for election as the executive leader is given the opportunity to promote his or her written manifesto at a meeting of the authority held before the election.”

101 Appointment of assistants to executive

(1) Schedule 1 to the 2000 Act (executive arrangements in Wales: further provision) is amended as follows.

(2) Before paragraph 4 insert –

“Assistants to the executive

3A (1) Executive arrangements by a local authority may make provision for councillors of the authority to be appointed to assist the executive in discharging functions which are the responsibility of the executive.

(2) Such a councillor is referred to in this Schedule as an assistant to the executive of the authority.

(3) Assistants to the executive of an authority are to be appointed –

(a) in the case of an authority operating a mayor and cabinet executive, by the elected mayor;

(b) in the case of an authority operating a leader and cabinet executive (Wales), by the executive leader or the authority.

(4) Executive arrangements which make provision for the appointment of assistants to an executive may include provision about –

(a) the number of assistants that may be appointed,

(b) their term of office, and

(c) their responsibilities.

(5) The assistants to the executive of a local authority may not include –

(a) the chairman and vice-chairman of the authority;

(b) the presiding member and deputy presiding member of the authority (if the authority has a presiding member).

(6) An assistant to the executive of an authority is not a member of the executive of the authority.

(7) Section 101 of the Local Government Act 1972 (arrangements for discharge of functions by local authorities) does not apply to a local authority's function of making appointments under sub-paragraph (3) (b)."

5 (3) In paragraph 5—

(a) at the beginning insert—

"(1) An assistant to the executive of a local authority is entitled to attend, and speak at, any meeting of the executive or of a committee of the executive.

10 (2) “;

(b) for “not a member of the authority's executive” substitute “neither a member of the authority's executive nor an assistant to the executive”.

(4) Schedule 6 contains further amendments relating to assistants to local authority executives.

15 102 Guidance

(1) Section 38 of the 2000 Act (guidance) is amended as follows.

(2) In subsection (1), after “local authority” insert “, an elected mayor or an executive leader”.

(3) After subsection (1) insert—

20 “(1A) The guidance may, among other things, include provision designed to encourage good practice in relation to equality and diversity (within the meaning of section 8(2) of the Equality Act 2006).”

CHAPTER 6

APPOINTMENT ETC. OF CERTAIN CHIEF OFFICERS

25 103 Appointment and reports of chief executive

(1) A county council must appoint a chief executive.

(2) The chief executive of a county council must—

(a) keep each of the matters specified in subsection (3) under review, and

30 (b) where he or she considers it appropriate to do so, prepare a report to the council setting out his or her proposals in respect of any of those matters.

(3) Those matters are—

(a) the manner in which the exercise by the council of its different functions is co-ordinated;

35 (b) the number and grades of staff required by the council for the exercise of its functions;

(c) the organisation of the council's staff;

(d) the appointment of the council's staff;

(e) the arrangements for the management of the council's staff (including arrangements for training and development).

5 (4) As soon as practicable after preparing a report under subsection (2)(b), the chief executive of a county council must arrange for a copy of the report to be sent to each member of the council.

(5) A county council must consider a report prepared under subsection (2)(b) at a meeting held not more than three months after copies of the report are first sent to members of the council; and section 101 of the 1972 Act does not apply to the duty imposed by this subsection.

10 (6) A county council must provide its chief executive with such staff, accommodation and other resources as are, in the chief executive's opinion, sufficient to allow the chief executive's duties under this section to be carried out.

(7) Schedule 7 makes amendments to other legislation in consequence of this section.

104 Council leaders to set objectives for chief executives etc.

15 (1) This section applies where a county council is operating executive arrangements.

(2) The council's senior executive member must, as soon as is practicable after a person is appointed as chief executive of the council, set objectives to be met by the chief executive.

(3) The council's senior executive member must annually –

20 (a) review the extent to which the chief executive has met objectives set under this section, and

(b) review and, if the senior executive member considers it appropriate, revise the objectives.

(4) The council's senior executive member must arrange for objectives set under this section to be published.

25 (5) The council's senior executive member must –

(a) prepare a report on each review under subsection (3)(a),

(b) arrange for the report to be published, and

(c) arrange for a copy of the report to be sent to each member of the council.

30 (6) The council must consider a report on a review under subsection (3)(a) at a meeting held not more than three months after the date on which the report is published; and section 101 of the 1972 Act does not apply to the duty imposed by this subsection.

(7) The council's senior executive member may not do anything mentioned in subsection (2), (3), (4) or (5) without consulting its chief executive.

(8) The Welsh Ministers may issue guidance to –

35 (a) a senior executive member of a county council;

(b) a county council,

on the exercise of functions under this section, and the person to whom any guidance is issued must have regard to it.

(9) In this section "senior executive member" means –

- (a) in the case of a council operating a leader and cabinet executive, the executive leader;
- (b) in the case of a council operating a mayor and cabinet executive, the elected mayor.

5 (10) In subsection (9) –

“executive leader” (“*arweinydd gweithrediaeth*”) has the same meaning as in section 11(3)(a) of the 2000 Act;

“leader and cabinet executive” (“*gweithrediaeth arweinydd a chabinet*”) means a leader and cabinet executive (Wales) within the meaning of section 11(3) of the 2000 Act.

105 Head of democratic services

(1) In section 8(4) of the 2011 Measure –

(a) omit paragraph (b), and

(b) in paragraph (c), for “that section” substitute “section 5 of the Local Government and Housing Act 1989”.

(2) In section 43(2) of the Localism Act 2011 (c.20) (meaning of “chief officer” for the purposes of pay policy statements), after paragraph (e) insert –

“(f) its head of democratic services designated under section 8(1) of the Local Government (Wales) Measure 2011 (designation by council of a county or country borough in Wales).”

CHAPTER 7

OVERVIEW AND SCRUTINY COMMITTEES AND STANDARDS COMMITTEES

106 Voting rights of co-opted members of overview and scrutiny committees

(1) The 2000 Act is amended in accordance with subsections (2) and (3).

(2) In Schedule 1 (further provision about executive arrangements), at the end insert –

“Overview and scrutiny committees: voting rights of co-opted members

15 (1) A local authority may –

(a) permit a co-opted member of an overview and scrutiny committee of the authority to vote at meetings of the committee;

(b) permit a co-opted member of a sub-committee of an overview and scrutiny committee of the authority to vote at meetings of the sub-committee.

(2) Permission to vote at meetings of an overview and scrutiny committee may include permission to vote at meetings of its sub-committees (including sub-committees it may appoint in the future).

(3) Permission under this paragraph may only be given with the

agreement of the overview and scrutiny committee.

- (4) Permission must relate to a specific co-opted member.
- (5) Permission may be given subject to limitations.
- (6) A limitation may, in particular, relate to—
 - (a) the questions on which the co-opted member is entitled to vote;
 - (b) the duration of the co-opted member's entitlement to vote.
- (7) The Welsh Ministers may by regulations make provision about the exercise of the functions of local authorities and overview and scrutiny committees under this paragraph.
- (8) Regulations under sub-paragraph (7) may, in particular, include—
 - (a) provision for a maximum or minimum number of co-opted members of an overview and scrutiny committee or sub-committee that may be permitted to vote at meetings;
 - (b) provision about the procedure for giving permission.
- (9) Section 101 of the Local Government Act 1972 (c.70) (arrangements for discharge of functions by local authorities) does not apply to the functions of a local authority under this paragraph.
- (10) In this paragraph, "co-opted member", in relation to an overview and scrutiny committee of a local authority or a sub-committee of such a committee, means a member of the committee or sub-committee who is not a member of the authority."

- (3) In section 21(10) (co-opted members of overview and scrutiny committees), after "that meeting" insert "unless permitted to do so under paragraph 15 of Schedule 1".
- (4) In section 58(3)(c)(i) of the 2011 Measure (provisions that may be applied to joint overview and scrutiny committees), after "section 21 of" insert ", or paragraphs 8 to 15 of Schedule 1 to,".
- (5) In section 185(3)(b)(i) of the National Health Service (Wales) Act 2006 (c.42) (provisions that may be applied to joint overview and scrutiny committees with functions relating to the health service), after "(6) to (17) of" insert ", and paragraph 15 of Schedule 1 to,".

30 **107 Making information available to overview and scrutiny committees**

In section 22(10) of the 2000 Act (power to require information to be made available about decisions), for "or members of the authority" substitute ", members of the authority, an overview and scrutiny committee of the authority or a sub-committee of such a committee".

35 **108 Power to require authorities to appoint joint overview and scrutiny committees**

- (1) Section 58 of the 2011 Measure (joint overview and scrutiny committees) is amended as follows.
- (2) In subsection (1), after "authorities may" insert "or must".
- (3) In subsection (3), for paragraph (a) substitute—

- “(a) provision about the circumstances in which arrangements may be made;
- (aa) provision prescribing circumstances in which arrangements must be made;
- 5 (ab) provision for arrangements to be made subject to prescribed conditions or limitations;”.

109 Duty of standards committee to make annual report

In Part 3 of the 2000 Act, at the end of Chapter 1 insert—

“56B Annual reports by standards committees

- 10 (1) As soon as reasonably practicable after the end of each financial year, a standards committee of a relevant authority must make an annual report to the authority in respect of that year.
- (2) The annual report must describe how the committee’s functions have been discharged during the financial year.
- 15 (3) In particular, it must include a summary of—
- (a) what has been done to discharge the general and specific functions conferred on the committee by section 54 or 56;
- (b) reports and recommendations made or referred to the committee under Chapter 3 of this Part;
- 20 (c) action taken by the committee following its consideration of such reports and recommendations;
- (d) notices given to the committee under Chapter 4 of this Part.
- (4) An annual report by a standards committee of a county council in Wales must include—
- 25 (a) the committee’s assessment of the extent to which leaders of political groups on the council have complied with their duties under section 52A(1) during the financial year;
- (b) a summary of—
- 30 (i) matters referred to the chair of the committee under section 88 (possible breach of performance duties by members) of the Local Government (Wales) Act 2017, and
- (ii) matters considered under section 92 of that Act (consideration by standards committee of possible breaches of duties), and determinations made under section 93 of that Act (standards committee’s determination in relation to possible breaches of duties).
- 35 (5) An annual report by a standards committee of a relevant authority may include recommendations to the authority about any matter in respect of which the committee has functions.
- 40

- (6) A relevant authority must consider each annual report made by its standards committee before the end of 3 months beginning with the day on which the authority receives the report.
- (7) The function of considering the report may be discharged only by the relevant authority (and is accordingly not a function to which section 101 of the Local Government Act 1972 applies).
- (8) In this section “financial year” means a period of 12 months ending with 31 March.”

CHAPTER 8

MINOR AMENDMENTS TO OTHER LEGISLATION

110 Minor amendments to other legislation

- (1) Section 106 of the 2000 Act (orders and regulations) is amended in accordance with subsections (2) and (3).
- (2) Omit subsection (5).
- (3) In subsection (6) –
- (a) after “made under” insert “section 52A(3),”;
 - (b) after “54(5)” insert “or under paragraph 15(7) of Schedule 1”.
- (4) In the Local Government (Democracy) (Wales) Act 2013 (anaw 4), omit section 68(4)(a).

PART 5

COUNTY COUNCILS: IMPROVEMENT OF GOVERNANCE

CHAPTER 1

DUTY TO MAKE ARRANGEMENTS TO SECURE GOOD GOVERNANCE ETC.

111 Governance arrangements

- (1) A county council must, in relation to the exercise of its functions, make, implement and comply with arrangements (“governance arrangements”) for the purpose of securing –
- (a) good governance;
 - (b) accountability;
 - (c) economy, efficiency and effectiveness in its use of resources.
- (2) In making governance arrangements, a county council must comply with the principles, processes and practices set out or otherwise prescribed by the Welsh Ministers in regulations made under subsections (3) and (4).
- (3) The Welsh Ministers must by regulations make provision about principles, processes and practices relating to good governance, and they may do so by prescribing in the regulations any code of practice or guidance (whether or not issued by the Welsh Ministers).

- (4) The Welsh Ministers may by regulations make provision about principles, processes and practices relating to accountability and the economy, efficiency and effectiveness of a county council in its use of resources, and they may do so by prescribing any code of practice or guidance (whether or not issued by the Welsh Ministers).
- 5 (5) The Welsh Ministers may by regulations make further provision about governance arrangements

CHAPTER 2

CORPORATE PLANS

Preparation, publication and review of corporate plans

10 **112 Duty of county councils to prepare and publish a corporate plan**

- (1) A county council must prepare and publish a corporate plan in accordance with this section.
- (2) The plan must include a statement of the council's priorities in relation to the exercise of its functions (including its priorities in relation to its performance in the short-term, 15 medium-term and long-term).
- (3) The plan must include a statement identifying matters in relation to which the council anticipates making decisions of particular significance.
- (4) The plan must set out information about the council's strategies relating to—
- 20 (a) workforce and workforce planning;
- (b) financial affairs and financial planning;
- (c) complaints handling;
- (d) risk management;
- (e) overview and scrutiny of the exercise of its functions;
- 25 (f) management of assets;
- (g) public participation (as to which, see section 38).
- (5) The plan must, when it is first published, include—
- (a) the documents mentioned in subsection (6), as most recently published, or
- (b) information on how to obtain those documents (including in electronic form).
- (6) The documents are—
- 30 (a) the self assessment report published by the county council under section 117,
- (b) the well-being objectives, and the statement relating to them, published by the county council in accordance with sections 3 and 7 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2),
- 35 (c) the annual report published by the county council under section 13 of that Act, and
- (d) the assessment of local well-being published by the public services board for the county under section 37 of that Act.

- (7) The Welsh Ministers may by regulations make further provision about what must be included in a corporate plan.

113 When corporate plan is to be published

- (1) A county council must publish its first corporate plan no later than three months after the date of the first ordinary election of councillors of the council following the coming into force of this section.
- (2) Subsequently, a county council must publish corporate plans no later than three months after the date of each ordinary election of councillors of the council.
- (3) The Welsh Ministers may by regulations make—
- (a) provision about how a corporate plan is to be published, and
 - (b) further provision about when a corporate plan must be published, including provision amending subsection (1) or (2) for the purpose of changing the deadline by which publication must take place.

114 Review and revision of corporate plan

- (1) A county council must review its corporate plan from time to time (but not less frequently than at intervals of one year).
- (2) As part of each review, the council must assess its progress in relation to the priorities set out in the statement included in the plan under section 112(2).
- (3) On completing the review, the council must publish a revised corporate plan that includes a report of the assessment under subsection (2).
- (4) The council must ensure that the revised plan includes—
- (a) the documents mentioned in section 112(6), as most recently published, or
 - (b) information on how to obtain those documents (including in electronic form).
- (5) The council must also publish a revised plan if it thinks it is appropriate to do so for any other reason.

115 Consultation about corporate plan

Before preparing or revising its corporate plan, a county council must consult—

- (a) each Local Health Board for an area any part of which is in the council's area,
- (b) the public services board for the council's area, and
- (c) any other persons the council thinks appropriate.

CHAPTER 3

ASSESSMENTS OF GOVERNANCE ARRANGEMENTS

Self assessment

116 Duty of county council to carry out self assessment

- (1) A county council must carry out a self assessment from time to time (but not less

frequently than at intervals of one year).

- (2) A self assessment is an assessment by the council of its compliance with its duties under section 111.

117 Self assessment report

(1) A county council must prepare a report of each self assessment that it carries out (a “self assessment report”).

(2) A self assessment report must –

(a) set out the council’s assessment of its compliance with its duties under section 111, and

(b) identify what action (if any) the council proposes to take in the light of that assessment.

(3) The county council must make a draft of the self assessment report available to its corporate governance and audit committee.

(4) The corporate governance and audit committee must review the draft of the self assessment report and may make recommendations for changes to the draft.

(5) The county council must, in finalising the self assessment report –

(a) have regard to any recommendations for changes made by the corporate governance and audit committee, and

(b) if it does not make a change recommended by the committee, set out in the self assessment report the recommendation and the reasons why it did not make the change.

(6) The county council must publish the finalised self assessment report.

(7) The Welsh Ministers may by regulations make provision about –

(a) the form and content of a self assessment report;

(b) when and how it must be published.

Peer assessment

118 Duty of county council to arrange peer assessments

(1) A county council must arrange for peer assessments to be carried out.

(2) A peer assessment is an assessment, by a panel appointed by the county council, of the council’s compliance with its duties under section 111.

(3) The Welsh Ministers may by regulations make provision about the appointment of panels to carry out peer assessments.

(4) The regulations may, in particular, include provision about –

(a) the number of people who may or must be appointed to a panel;

(b) descriptions of people who may or must be appointed to a panel;

(c) circumstances in which a person may not be appointed to a panel.

119 Frequency of peer assessments

- (1) Arrangements made by a county council under section 118 must ensure that a peer assessment is carried out in relation to the council –
 - (a) no later than 31 March 2023, and
 - (b) at least once during each electoral cycle after that date.
- 5 (2) In subsection (1)(b), an “electoral cycle” means a period that –
 - (a) begins with an ordinary election of members of a county council, and
 - (b) ends with the next ordinary election of members of the council.
- (3) The Welsh Ministers may by regulations amend subsections (1) and (2) for the purpose of changing when and how often a peer assessment must be carried out.

10 **120 Peer assessment report**

- (1) Arrangements made by a county council under section 118 must require a panel that carries out a peer assessment in relation to the council to –
 - (a) prepare a report of the assessment (a “peer assessment report”), and
 - (b) submit the report to the council.
- 15 (2) The peer assessment report –
 - (a) must set out the panel’s assessment of the council’s compliance with its duties under section 111, and
 - (b) may recommend action to be taken by the council in the light of that assessment.
- (3) The county council must publish the peer assessment report.

20 **121 Council’s response to peer assessment report**

- (1) A county council must prepare a response to each peer assessment report submitted to it.
- (2) The response must –
 - (a) state whether the council accepts the assessment and recommendations (if any) set out in the report, and
 - 25 (b) identify what action (if any) the council proposes to take in the light of the report.
- (3) The county council must make a draft of the response to the peer assessment report available to its corporate governance and audit committee.
- (4) The corporate governance and audit committee must review the draft of the response to the peer assessment report and may make recommendations for changes to the draft.
- 30 (5) The county council must, in finalising the response to the peer assessment report –
 - (a) have regard to any recommendations for changes made by the corporate governance and audit committee, and
 - (b) if it does not make a change recommended by the committee, set out in the response the recommendation and the reasons why it did not make the change.
- 35 (6) The county council must publish the finalised response to the peer assessment report.

122 Further provision about peer assessment report and response

The Welsh Ministers may by regulations make provision about—

- (a) the form and content of a peer assessment report and response;
- (b) when and how the report and response must be published.

Combined regulators' assessment

5 **123 Definitions of “relevant regulator” and “relevant functions”**

(1) In this Part—

- (a) “relevant regulator” means a person listed in subsection (2);
- (b) the “relevant functions” of a relevant regulator means the functions specified in respect of the regulator in that subsection.

10 (2) The relevant regulators and their relevant functions are—

- (a) Her Majesty’s Chief Inspector of Education and Training in Wales exercising functions under section 38 of the Education Act 1997 (c.44);
- (b) the Welsh Ministers exercising functions under sections 149A and 149B of the Social Services and Well-being (Wales) Act 2014 (anaw 4);

15 (c) the Auditor General for Wales—

- (i) auditing the accounts of a county council under Chapter 1 of Part 2 of the Public Audit (Wales) Act 2004 (c.23),
- (ii) undertaking studies under Chapter 2 of Part 2 of that Act in relation to a county council, or
- (iii) carrying out examinations of a county council under section 15 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2).

20 (3) The Welsh Ministers may by regulations amend subsection (2) by—

- (a) adding or removing a person or function, or
- (b) varying the description of a person or function.

25 **124 Duty to carry out combined assessment of governance arrangements of county council**

(1) The relevant regulators must, at such intervals as they think fit, carry out a combined assessment in relation to each county council.

(2) A combined assessment is an assessment of a county council’s compliance with its duties under section 111 carried out jointly by the relevant regulators, based on a review by the relevant regulators of—

- (a) reports relating to the council made by each of the relevant regulators in the exercise of their relevant functions,
- (b) information available to the relevant regulators as a result of exercising their relevant functions in relation to the council, and

30 (c) documents published in relation to the council under this Part.

(3) A relevant regulator may share reports and information within subsection (2)(a) and (b) with the other relevant regulators for the purposes of a combined assessment.

- (4) In carrying out a combined assessment, the relevant regulators may consult any other person who exercises functions of a public nature in relation to the council.

125 Report of combined assessment

- 5 (1) The relevant regulators must prepare a report of each combined assessment (a "combined assessment report").
- (2) The combined assessment report must set out the relevant regulators' assessment of the county council's compliance with its duties under section 111.
- (3) The combined assessment report may also include –
- 10 (a) recommendations to the council about action that it should take in the light of that assessment;
- (b) recommendations to the Welsh Ministers about the exercise of their functions under this Part in relation to the council.
- (4) The relevant regulators must try to reach agreement about the matters to be set out in the combined assessment report, but where they are unable to do so, the report may set out
- 15 the views of each of them separately.
- (5) The relevant regulators must send a copy of the combined assessment report –
- (a) to the county council to which the combined assessment relates, and
- (b) if the report includes recommendations to the Welsh Ministers, to the Welsh Ministers.
- 20 (6) The county council must publish the combined assessment report.

126 Council's response to combined assessment report

- (1) A county council that receives a combined assessment report must prepare a response to the report.
- (2) The response must –
- 25 (a) state whether the council accepts the assessment and recommendations (if any) set out in the report, and
- (b) identify what action (if any) the council proposes to take in the light of the report.
- (3) The county council must make a draft of the response to the combined assessment report available to its corporate governance and audit committee.
- 30 (4) The corporate governance and audit committee must review the draft of the response to the combined assessment report and may make recommendations for changes to the draft.
- (5) The county council must, in finalising the response to the combined assessment report –
- 35 (a) have regard to any recommendations for changes made by the corporate governance and audit committee, and
- (b) if it does not make a change recommended by the committee, set out in the response the recommendation and the reasons why it did not make the change.
- (6) The county council must send a copy of the finalised response to the combined assessment report –

- (a) to the relevant regulators, and
 - (b) if the combined assessment report includes recommendations to the Welsh Ministers, to the Welsh Ministers.
- (7) The county council must publish the response to the combined assessment report.

5 **127 Further provision about combined assessments**

The Welsh Ministers may by regulations make provision about –

- (a) when a combined assessment must be carried out;
- (b) the form and content of a combined assessment report and response;
- (c) when and how the report and response must be published.

10

CHAPTER 4

GOVERNANCE REVIEWS AND INTERVENTION

Governance reviews

128 Welsh Ministers' power to arrange governance review

- 15 (1) If the Welsh Ministers consider that a county council is, or may be, failing to comply with any of its duties under section 111, they may arrange for a governance review to be carried out in respect of the council.
- (2) A governance review is a review of a county council's compliance with its duties under section 111, with a view to identifying any action that should be taken to ensure its compliance with those duties.
- 20 (3) Arrangements made by the Welsh Ministers for a governance review to be carried out must –
- (a) describe the scope of the review,
 - (b) identify the person by whom the review is to be carried out (the "reviewer"), and
 - (c) specify a period within which the reviewer is to send a report to the Welsh Ministers under section 133(4).
- 25 (4) The arrangements may include any other provision that the Welsh Ministers think is appropriate.

129 Consultation to be carried out before making arrangements for governance review

30 Before making arrangements for a governance review to be carried out in respect of a county council, the Welsh Ministers must consult –

- (a) the council, and
- (b) whatever other persons (if any) the Welsh Ministers think appropriate.

130 Duty to notify council of arrangements for governance review

- 35 (1) As soon as reasonably practicable after making arrangements for a governance review, the Welsh Ministers must notify the council concerned of the arrangements, and of the

reasons for making the arrangements.

- (2) The notification must –
- (a) describe the scope of the review,
 - (b) identify the reviewer, and
 - (c) state the period specified under section 128(3)(c).

131 Council's duty to co-operate with governance reviewer

A county council that is the subject of a governance review must provide the reviewer with whatever facilities and assistance the reviewer may reasonably require for the purpose of carrying out the review, including among other things by providing documents, records and other information.

132 Provision of information by other persons

- (1) A reviewer carrying out a governance review in respect of a county council may require a person within subsection (3) to provide the reviewer with whatever facilities and assistance the reviewer may reasonably require for the purpose of carrying out the review, including among other things by providing documents, records and other information.
- (2) That person must take all reasonable steps to comply with the requirement.
- (3) The persons are –
- (a) the public services board for the county council's area;
 - (b) the Local Health Board for an area any part of which is in the county council's area;
 - (c) a community council in the county council's area;
 - (d) Her Majesty's Chief Inspector of Education and Training in Wales;
 - (e) the Auditor General for Wales.
- (4) A person is not required by this section to provide documents, records or other information if the person is prohibited from providing them by any enactment or other rule of law.
- (5) The power in subsection (1) includes power to require documents or records to be produced in a form which is legible and portable.
- (6) The Welsh Ministers may by regulations amend subsection (3) by –
- (a) adding or removing a person, or
 - (b) varying the description of a person.

133 Reviewer's duty to prepare report

- (1) Where a governance review has been carried out in respect of a county council, the reviewer must prepare a report on the review (a "governance review report").
- (2) The governance review report must –
- (a) set out the reviewer's assessment of the council's compliance with its duties under

section 111,

- (b) identify any action that the reviewer recommends be taken in order to ensure that the council complies with those duties,
- (c) specify the person who the reviewer considers should take the action,
- (d) specify the period within which the reviewer considers that the action should be taken, and
- (e) set out whether the reviewer considers that the action is likely to be taken within that period.

(3) The report must also contain any other information about the review, or the governance arrangements of the council, that is requested by the Welsh Ministers.

- (4) The reviewer must send a copy of the governance review report to –
- (a) the county council, and
 - (b) the Welsh Ministers.

(5) The county council must publish the report within the period of 14 days starting with the date on which a copy of it is sent to the council under subsection (4).

134 Council's response to governance review report

(1) A county council must prepare a response to any governance review report sent to it under section 133(4).

(2) The response must identify what action (if any) the council proposes to take in the light of the report.

(3) The county council must make a draft of the response to the governance review report available to its corporate governance and audit committee.

(4) The corporate governance and audit committee must review the draft of the response to the governance review report and may make recommendations for changes to the draft.

- (5) The county council must, in finalising the response to the governance review report –
- (a) have regard to any recommendations for changes made by the corporate governance and audit committee, and
 - (b) if it does not make a change recommended by the committee, set out in the response the recommendation and the reasons why it did not make the change.

- (6) The county council must –
- (a) send the finalised response to the governance review report to the Welsh Ministers before the end of the period of 31 days starting with the date on which the copy of the report is sent to the council under section 133(4), and
 - (b) publish the response.

(7) The Welsh Ministers may extend the period in subsection (6)(a) in any particular case if satisfied that the extension is reasonable to allow the council to discharge its duties under this section.

(8) A period may be extended under subsection (7) more than once.

*Intervention directions***135 Welsh Ministers' power to give intervention directions**

- (1) The Welsh Ministers may give an intervention direction to a county council if –
- (a) they have received a copy of a governance review report in respect of the council, and the council's response to the report, and
 - (b) they consider that giving an intervention direction is necessary or appropriate in order to ensure that the council complies with its duties under section 111.
- (2) An intervention direction is a direction within section 136, 137 or 138.

136 Direction to obtain support services

- (1) A direction within this section is a direction to a county council to enter into a contract or other arrangement with a specified person, or with a person of a specified description, for the provision to the council of specified support services.
- (2) "Support services" are services that the Welsh Ministers consider to provide information, advice, training, or other support.
- (3) A direction within this section may require the contract or other arrangement to contain specified terms and conditions.

137 Direction to take specified steps

A direction within this section is a direction to a county council to take specified steps, within a specified period.

138 Direction that functions be performed by Welsh Ministers or their nominee

- (1) A direction within this section is a direction that specified functions of a county council be exercised by the Welsh Ministers or a person nominated by them.
- (2) If a direction within this section is in force –
- (a) the council to which it relates must comply with the instructions of the Welsh Ministers or their nominee in relation to the exercise of the functions, and
 - (b) the functions of the council to which it relates are to be treated for all purposes as being exercisable by the Welsh Ministers or their nominee.
- (3) The Welsh Ministers may by regulations make provision amending, repealing, revoking or applying any statutory provision (whenever passed or made, including a statutory provision contained in or made under this Act), for the purposes of its application in respect of functions exercisable by the Welsh Ministers or their nominee by virtue of a direction within this section.
- (4) In this section, "statutory provision" means a provision of –
- (a) a Measure or Act of the National Assembly for Wales;
 - (b) an Act of Parliament;
 - (c) an instrument made under a Measure or Act of the National Assembly for Wales, or under an Act of Parliament.

139 General provision about intervention directions

- (1) A county council must comply with an intervention direction given to it.
- (2) An intervention direction –
- (a) must be in writing;
 - (b) may be varied or revoked by a later direction.

140 Duty to co-operate

- (1) A county council must provide a person within subsection (2) with whatever facilities and assistance the person may reasonably require in connection with the exercise of functions by virtue of an intervention direction, including among other things by providing documents, records and other information.
- (2) The persons are –
- (a) the Welsh Ministers;
 - (b) any person authorised for the purposes of this section by the Welsh Ministers;
 - (c) any person acting under an intervention direction;
 - (d) any person assisting –
 - (i) the Welsh Ministers, or
 - (ii) a person mentioned in paragraph (b) or (c).

141 Powers of entry and inspection

- (1) A person within subsection (2) has at all reasonable times –
- (a) a right of entry to the premises of the county council concerned;
 - (b) a right to inspect, and take copies of, any records or other documents kept by that council, and any documents containing information relating to that council, that the person considers relevant to the exercise of the person's functions under or by virtue of this Chapter.
- (2) The following persons are within this subsection –
- (a) a person specified in a direction within section 136 given to a county council, or, where a direction within section 136 given to a county council specifies a description of persons, the person with whom the county council enters into the contract or other arrangement required by the direction;
 - (b) the Welsh Ministers, where they have given a county council a direction within section 138 that specified functions of the council be exercised by the Welsh Ministers;
 - (c) a person nominated by a direction within section 138 given to a county council.
- (3) In exercising the right under subsection (1)(b) to inspect records or other documents, a person ("P") –
- (a) is entitled to have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records or other documents in question, and

(b) may require the following persons to provide any assistance P may reasonably require (including, among other things, the making of information available for inspection or copying in a legible form) –

(i) a person by whom or on whose behalf the computer is or has been so used;

(ii) a person having charge of, or being otherwise concerned with the operation of, the computer, apparatus, or material.

(4) Any reference in this section to a person falling within subsection (2) includes a reference to any person assisting that person.

142 Interpretation of Chapter

(1) In this Chapter, “specified”, in relation to a direction, means specified in the direction.

(2) References in this Chapter to “documents” and “records” each include information recorded in any form.

CHAPTER 5

CO-ORDINATION BETWEEN REGULATORS

143 Co-ordination of relevant functions of relevant regulators

(1) The relevant regulators must have regard to the need for co-ordination in the exercise of relevant functions.

(2) The Welsh Ministers may by regulations make further provision for and in connection with the co-ordination of the exercise by relevant regulators of relevant functions.

(3) Regulations made under subsection (2) may, among other things, make provision for –

(a) a timetable for the exercise of relevant functions to be prepared and published;

(b) relevant regulators to be required to adhere to the timetable;

(c) information to be shared between relevant regulators in connection with the exercise of relevant functions;

(d) relevant regulators to consult one another in relation to the exercise of relevant functions.

CHAPTER 6

MISCELLANEOUS PROVISION ABOUT CHAPTERS 1 TO 5

144 Guidance

A person exercising functions under this Part must have regard to any guidance issued by the Welsh Ministers.

145 Exercise of functions under this Part

(1) The functions conferred on a county council by this Part (other than functions expressly conferred on a committee of a council) may be exercised by the council or by its executive, as the council may determine.

- (2) Section 101 of the 1972 Act (arrangements for discharge of functions by local authorities) does not apply in relation to any function of a county council under this Part (including the function in subsection (1)).
- (3) If a county council determines that any function under this Part is to be exercised by its executive, section 14 or (as the case may be) 15 of the 2000 Act (discharge of functions by executives) does not apply in relation to that function.

146 Interpretation of Part

In this Part –

“combined assessment” (*“asesiad cyfun”*) has the meaning given in section 124 and “combined assessment report” has the meaning given in section 125;

“corporate plan” (*“cynllun corfforaethol”*) is to be interpreted in accordance with section 112;

“governance arrangements” (*“trefniadau llywodraethu”*) has the meaning given in section 111;

“governance review” (*“adolygiad llywodraethu”*) has the meaning given in section 128 and “governance review report” (*“adroddiad ar adolygiad llywodraethu”*) has the meaning given in section 133;

“intervention direction” (*“cyfarwyddyd ymyrryd”*) has the meaning given in section 135;

“peer assessment” (*“asesiad gan gymheiriaid”*) has the meaning given in section 118 and “peer assessment report” (*“adroddiad ar asesiad gan gymheiriaid”*) has the meaning given in section 120;

“public services board” (*“bwrdd gwasanaethau cyhoeddus”*) has the same meaning as in the Well-being of Future Generations (Wales) Act 2015 (anaw 2);

“relevant regulator” (*“rheoleiddiwr perthnasol”*) and “relevant functions” (*“swyddogaethau perthnasol”*) have the meanings given in section 123;

“reviewer” (*“adolygydd”*) has the meaning given in section 128(3)(b);

“self assessment” (*“hunanasesu”*) has the meaning given in section 116 and “self assessment report” (*“adroddiad hunanasesu”*) has the meaning given in section 117.

147 Amendment of Local Government (Wales) Measure 2009

- (1) In the Local Government (Wales) Measure 2009 (nawm 2), in section 1 (meaning of “Welsh improvement authority”), omit paragraph (a).
- (2) In consequence of the amendment in subsection (1), in Part 1 of that Measure –
- in section 4 (aspects of improvement), omit subsection (3)(a);
 - in section 11 (meaning of “powers of collaboration”), omit subsections (1)(b) and (2);
 - in section 16 (meaning of “relevant regulators” and “relevant functions”), omit subsection (2)(a) and (b);
 - in section 22 (reports of special inspections), omit subsection (5).

CHAPTER 7

CORPORATE GOVERNANCE AND AUDIT COMMITTEES

148 Renaming of audit committees

- (1) In section 81 of the 2011 Measure (local authorities to appoint audit committees), in subsection (1), for “(an “audit committee”)” substitute “(a “corporate governance and audit committee”)”.
- (2) Schedule 9 makes consequential amendments to the 2011 Measure relating to the renaming of audit committees.

149 Functions of corporate governance and audit committee

- (1) After section 81 of the 2011 Measure insert –

“81A Further provision about functions of committees

- (1) In exercising its functions under section 81(1) the corporate governance and audit committee of a local authority must, in particular, assess –

- (a) the authority’s ability to comply with its duties under section 111 of the Local Government (Wales) Act 2017;
- (b) the authority’s ability to make progress in relation to the priorities set out in the statement included in its corporate plan under section 112(2) of that Act;
- (c) the arrangements made by the authority –
- (i) in relation to self assessments under section 116 of that Act;
- (ii) under section 118 of that Act (peer assessments), and
- (d) the local authority’s ability to handle complaints effectively.

- (2) The corporate governance and audit committee must report to the local authority on an assessment under subsection (1).

- (3) A corporate governance and audit committee also has functions under –

- (a) section 117 of the Local Government (Wales) Act 2017 (self assessment reports);
- (b) section 121 of that Act (responses to peer assessment reports);
- (c) section 126 of that Act (responses to combined assessment reports);
- (d) section 134 of that Act (responses to governance review reports).”

150 Membership of corporate governance and audit committee

- (1) Section 82 of the 2011 Measure (membership) is amended as follows.

(2) In subsection (2) –

(a) in paragraph (a) omit the words “at least”;

(b) for paragraph (b) substitute –

“(b) one-third of the members of that committee are lay persons;”.

(3) After subsection (5) insert –

“(5A) A corporate governance and audit committee is to appoint –

(a) a member of the committee as its chair (“the committee chair”),
and

(b) a member of the committee as the deputy to the committee
chair (“the deputy chair”).

(5B) The member appointed as the committee chair must be a lay person.

(5C) The member appointed as the deputy chair must not be a member of
the local authority’s executive.”

(4) Omit subsection (6).

151 Meaning of lay person

In section 87 of the 2011 Measure (interpretation), omit the definition of “lay member”
and insert –

““lay person” (“*person lleyg*”) means a person who –

(a) is not a member or an officer of any local authority,

(b) has not at any time in the period of twelve months ending with
the date of that person’s appointment been a member or an
officer of any local authority, and

(c) is not the spouse or civil partner of a member or an officer of
any local authority;”.

152 Proceedings etc.

(1) Section 83 of the 2011 Measure (proceedings) is amended as follows.

(2) For subsections (1) and (2) substitute –

“(1) A meeting of a corporate governance and audit committee is to be
chaired –

(a) by the committee chair, or

(b) if the committee chair is absent, by the deputy chair.

(2) If both the committee chair and the deputy chair are absent the
committee may appoint another member of the committee (who may
not be a member of the local authority’s executive) to chair the
meeting.”

(3) Omit subsection (8).

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Democratic Services - *Supporting Elected Members*
Gwasanaethau Democrataidd - *Cefnogi Aelodau Etholedig*



A Report of the Democratic Services Committee

Review of Support to Members

January 2016



**The City of Cardiff Council
Cyngor Dinas Caerdydd**

CONTENTS

	Page
1. Terms of Reference	3
2. Evidence Received	4
3. Key Findings	6
4. Recommendations	10
5. Methodology	11

TERMS OF REFERENCE

Under the Local Government (Wales) Measure 2011 the Review of Support to Members Inquiry was tasked to review the provision and adequacy of staff, accommodation and other resources made available to discharge the Council's Democratic Services function and support to Elected Members.

The purpose of the Inquiry was to:

- (1) receive an outline of current direct resources relating to support for Members;
- (2) consider guidance and protocols on support; and use of resources;
- (3) receive a summary of the range of duties and services currently provided to Members including level of demand and usage;
- (4) review analysis of Member surveys;
- (5) consider and make recommendations on future provision and services for Members within the budgetary framework;
- (6) note that the provision of services outside of the Directorate namely Members Enquiry Service provided by C2C would be the subject of a separate report to the Committee in March 2016.

The remit of the Task Group **did not** include the provision of Members IT as this was managed through the Members IT Project Group and was currently under review and the Democratic services Committee would receive an update report at its meeting on 20 January 2016.

EVIDENCE RECEIVED

The following documentation was received and discussed:

- Democratic Services Budget 2015/16 approved by Full Council 26 February 2015 – directly managed by the Committee & Members Services Manager:
 - (1) Elected Members - includes Members Allowances; expenses & Training;
 - (2) Committee and Members Services – service budget which includes employee costs.
- Democratic Services Staff Structure 2015/16 – Appendix 1 attached.
- Democratic Services Strategy 2014/17 agreed by the Democratic Services Committee on 2 April 2014 -
[http://cardiff.moderngov.co.uk/Data/Democratic%20Services%20Committee/20140402/Agenda/Member%20Training%20and%20Development%20Strategy%20and%20Action%20Plan%20\(174k\).pdf](http://cardiff.moderngov.co.uk/Data/Democratic%20Services%20Committee/20140402/Agenda/Member%20Training%20and%20Development%20Strategy%20and%20Action%20Plan%20(174k).pdf)
- Members Handbook Extract - Guide to Elected Member Support Services current level of services available since May 2012.
http://cmsweb.cardiff.gov.uk/cardiff/objview.asp?Object_ID=14936&

Democratic Services Functions

- List of duties & services provided by Member Services as reported to Democratic Services Committee on 30 September 2015.
<https://cardiffintranet.moderngov.co.uk/documents/s6962/Item%206%20-%20Democratic%20Services%20Update%20Report%20for%20DS%20Committee.pdf>
- Elected Member demand & use of Member Services;
- Number of Council; Committee and other meetings serviced by Committee and Member Services in 2014/15 Municipal Year – Appendix 2 attached

Members Surveys - analysis

- Communication with Members – 'Let's Talk about it' - October 2015 – Appendix 3 attached
- Extract from - Scrutiny Research Questionnaire – reported to Democratic Services Committee on 14 October 2014
[http://cardiff.moderngov.co.uk/Data/Democratic%20Services%20Committee/20141016/Agenda/Members%20Library%20Service%20\(807k\).pdf](http://cardiff.moderngov.co.uk/Data/Democratic%20Services%20Committee/20141016/Agenda/Members%20Library%20Service%20(807k).pdf)

Legislative Updates

- Local Government (Wales) Bill (2nd Bill) – Consultation started November 2015 – reported to Democratic Services Committee on 20 January 2016.
<http://cardiff.moderngov.co.uk/documents/s8704/Item%20-%20Report%20to%20Democratic%20Services%20Committee%20-%20Final.pdf>

Benchmarking Research

- Benchmarking data on support to members undertaken in December 2015 & January 2016 with Welsh Local Authorities; other good practice Authorities; and data sourced from the Association of Democratic Services Officers.

KEY FINDINGS

The information provided to the Task Group was considered in detail over two meetings on 14 December 2015 and 11 January 2016 and the following findings were agreed:

1. The Local Government (Wales) Measure 2011 places a duty on the Committee to ensure sufficient support is provided to Elected Members so that they can effectively carry out their roles as community leaders and duties in the operation of the local authority;
2. Members and Committee Services provision had been amalgamated as a combined service in 2008 with a resultant realignment of management and a reduction in 2 Manager's posts. Over the last 5 years further reductions have been made in dedicated Member support posts to meet savings targets and to take account of increased use of technology by the new cohort of Elected Members. This has resulted in services to Members becoming more reactive than proactive and support functions not being actively promoted as capacity to provide a service to all 75 members was no longer viable.
3. As part of the 2015/16 budget the dictation bank provision was removed along with the remaining permanent Member Services Support Officer post.
4. The current Member Services support provision is one full-time post which has been filled on a temporary basis until 31 March 2016 through the virement of resources from vacant posts in Scrutiny Research.
5. Reductions in Democratic Services support has also resulted in no dedicated support for Member Development and support to Members to produce Annual Reports; Members IT etc. These tasks have fallen to the Committee & Members Services Manager and the Committee support team.
6. The 2014/15 Budget cut resulted in the removal of the refreshments budget line for Elected Members which included the hot drinks provision in Members Business facilities at City Hall and County Hall – although to date these facilities have been maintained on a reduced cost basis, funded by the virement of resources to ensure a balanced budget.
7. The provision of Members hard copy Yearbook was also removed as part of the 2014/15 savings.
8. Savings made in 2015/16 on photocopying and postage costs were offset against the repayment of the capital spend for the Members IT project which is required to be paid over 3 years.

9. In 2016/17 the Directorate has been set a corporate target of savings which the Director Governance and Legal Services would only met by offering up two vacant posts from a team of four in Scrutiny Research and by making a further reduction to the photocopying budget. This proposal would result in no future funding of the temporary Members Services Officer post in Committee & Members Services.
10. Demand for support services by Members is variable; it includes preparing and, or formatting ward correspondence including mail merges and emails; processing service requests; providing general information on services & contact numbers; providing meetings information; room bookings etc.,
 - Regular Daily usage - 7 Members;
 - Weekly usage - 17 Members;
 - Occasional users - 27 Members;
 - Ward Surgery Notices – all Wards annually and 9 Wards requiring updates or Street Surgery notices on a regular basis;
 - Newsletters/ Residents information - 5 Wards on a regular basis;
10. The provision of support services for Elected Member was particularly important for those Members with no political affiliation; single Member Ward Councillors; those with large case work; or those with specific support requirements.
11. The Task Group received and considered the information contained in the Elected Members Handbook May 2012 on the level services provided to Members in relation to general ward correspondence; mail merges; and duplication of documents and identified the need for these services to be maintained and for the information to be clearer and less ambiguous.
12. The range of duties undertaken by Committee Support Officers was a significant work load, and was not uniquely support to Council and committee meetings but included additional tasks such as: - organising and webcasting Council and Planning meetings; the operation of the City Hall Conference System; managing and developing Modern.Gov; braille translation of documents; promoting access and arranging public participation.
13. The number and frequency of meetings previously reviewed by the Constitution Committee required revisiting including reassessing the focus of Council meetings and whether improvements could be made to its effectiveness; its suitability as a public engagement forum and whether there were other ways of managing the meeting; dealing with Elected Member questions and public questioning; improving decision making processes; and increasing participation and engagement. It was noted that this was a matter for the Constitution Committee, however the number of meetings directly impacted on the resourcing of the Committee & Member Services team.

14. It was noted that the Members IT review as a result of Members concerns was in progress, and that a trial of an upgraded model had been evaluated and had proved to provide greater accessibility and improved user experience. A report would be submitted to the 20th January 2015 Democratic Services Committee.
15. The findings of the survey on Communication with Members - 'Let's Talk about it' - October 2015 and the extract from - Scrutiny Research Questionnaire - October 2014 were noted.
16. The Welsh Government is consulting on a second Local Government (Wales) Bill. The stated purpose of the Bill was to establish new Counties by the merger of existing Counties and County Boroughs, to establish a new and reformed legislative framework for local government democracy, accountability, performance and finance, and to establish a statutory Public Services Staff Commission. The consultation intended to provide the opportunity for comments on the proposals to be considered by the Welsh Government after the May 2016 elections, to inform its decision on how to proceed. The deadline for responses is 15 February 2016.
17. Part 4 of the draft Bill imposes statutory duties upon the Members of the proposed new County Councils relating to the performance of their functions. Members are placed under a statutory obligation to attend meetings; hold regular ward surgeries; answer correspondence within 14 days; complete compulsory training courses; and publish an annual report. Although the requirements on Members are not dissimilar to those already supported by the Members Services team, the statutory nature of these requirements would mean that there is a need for adequate dedicated administrative and officer support for Members to fulfil their obligations.
18. The draft Bill places a duty on each Member of a County Council to prepare an annual report, which must be submitted to the Council's Head of Democratic Services. The annual report must be about the Member's activities as a Member of that Council during the 12 month period to which the report relates and it must set out the results of those activities, if those results are known to the member (draft Bill, Part 4, Chapter 2). All annual reports are published on the Council's website and there will be a requirement for these to be published bilingually.
19. The procedure for handling complaints about an alleged failure by a Councillor to abide by the duties imposed is set out in Chapter 3, Part 4 of the draft Bill. The Council's Standard & Ethics Committee was advised of these requirements at their December meeting and have prepared their response to the consultation.
20. A summary of research on good practice in other Local Authorities was provided in order to benchmark future provision of services to Members in Cardiff. Details were obtained directly from the following authorities: - Gwynedd,

Carmarthenshire, Swansea, Blaenau Gwent, Torfaen, Nottingham; with data sourced from the Association of Democratic Services Officers (ADSO) from Kirklees, Islington, Kensington & Chelsea and Medway. Three of the local authorities provide Political Assistants to the main political groups approved by Council under the provisions of Section 9 of the Local Government and Housing Act 1989 and are funded by the authority; the majority of the Councils Members support teams undertake research, diary management, chased up outstanding queries; provided audio dictation facilities for correspondence; managed ward surgery information; and provided an information service. Details of direct staff resources were also identified and it was clear that in comparison Cardiff Members received less dedicated support.

The Task Group identified a number of improvements that were ongoing and other areas that could be managed and developed to support Members in the future which would require a level of staff resources : -

- a) It was welcomed that following requests by Members, Scrutiny Chair's letters issued following meetings now appeared electronically alongside the minutes of the meeting agenda page. The next step was to include all Chair letters and Cabinet responses for the whole municipal year.
- b) Improve communication from the Welsh Government on their work programmes and published data;
- c) Refresh the Members Handbook and ensure it is kept up to date and details such as organisation charts of senior managers and operational managers including contact details are published alongside the Handbook on the intranet pages;
- d) Reference copies of Council papers to be kept in an easily accessible location;
- e) Continue to develop and improve the data available; and review the indexing on the Members on Line Information System (MOLIS) so that it is easily accessible to members and include the following data if available: -
 - o Registers of Council licences for example, Skips, Scaffolding, Alcohol, Food, Houses of Multiple Occupancy (HMO) Licences
 - o Officer decision register on Cardiff Council website to have same level of detail as that e-mailed to Councillors
 - o Section 106 register sent to the relevant ward members
 - o Comparative performance information for school governors.
 - o Contractor complaints/performance: work scheduling, contract management and how contracts can be reviewed
 - o Member briefings and training materials after despatch or delivery
 - o Good Council practice for example Association of Public Service Excellence, National Strategic Indicators (NSI's) and Public. Accountability Measures (PAM's)
 - o Performance data with other Welsh Councils and core cities in England.

RECOMMENDATIONS

Following the completion of this inquiry the Committee recommended that:

1. The Director Governance and Legal Services submit a growth bid for 2016/17 to fund a permanent Member Support Assistant post and no reduction in services to Members be made to the Committee & Member Services budget.
2. The Constitution Committee undertake a review of the number and frequency of meetings; the effectiveness and purpose of Council meetings; and the remits of the committees to see if there is scope to combine roles or revise terms of reference to avoid duplication.
3. The Elected Members Handbook May 2012 be reviewed and updated to make clearer the services available to Members and delete provisions that have already been removed such as the dictation service. That this provision be subject to the permanent support arrangement as identified in Recommendation (1) above.
4. The Democratic Services Committee receive a report from the Director Governance and Legal Services on the Welsh Government consultation on the draft second Local Government Wales Bill and provide their comments to input into the consultation process in particular to highlight concerns on the restrictive nature of the requirements and the need for direct consultation with Members by Welsh Government on the future proposals.
5. The Committee and Members Services Manager in preparation for the next Municipal Year considers how the provision of the helpful information formerly in the Members Yearbook can be made available in an economical format to Members if the consensus of Members is that this would be a valuable tool that they wish to re-introduce.
6. The Director Governance and Legal Services submit a bid for 2016/17 to reinstate an appropriate budget for the provision of hot drinks facilities at a minimal cost in the County and City Hall Members rooms, and that the Committee & Members Services Manager negotiate a base cost for this provision with Cardiff Catering.
7. Cardiff Catering is requested to ask the vending service provider to provide more healthy and less sugary food in its facilities.
8. The list of suggestion made by Members for improved support is taken on board as part of the provision of the permanent support arrangement as identified in Recommendation (1) above.

METHODOLOGY

Members of the Inquiry included: -

Members of the Democratic Services Committee - County Councillors Clark (Chairperson), Goddard, Hyde, Murphy and Robson.

As it was felt important to consult the Party Groups, Party Whips were invited to participate - County Councillors Holden (Plaid), Hunt (Labour), Margaret Jones (Liberal Democrats) and McKerlich (Conservative).

The Cabinet Member for Skills, Safety & Engagement was invited to attend the meetings and received the documentation but unfortunately due to other commitments had to send his apologies.

The Inquiry took place over two meetings which took place on 14 December 2015 and 11 January 2016.

The Members received evidence from Marie Rosenthal, Director Governance & Legal Services; Gill Nurton, Committee & Members Services Manager; and Tracy Hughes, Finance Officer.

Appendices

Appendix 1 – Democratic Services Staff Structure 2015/16

Appendix 2 – Number of Council, Committee and Other meetings serviced by Committee & Members Services 2014/15 Municipal Year

Appendix 3 – Communication with Members – ‘Let’s Talk about it’ October 2015

Appendix 4 – Support to Members Benchmarking data

**Governance & Legal Services – Committee & Member Services,
Room 286, County Hall, Atlantic Wharf, Cardiff CF10 4UW**

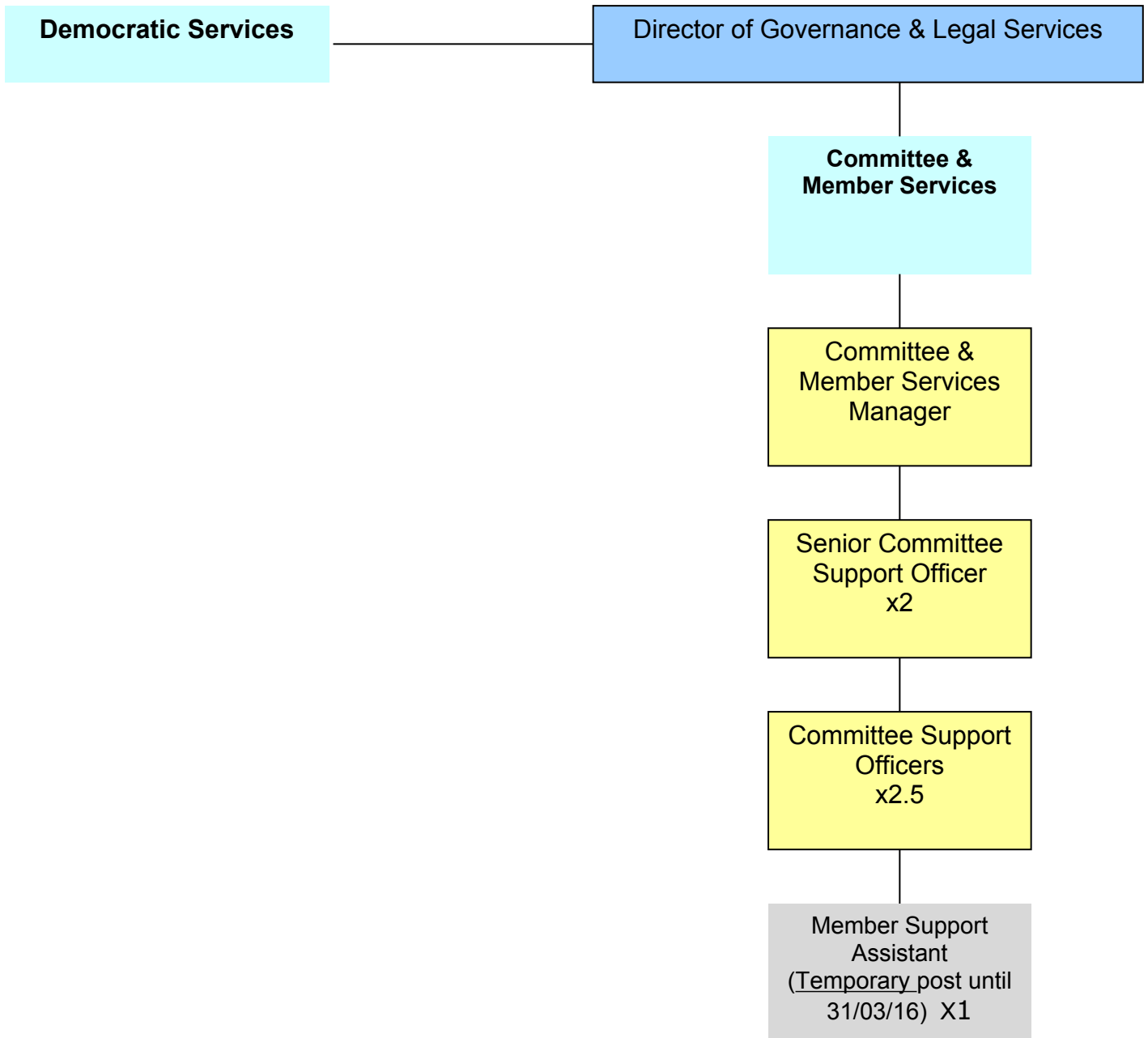
Tel: 029 2087 2032

Email: democraticservices@cardiff.gov.uk

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STRUCTURE COMMITTEE & MEMBERS SERVICES

APPENDIX 1



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NUMBER OF SUPPORTED COUNCIL, COMMITTEE & OTHER MEETINGS 2014/15 MUNICIPAL YEAR

2014- 2015	
Council	11
Employment Conditions	1
Licensing Committee/Sub-Committee	29
Public Protection	7
Public Protection Sub Committee	7
Planning Committee	16
Planning Other (Site Visits/Agenda Conf/ DC/Planning/Briefings)	12
Children & Young People Scrutiny	11
Community & Adult Services Scrutiny	12
Economy & Culture Scrutiny	11
Environmental Scrutiny	10
Policy Review & Performance Scrutiny	11
Joint Scrutiny Committees	4
Standards & Ethics	5
Constitution	4
Council Appeals	2
Appointment Committee	6
Democratic Services Committee & T & F Group	6
Audit Committee	5
Corporate Parenting Advisory Committee	3
Bilingual Cardiff	3
Glamorgan Archives Joint Committee	5
Prosiect Gwyrdd	2
Works Council	4
Senior Management Team MT	28
Other Management meetings	13
Other Clerked Meetings	26
TOTALCOUNCIL & COMMITTEE MEETINGS	254
School Admission and Exclusion Appeals Meetings	170
TOTAL FORMAL MEETINGS SUPPORTED	424

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make the
difference

Communication With Members - Let's Talk About It?

October 2015



Cardiff Research Centre

Cardiff Research Centre is part of the City of Cardiff Council's Policy, Partnerships & Community Engagement service.

We strive to deliver research, information and consultation services for the City of Cardiff Council and its partner organisations.

Services include:

- Collection, analysis and interpretation of primary survey data;
- Analysis and interpretation of a wide range of secondary demographic and socioeconomic data including the Census and all other sources from the wider data environment;
- Specialised studies on a wide range of topics including social, economic and demographic data sources and their uses;
- Quantitative and qualitative research and consultation projects;
- Supporting the Cardiff Debate Community Engagement exercise with other public service partners;
- Management of the Cardiff Citizens' Panel;
- Focus Group facilitation;
- Advice and support on all aspects of research including survey & questionnaire design, &
- GIS thematic & schematic mapping services.

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Cardiff Research Centre

Telephone: 029 2087 3217

Email: research@cardiff.gov.uk or consultation@cardiff.gov.uk

To find out more about what we do – visit www.askcardiff.com or www.cardiffdebate.com



Communication with Members – Let's talk about it?

Background

Cardiff Research Centre (CRC) were commissioned by the Communications department of the Council to survey all Members of the Council to get their views on how the current communication platforms are working and how effective they are in supporting the Members in their elected roles.

Methodology

A short survey was compiled by CRC, with questions supplied by the Communications department, asking the Members to rate how positively they think the current communication platforms are performing. This was emailed out from the Leader to all Members encouraging them to take part.

A reminder was also sent out after two weeks encouraging them to take part in this survey in order to maximise participation.

Response Rate

The survey was emailed to all 75 Members of the Council. There were 29 submitted responses to the survey giving a return rate of 38.7%.

Results

Below is a summary per question of responses to the survey. For the purpose of this report it was decided that the following ranking chart would be used:

1 = Very Poor

2 = Poor

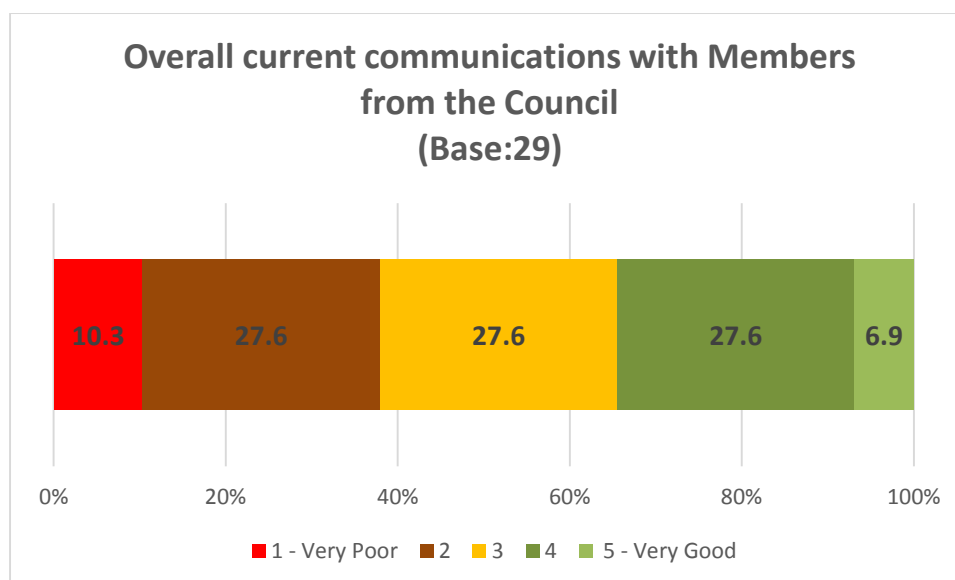
3 = Average

4 = Good

5 = Very Good

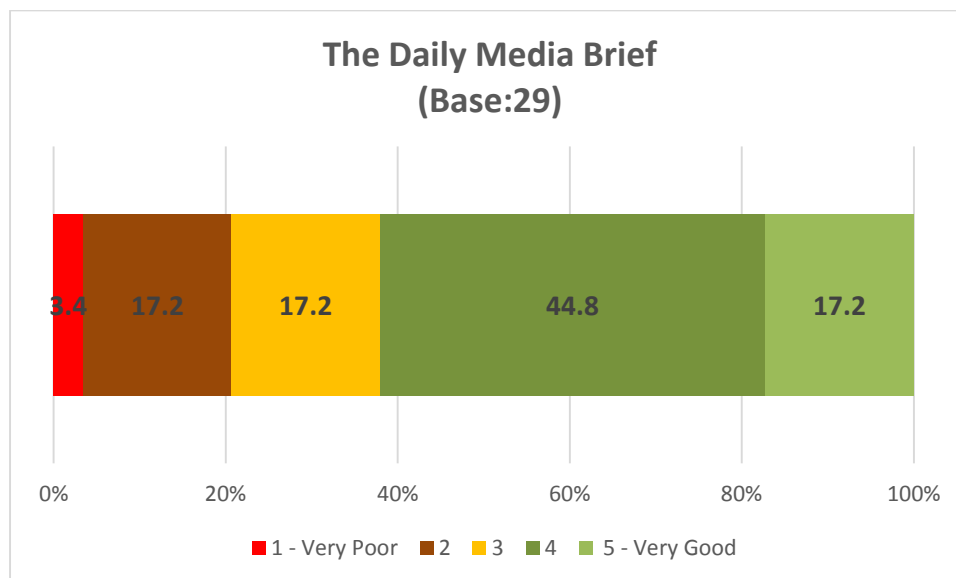
1. Overall current communications with Members from the Council

Over a third (34.5%) of Members rated ‘Overall current communications with Members from the Council’ positively (i.e. a score of 4 or 5), with 6.9% of respondents giving it a scoring of ‘Very Good’. An additional 27.6% ranked overall communications as ‘Average’ with the remainder ranking it negatively.



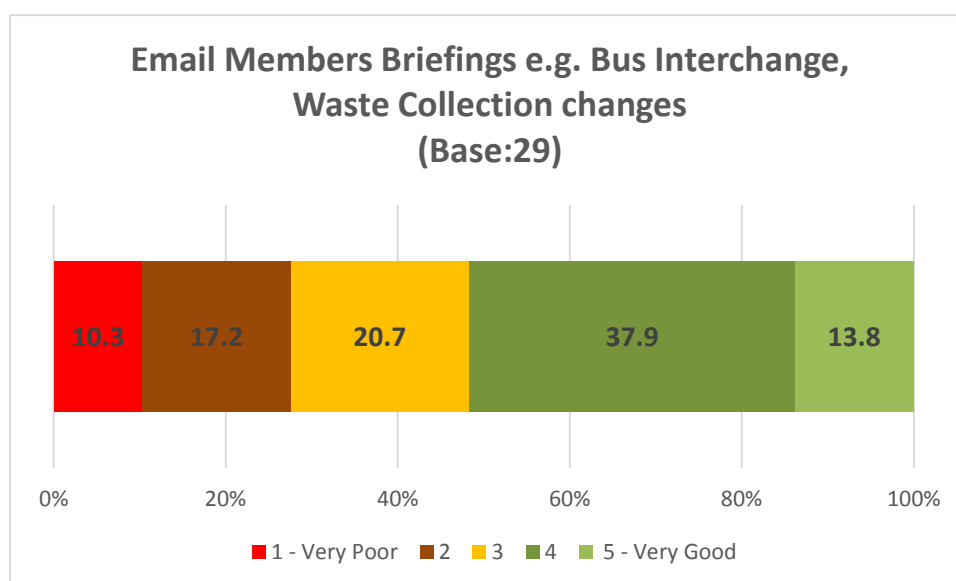
2. The Daily Media Brief

62% of responding Members rated the Daily Media Brief positively (including 44.8% and 17.2% who felt it was ‘Good’ and ‘Very good’ respectively). In comparison 20.6% ranked it poorly.



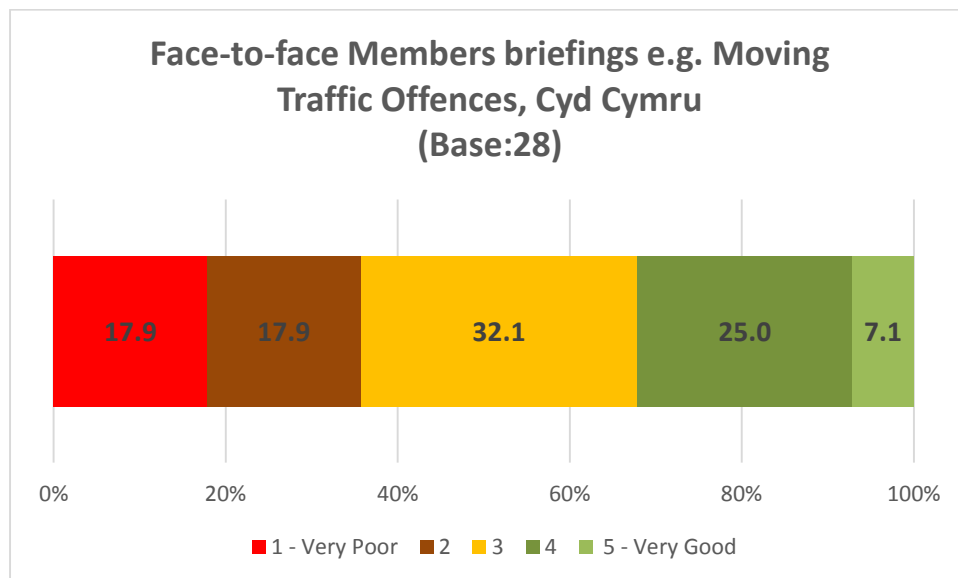
3. Email Members Briefings e.g. Bus Interchange, Waste Collection changes

Over half (51.7%) of responses rated the Email Members Briefings positively, with an additional 20.7% rated as ‘Average’. Just over 25% (28.0%) felt that the briefings are functioning poorly.



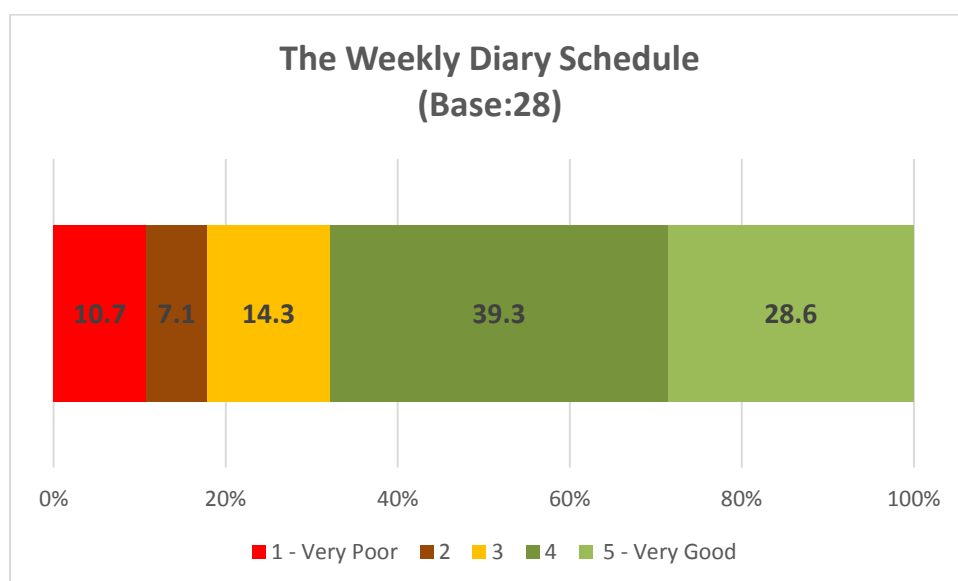
4. Face-to-face Members briefings e.g. Moving Traffic Offences, Cyd Cymru

32.1% of respondents rated this communication channel as ‘Average’ making it the most popular response with an additional 32.1% rated as either ‘Very good’ or ‘Good’.



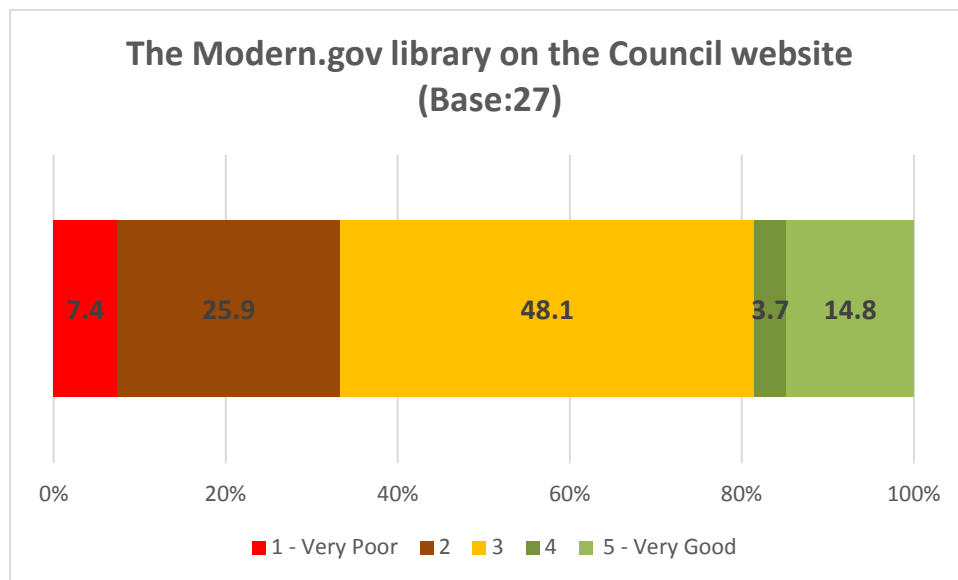
5. The Weekly Diary Schedule

Over two-thirds (67.9%) of Members feel that ‘The Weekly Diary Schedule’ is a positively functioning communication platform, including over a quarter (28.6%) scoring this as ‘Very Good’ and 39.3% as ‘Good’. The Schedule was rated as ‘Average’ by 14.3%, ‘Poor’ by 7.1% and ‘Very Poor’ by 10.7%.



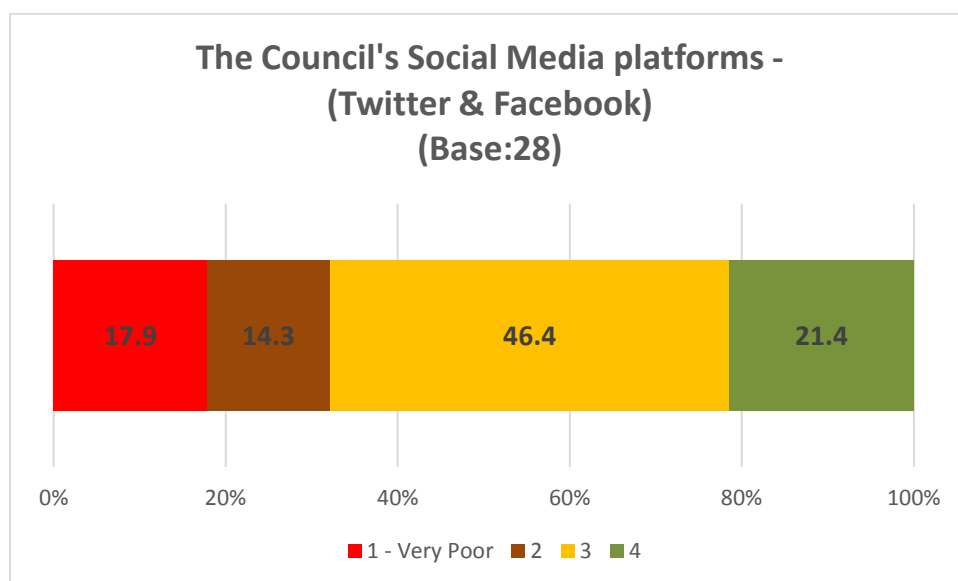
6. The Modern.gov library on the Council Website

Almost a half (48.1%) of members deemed this method of communication as ‘Average’, with 18.5% feeling that it is functioning well, and 33.1% rating it negatively.



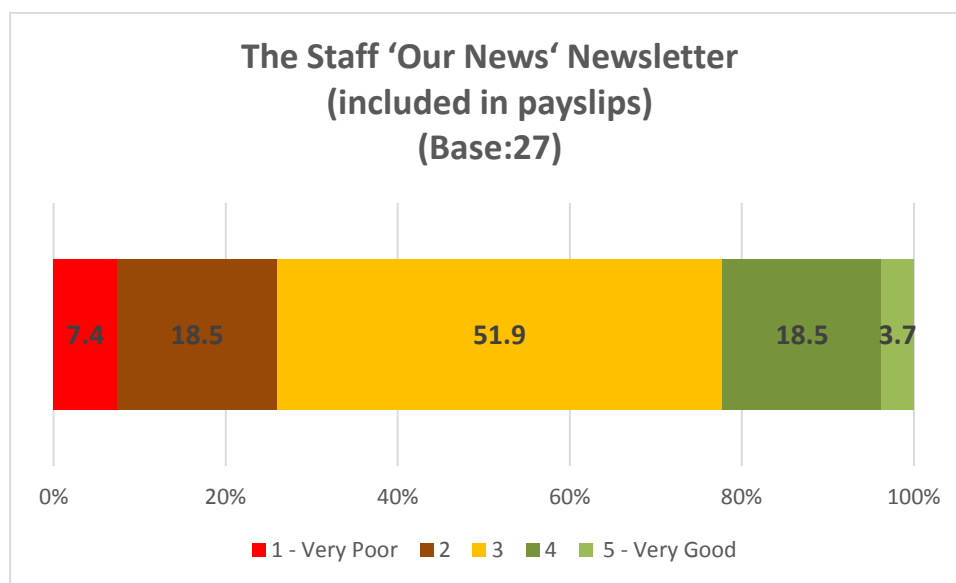
7. The Council's Social Media platforms - (Twitter & Facebook)

Over a fifth (21.4%) of Members felt that the social media platforms are functioning well. An additional 46.4% rated it as ‘Average’, and 32.2% negatively.



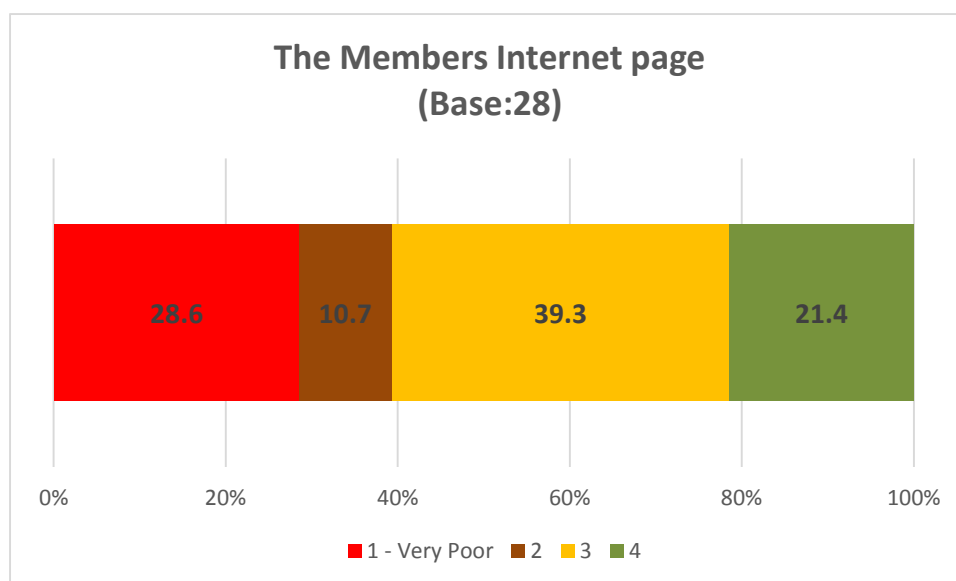
8. The Staff ‘Our News’ Newsletter (included in payslips)

The dominant rating for the Staff ‘Our News’ Newsletter was average with over half of responses average (51.9%). Of the remainder 22.2% of responses were positive and 25.9% of responses negatively.



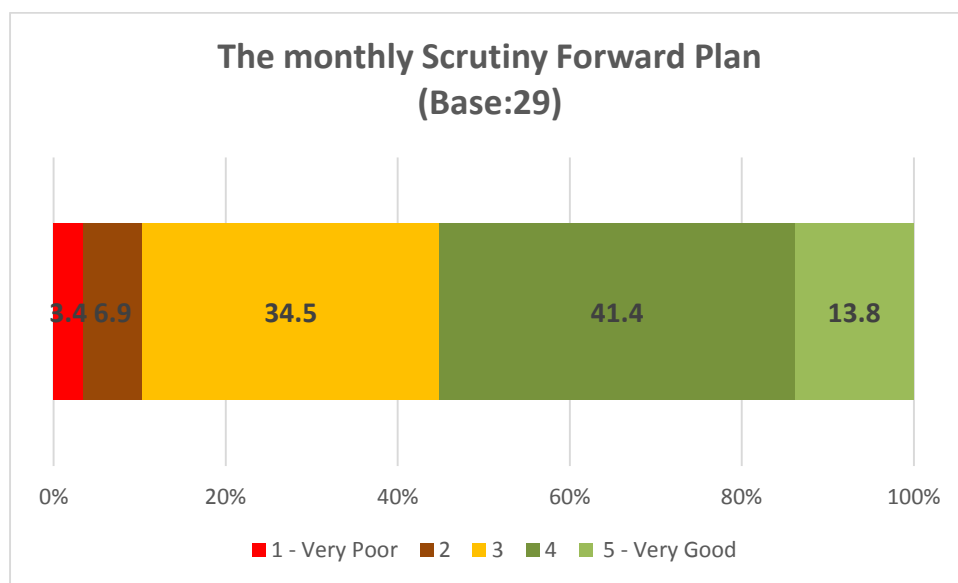
9. The Members Internet page

Over 60% of Members (60.7%) rated their Internet pages as ‘Average’ or better, including 21.4% who felt the page is ‘Good’. Over a third of Members rated it negatively.



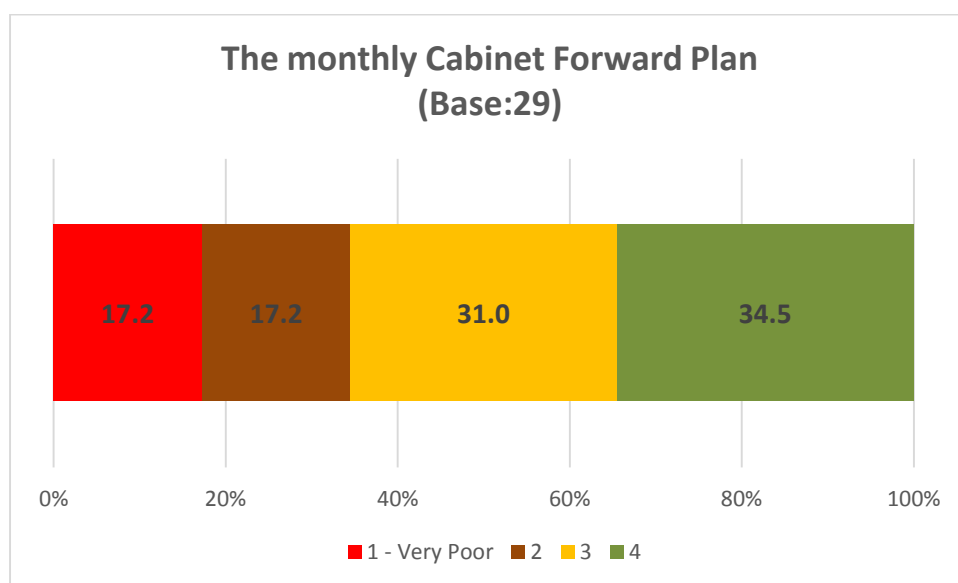
10. The monthly Scrutiny Forward Plan

Over a half (55.2%) of Members feel that ‘The monthly Scrutiny Forward Plan’ is a positively functioning communication channel with 13.8% rating this as very good. 34.5% rated it as ‘Average’ with less than 10% ranking it poorly (6.9% as ‘Poor’, 3.4% as ‘Very Poor’)



11. The monthly Cabinet Forward Plan

Over a third (34.5%) of Members stated that ‘The Monthly Cabinet Forward Plan’ was a good communication channel, with 31% rating it as average. The remaining third rated the Cabinet Forward Plan negatively).



How could we improve communications with you?

Council members were asked how communications with them could be improved. Due to the respondent size all themes are detailed below with the number and percentage of responses they appeared in. Of the 29 responses to the survey overall, 19 answered this question including several responses that met multiple themes:

Theme	No.	%
Lack of information	7	36.8
Technology	4	21.1
Need for concise emails with topic in title	2	10.5
More notice of meetings and information in advance	2	10.5
Reminder of response deadlines	2	10.5
Need to highlight key messages	1	5.3
Reporting problems through social media	1	5.3
Respond to communication/enquiries from members	1	5.3
Review Capital Times and develop positive news content	1	5.3
Individual post-box for each member	1	5.3
No improvement needed	1	5.3

The dominant theme was a lack of information with seven Members feeling that they were not informed of council activities when talking to both the media and residents. Members need more information about events and incidents in their wards, as well as incidents which are happening in multiple wards where there is the potential to work together. In addition they require up to date information concerning key members of staff.

Technology was raised on four occasions with two Members feeling that communication is hampered by poor laptops which they cannot access. One member suggested using a single app which will enable them to access all key services including email, calendar and briefings.

Other reoccurring themes included a need for greater notice of meetings and in particular the need for minutes and information in advance, a reminder of key deadlines, and a need for concise accurately titled emails due to the amount of messages Members receive.

BENCHMARKING SUPPORT SERVICES TO MEMBERS DECEMBER 2015 / JANUARY 2016

AUTHORITY	NO of MEMBERS	MEMBERS SUPPORT PROVISION
Gwynedd	74 Independent – 18 Labour - 4 Liberal Democrats – 2 Plaid Cymru – 37 The Voice of Gwynedd – 13	All Members are offered an iPad for their work as Councillors. . The three main parties have part time admin support for their Group. The political group assistants do various jobs for their Members, including some research, typing work, drafting letters and arranging meetings.
Carmarthen	74 Plaid Cymru – 29 Labour – 22 Independent – 21 Other – 2	Dedicated support for the Chair of Council and the Leader and assistance to Executive Board Members and the Leader of the Main Opposition Group. General administrative support to all Members including assistance with writing letters, surgery posters, newsletters and general research. Notification and preparation of notices for Councillors' surgeries. Arrangements for attendance at conferences and meetings outside the County (including rail travel and accommodation). Processing Councillor Enquiry Forms and obtaining written responses within the target date of 10 working days and acting as a central contact point for Councillors for their general enquiries for Departments and providing information regarding officer contacts within Service Departments. Office supplies, such as pens, pencils, files, paper, envelopes etc. to a reasonable level. No payments are made towards postage costs; Full cost of installing a telephone line for new councillors who have no telephone and a second broadband line for the exclusive purpose of providing on line data services (e.g.) intranet, internet & email). Provision of a Broadband line at their home and personal I.T. equipment which includes an Apple iPad, Standard laptop and printer. Mobile Phones are also provided free of charge to Executive Board Member to assist them in fulfilling their duties. We do not provide assistance towards telephone

AUTHORITY	NO of MEMBERS	MEMBERS SUPPORT PROVISION
		<p>costs i.e. line rental & call charges.</p> <p>In addition Members are able to use I.T. facilities that are available in the Members' rooms.</p> <p>Staffing Structure Committee Support – Principal Officer and 5 Committee Officers Civic & Member Support Members – Principal Officer, Senior Member Support Officer, 4 x Member Support Officers</p>
Swansea	<p>72 Labour – 48 Liberal Democrats – 12 Independent group – 7 Conservative – 4 Independent – 1</p>	<p>No political assistants Cabinet team – 2 Full-time Officers Democratic Services team – Head of Democratic Services; 4 x Committee Officers 1 dedicated Member Support Officer; 1 x IT officer and 1 x Admin Assistant shared with Election tem</p> <p>30/ 72 Members receive direct Member support others are self-reliant. Have invested in a Councillor Case Management System developed by Nottingham City Council supported by 1.8 Full time equivalent posts.</p> <p>Members provide their own IT.</p>
Blaenau Gwent	<p>42 Labour – 33 Independent – 9</p>	<p>One officer that provides direct support to Members. However, during busy periods or periods of absence the officer is supported by the Democratic Services Team (4 officers in total). This officer provides various support to Members including taking dictation and sending correspondence relating to constituency work.</p>
Torfaen	<p>44 Labour – 30 Independent group – 6 Conservative – 4 Plaid Cymru – 2 Independent – 2</p>	<p>One Dedicated Members Services Officer who undertakes research; Member Development and training. Committee & Members Services merged as a team and provide support to Members in governance terms.</p>

AUTHORITY	NO of MEMBERS	MEMBERS SUPPORT PROVISION
Nottingham	55 Labour - 50 Conservative - 5	5.5 full-time Political Group Admin & Member support and assistants. Each Support Assistant manages 4 wards; support Member with casework; correspondence; member enquiries; research & preparing briefings. Developed in-house Councillor Case Management System.
Kirklees	69 Labour – 34 Conservative – 18 Liberal Democrat – 10 Green and Valley Independents – 7	Member Services team looks after the day-to-day support for the councillors, such as processing and chasing member enquiries, dealing with training, allowances etc. As part of the Member Services team have an Opposition Support Officer, who gives secretarial type support to the opposition members (dealing with ward enquiries, arranging meetings, calendars etc.). There are also PAs to the Leader and Cabinet Members who do the same for them. None of the posts are political, as they only deal with Council-related issues and are paid for by the Council.
Islington	48 Labour – 47 Green – 1	Two Group Offices. 3 staff in the Labour office and 1 in the Lib Dem Office 1 Backbench Officer who help members with casework but the Leader and the Executive all have PA support to do their casework. Members Services pays for the hire and security for all members surgeries. However Members are encouraged to try and hold them in council buildings where there will be no charge but that is not always possible. Cllrs can book rooms for meetings they might have in connection with their duties as a Cllr free but only if it is directly connected and only if they were also attending. We would not cover for example a backbencher who wanted to hire a hall for 100 to hold a meeting about something that was happening in his ward as if he wanted to do that he could pay for that himself from his allowance. Again travel could be arranged for Cllrs in connection with council duties and only if authorised beforehand and only if it was for travel outside the borough.

AUTHORITY	NO of MEMBERS	MEMBERS SUPPORT PROVISION
Kensington & Chelsea	50 Conservative – 37 Labour – 12 Liberal Democrat 1	<p>The Leader of the Majority Conservative Group has his own office, and other Cabinet Members (7) have a shared office with a PC each, but all other Members only have use of a Members Room with two PCs. The Minority Lab Group have a Group Office</p> <p>Dedicated Member Support but within Democratic Services Team provide considerable diary and other support to the Leadership and CMs but political groups have no dedicated support and backbenchers, despite having access to one Councillors' Secretary, are largely self-sufficient: we provide no casework support, but help to publicise surgeries.</p> <p>The Council provides consumables but home consumables (paper, cartridges etc.) are paid from Basic Allowance. Members can claim up to £1,500 of IT equipment each 4 year term under our Members IT Scheme but only a handful of members claim this.</p> <p>Secretarial resources are provided such as booking rooms of non-committee meetings and arranging travel but such requests are not common.</p>
Medway	55: Conservative 36 Labour 15 UKIP 3 Independent 1	<p>Support to members is undertaken by 2 Democratic Services Support Officers, the management of whom is shared between Head of Members Services & Elections and Head of Democratic Services.</p> <p>The Leader of the Administration Group and Leading Opposition group have PA support. The 2 Democratic Services Support Officers provide a very low level of support to members in terms of correspondence but will occasionally assist with non-standard items. Members are expected to be self-sufficient in this regard, but much of their correspondence is done by email anyway. A postage budget of just over £3000 is budgeted to meet the cost of anything that is sent to Members or out by Members via the post room.</p> <p>No support is provided in terms of producing, printing or posting ward surgery notices; printing of non-politically newsletters; community information. Ward surgery information is posted on the Council's web pages. Up until this year a printed Year Book was produced as well as maintaining</p>

AUTHORITY	NO of MEMBERS	MEMBERS SUPPORT PROVISION
		<p>an electronic version on our webpages and Intranet. From next year we are no longer going to provide a printed version.</p> <p>All 10 Members of the Cabinet have either a pc or laptop in their shared offices. The Labour (Opposition) Group Leader and Deputy Leader have computers and their Group room also has a computer that any of their members can use while in the building.</p> <p>All members can purchase a computer, laptop or tablet device through our Purchase scheme whereby the costs are deducted monthly from their basic allowance over a period of 2-3 years.</p> <p>The Cabinet Members and Opposition leader have been provided with Blackberry's/smart phones.</p>
ADSO Data - Council unknown	60	<p>Councillors are expected to pay for stationery out of their allowances. Travel (including mileage claims where driving is the most efficient mode of transport), subsistence and accommodation are paid according to specific limits which are set out in instructions on the claim form. Childcare costs can also be claimed up to set amounts (both in terms of time and hourly rates).</p> <p>Each group (3) has a separate Political group officer. Each group officer has accommodation in the Town Hall and access to Council resources (PC, printer, phones, stationery, etc.). As representation of the third political group is small (6/60 councillors), the PGO is contracted to work only 10 hours per week. The other PGOs work full-time. (NB we are about to begin recruiting for a full-time PGO and a political advisor for the Labour Group...watch this space.)</p> <p>Member support comprises two caseworkers who look after backbench councillors and the ward work of Cabinet members. They are managed by the Mayoralty and Councillor Services Team Leader. Casework is logged by the team who also identify the appropriate officer(s) to provide the substantive response. They also prepare holding responses and conduct 'chase-up' calls/emails as required. A Customer Relationship Management</p>

AUTHORITY	NO of MEMBERS	MEMBERS SUPPORT PROVISION
		<p>(CRM) automated system is currently in beta testing which will allow councillors to log their own casework and check its progress via a dedicated and secure web portal.</p> <p>There is a separate Executive Support Team for the Leader and Cabinet, who deal with Cabinet-specific issues. Ward work issues raised with Executive members are directed to the general Member Support team.</p> <p>The team book surgeries on request (councillors themselves are required to identify suitable locations) and advertise arrangements through the website and posters. Where rental is charged (some venues are free), costs are met from a budget held in the Member Support team.</p> <p>Member Services will book rooms for ward work meetings and liaise with other service areas, e.g., HR, on queries concerning pay, tax, etc. This team does not get involved in travel arrangements or political group meetings, which are organised by the PGOs.</p>

**CITY AND COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**



DEMOCRATIC SERVICES COMMITTEE:

20 JANUARY 2016

**REPORT OF THE DIRECTOR, GOVERNANCE AND LEGAL
SERVICES**

ICT MEMBER PROJECT UPDATE

Reason for this Report

1. To receive an update on the evaluation of the pilot on the new model tablet device for Members; and confirm the process for the transition.

Background

2. The Member ICT Project was established to provide Members with a new agile way of working using technology, to reduce reliance on paper copies and generate savings on printing and postage costs, 'and the Business Case was signed off on this basis in April 2014.
3. The project out-performed the April 2014 business case target to equip up to 35 Councillors. 46 tablets were issued; 5 tablets have been returned; and 1 tablet has been issued to one of the newly elected Councillors. 32 Councillors have either retained existing equipment or be reallocated other devices.
4. On 25 March 2015 (Minute No: 30) the Democratic Services Committee received an update from the ICT Service Manager on the performance of the tablet devices. Members were advised that a number of unforeseen hardware and software faults had occurred during the roll out period which resulted in a reduced performance. The numbers of faults were not untypical to experiences of other Local Authorities in the introduction of new technology from a variety of vendors and the availability of new models being brought to market to meet demand.
5. All hardware failures and replacements of devices had been rectified under warranty.
6. As part of the project Members of the Committee were made aware of the need for the Council to be compliant with National Public Service Network (PSN) and Payment Card Industry (PCI) Regulations and meet the Government security rules, and as a result the password be-crypt log on system for the devices was more cumbersome than previously. Further

work had now been undertaken to improve the log on and password procedure.

7. At the Committee on 25 March, 2015 (Min No 30) Members sought assurances on the reliability of devices as a long-term solution; the impact on the ICT and Democratic Services Officers on level of demand of reported faults and issues; and the length of time taken to get devices back up and running if a fault occurs. This assurance was provided at the meeting by the ICT Service Manager.
8. At the Committee on 15 July 2015 (Min No 9) the ICT Service Manager advised that following discussions with the vendor three new models of the Windows device were available for Members to pilot but that these needed to be configured and tested over the summer period. Members were keen that the devices were not rolled out until the devices had been fully tested.

Issues

9. The outcome of an evaluation of the Members ICT Project undertaken in July and August 2015 was reported to the Committee on 30 September 2015 (Min No 16). The ICT Service Manager accepted from the discussions at the Committee that there remained some operating issues, and undertook to address these with individual Members.
10. It was also confirmed that 3 new trial models were being tested by ICT prior to being piloted for a period of 6 weeks by Councillors Dilwar Ali, Hinchey and Hyde.
11. As part of the trial evaluation success criteria were agreed by the Members undertaking the pilot; ICT Service Manager and Committee & Members Services officers.
12. Councillors Dilwar Ali, Hinchey and Hyde received their devices for piloting in late October and November and the evaluation exercise on the agreed success criteria was undertaken on 2 December 2015. Appendix 1 sets out the criteria and the findings.
13. The Director of Governance and Legal Services in consultation with the ICT Service Manager and the Cabinet Member for Corporate Services and Resources received the results of the pilot evaluation against the success criteria; authorised that discussion continue with the vendor for the replacement at no additional charge of the Members tablets; and that a transition programme for Members to the new tablets be prepared for commencement once the new devices had been received and configured.

Transition arrangements

14. There are currently 41 tablets in use by Members including two Members who currently have the upgraded device as part of the pilot.
15. Delivery of all of the new devices will be by 21 January 2016. Once received individual devices will need to be configured.

16. It is proposed that Committee & Members Services team will support the ICT officers in the roll out of the upgraded device and therefore as part of the pre-training arrangements will each receive one of the current spare devices to familiarise themselves and to use as an agile device at Council and Committee meetings in the same way as Members.
17. Devices for Members will be provided in six tranches and this programme is being finalised with ICT Officers but it is proposed that this is done in groups of 7 Members, either at County Hall or by arrangement with the individual Member at their home.
18. Members will need to make themselves available for approximately two hours to handback their old device with the charger (if possible in the original box); receive their new device; have a demonstration on the log on process; connecting to Wi-Fi; and the additional new features which include Good Messaging and the Modern.Gov App.
19. Councillors Dilwar Ali, Gareth Holden, Keith Hyde and Adrian Robson have each agreed to be party group IT Tablet Champions and provide support and advice to other Members.
20. Further consideration of the costs for ancillary equipment and compatibility of current equipment purchased by Members with the new model is ongoing and will form part of discussions with individual Members as part of the roll-out. There is no budget allocation for the purchase of any additional equipment as part of this project.

Legal Implications

21. There are no other direct legal implications arising from the content of this report.

Financial Implications

22. The April 2014 business case indicated a potential saving of £56,204 over a three year period. The cost of the new equipment was capitalised in the 2014/15, and the project was undertaken as an invest to save scheme with the initial cost of the equipment and other facilities being financed from reductions in the cost of printing and other associated revenue budgets.
23. The end of year 2014/15 out- turn on printing costs for Democratic Services showed a saving of 54.49% on printing costs which in budget terms was £21,697. The target savings for 2015/16 is an additional 10%.
24. There is a risk that should Member requirements change then this will impact on the model and could result in increased costs. If this occurs, then any additional costs would have to be met from within existing Council budgets or by a drawdown from reserves.

Recommendations

- (1) to receive the evaluation of the pilot of the new model tablet undertaken on 2 December 2015;
- (2) to note the proposal for the roll –out of the upgraded tablets to Members in groups of 7 to be supported by IT and Committee & Members Services Officers;
- (3) thank Councillors Dilwar Ali, Gareth Holden, Keith Hyde and Adrian Robson for agreeing to support the project as Member IT Champion.

MARIE ROSENTHAL

Director, Governance and Legal Services

14 January 2016

Appendix A: Evaluation Criteria Outcome report from Pilot of new model Tablets.

IT Member Tablet Success Criteria - the standards by which the project would be judged at the end of the pilot to decide whether or not it has been successful.

Pilot New Model Tablet with Elected Members: Councilors Dilwar Ali, **Hinchey/ Elsmore and Hyde

- Define what success looks like
- Success criteria should be measurable and consider what’s important to Members.
- Document success criteria and get everyone to agree to them – meeting held with Cllr Dilwar Ali & Hyde
- Baseline current device performance as measurement to improve.
- Track as appropriate and report on your progress.

Defined Success = provision of a Tablet Device that is fit for purpose and meets the needs of Elected Members to affectively access Emails; Window applications and documents; Modern.gov; Members Intranet pages; and work effectively away from the office environment.

Statutory requirements – the Tablet must meet national and local security requirements

Measurable Success Criteria for Pilot

Criteria	Measure	Outcome
Simplified encryption process for login and password resets. Provision of Good Messaging	<ul style="list-style-type: none"> • Number of password resets during trial; • View on improvements in login-in steps; • Simpler password reset / synchronization procedure; • Usefulness of Good messaging at start screen stage to view emails 	<ul style="list-style-type: none"> • None • 1st stage password stays the same at all times. If Member forgets IT have info so Member just needs to call IT; • 2nd stage encryption password requirement at the moment – finger recognition technology not yet available for this device • Very useful if you want to pick up new messages and email whilst agile working or without fully connecting – Good additional facility; • Speed of logging in procedure good. <p>OVERALL RATING – GOOD Significant improvements have been made.</p>

<p>Improved connectivity</p>	<ul style="list-style-type: none"> • Any connect requirement before full log on; • Use of browser for choice of connection; • Provision of 4G • Speed of connection 	<p>Connectivity in Council buildings variable depending on location – little confusion around staff and guest connection and Cardiff free Wi-Fi. Connectivity with own broadband easy to use.</p> <p>Mobile connection fine</p> <p>OVERALL RATING – IMPROVED CONNECTIVITY & SPEED.</p>
<p>Improved User Experience, including improved battery life, desktop apps and sleep function</p>	<ul style="list-style-type: none"> • Overall experience • Speed of device; • Battery Life • Quieter device 	<p>Improved experience; lighter device</p> <p>Speed much improved</p> <p>Battery life much better</p> <p>Device a lot quieter fan not so noisy.</p> <p>OVERALL RATING – GOOD</p>
<p>Robustness/Reliability</p>	<ul style="list-style-type: none"> • Number of helpdesk calls made; • Hard ware issues? • Software Issues; • Look and feel; • Accessories required 	<p>Mainly human error with new device nothing major.</p> <p>None</p> <p>None</p> <p>Printing issue – but fix has been found</p> <p>Size of screen keyboard to be increased. Lighter device but look same as previous</p> <p>Consider provision of keyboard as standard and protective cover as standard for all devices</p> <p>OVERALL RATING – GOOD</p>

OVERALL – Members were satisfied with the trial. New model met the set criteria as above
Cllr Dilwar Ali (Labour) and Cllr Hyde (Lib Dem) agreed to be Group Champions

ACTIONS:

- GN to update Cllr Hinchey & Cllr Clark of success criteria findings and get authorisation from DG&LS to proceed with negotiations with the supplier on the replacement
- HD to consider timelines for delivery set up of new model tablets;
- HD to provide costs of a case/keyboard accessory for all replacement units.

Other success requirements to be promoted if pilot is successful.

- Provision of accessible and appropriate training and support;
- Provision of User friendly guides;
- Increase the number of tablet users;
- Meet the 10% reduction in paper use for 2015/16.

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REPORT OF THE DIRECTOR GOVERNANCE & LEGAL SERVICES

MEMBER DEVELOPMENT PROGRAMME 2015/16 UPDATE

Reason for this Report

1. To provide an update on the delivery of the Member Development Programme 2015/16 in line with Member Development Strategy 2015/16 and the WLGA Continuing Professional Development for Councillors Competency Framework.

Background

2. Following an all Member survey in January 2014, the Democratic Services Committee established a Steering Group with a remit to develop and deliver a Member Development Strategy. On 15 July 2015, the Committee reaffirmed the Strategy as the development framework for 2015/16, and the Steering Group met in July and August 2015 to develop the Member Development Programme for 2015/16.
3. The Member Development Strategy provides assurance that Members are provided with a range of development opportunities to enable them to effectively carry out their many roles as Community Leaders and representatives of the Council.
4. The focus of the programme from July to December 2015 was to develop and refresh Members understanding and knowledge of: -
 - the All Wales Academy e.Learning portal; sign up; and online modules. All Councillors have been signed up;
 - sessions on the Webcasting Protocols and training for the roll-out of pilot webcasting of the Planning Committee;
 - refresh on Code of Conduct; Ethical Standards and Members' Interests;
 - overview of the Council's Organisational Development Programme and projects (3 sessions on key topic areas);
 - Corporate Parenting Workshop for Corporate Parenting Advisory Committee;
 - Induction Training for the new Elected Member;

- follow up training to support Members Social Media skills and techniques to engage with citizens;
 - joint training with Councillors from the Vale of Glamorgan Council on Gypsy and Traveller – Elected Member Responsibilities.
5. Development events were supplemented also with topical Member briefings on
- the City Deal;
 - Budget preparation 2016/17 & Medium Term Financial Planning Assumptions;
 - City of Cardiff Draft Parking Strategy

The link to the previous programme is set out below;

<https://cardiffintranet.moderngov.co.uk/ecSDDisplay.aspx?NAME=1%20-%20Programme%20of%20Member%20Development%20%20Briefing%20Even&ID=1987&RPID=73869&sch=doc&cat=13733&path=13731%2c13733>

6. Training information and briefing notes on each of the sessions have been published for Members reference on the Member Online Library Information page on the Modern.Gov Intranet site. Further awareness sessions on how to access this data will be scheduled as part of the ongoing programme.

Programme Development 2015/16

7. The Member Development Programme from January to July 2016 has been prepared to fulfil the 'curriculum' of areas to support Members in specific and generic training and themes set out in the Member Development Strategy. There may be some additional sessions.
8. A copy of the Programme is attached as Appendix A. The programme includes sessions on
- Information Governance, Data Protection and Freedom of Information;
 - Councillor responsibility as Corporate Parents; Safeguarding Children and Early Help Strategy;
 - Planning sessions on the Local Development Plan; Planning Protocols; Urban design; Supplementary Planning Guidance.
9. In addition to the formal sessions the Committee & Members Services Team will provide Drop-in advice sessions for individuals and/or small groups of Members on a range of topics or information. These sessions will include a supported session with IT officers as part of the rollout of the upgraded tablet. It is proposed subject to demand that these are initially held on a fortnightly basis on a Friday morning in Room 286A.

Legal Implications

10. The relevant requirements of the Local Government (Wales) Measure 2011 are referred to in the body of this report. There are no other direct legal implications arising from the content of this report.

Financial Implications

11. There are no direct financial implications arising from this report with any costs associated with development and support being met from existing resources.

Recommendations

The Committee is recommended to consider and approve the Member Development Programme from January to July 2016.

MARIE ROSENTHAL
DIRECTOR, GOVERNANCE & LEGAL SERVICES

The following Appendices are attached:

Appendix A: Member Development Programme January to July 2016

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Democratic Services - Supporting Elected Members

Gwasanaethau Democrataidd - Cefnogi Aelodau Etholedig

MEMBER DEVELOPMENT PROGRAMME JANUARY 2016 – JULY 2016

JANUARY 2016	Event	Facilitator/Speaker	Invitees
Thursday 7 January 5.00pm – 6.00pm Committee Room 4	All Member Briefing on the Building maintenance framework & the outcome of the Constructing Excellence Wales	Councillor Hinchey & Christine Salter, Corporate Director Resources	All Members Co-opted Members Independent Members
Monday 11 January 5.00pm – 6.15pm Committee Room 4	Corporate Plan & Liveable City Member	Leader of City of Cardiff Council ; Chief Executive /Gareth Newell	All Members Co-opted Members Independent Members
Tuesday 19 January Session 1 3.00pm – 4.30pm Committee Room 3 Session 2 5.00pm – 6.30pm Committee Room 3	Information Governance / Data Protection and Freedom of Information	Viv Pearson, Improvement & Information Manager; Kumi Ariyadasa, Solicitor	All Members Co-opted Members Independent Members

Democratic Services - Supporting Elected Members

Gwasanaethau Democrataidd - Cefnogi Aelodau Etholedig

FEBRUARY 2016	Event	Facilitator/Speaker	Invitees
Wednesday 3 February 12.00pm – 1.00pm Committee Room 4 4.30pm – 5.30pm Committee Room 4	Local Development Plan Briefing / Planning Governance & Protocols	Councillor Michael, Chair of Planning; James Clemence; Development Manager	Planning Committee and All Members Co-opted Members Independent Members
Friday 5 February From 11.00am Room 286, County Hall	Member Drop –in Topic: IT Session - Second Generation Tablets provisioning Tranche 1	Committee & Member Support Team ICT Officers	Optional Member support sessions open to Members
Tuesday 9 February 4.45pm for 5.00pm to 7.00pm Session Ferrier Hall, City Hall,	Workshop Event – Organisational Development Projects & Change	Paul Orders; Christine Salter & Sarah Magill SRO & OD Officers	All Members Co-opted Members Independent Members
Thursday 11 February 5.00pm – 6.30pm Committee Room 4	Budget Overview Briefing prior to Scrutiny Committee Budget Committees	Councillor Hinchey & Christine Salter, Corporate Director Resources	Scrutiny Committee Members All other Members optional Co-Opted Members

Democratic Services - Supporting Elected Members

Gwasanaethau Democrataidd - Cefnogi Aelodau Etholedig

MARCH 2016	Event	Facilitator/Speaker	Invitee
Tuesday 1 March at 4.30pm – 6.00pm Committee Room 4	Early Help Strategy Briefing	Tony Young, Director Social Services	All Members Co-opted Members Independent Members
Thursday 3 March Time to be confirmed	Safeguarding	Tony Young, Director Social Service	All Members Co-opted Members Independent Members
Friday 4 March From 11.00am Room 286, County Hall	Member Drop –in Topic: IT Session - Second Generation Tablets provisioning Tranche 2	Committee & Member Support Team	Optional Member support sessions open to Members
Friday 18 March From 11.00am Room 286, County Hall	Member Drop –in Topic: IT Session - Second Generation Tablets provisioning Tranche 3	Committee & Member Support Team	Optional Member support sessions open to Members
Wednesday 23 March 4.00pm	Planning Act Requirements; Review of Planning Committee Delegations		Planning Committee Members All Members invited. Co-opted Members Independent Members

Democratic Services - Supporting Elected Members

Gwasanaethau Democrataidd - Cefnogi Aelodau Etholedig

APRIL 2016	Event	Facilitator/Speaker	Invitee
Wednesday 6 April 12.30pm – 2.00pm 4.30pm – 6.00pm Room 129 Cardiff Academy.	Culture Change/ Change Management - Cardiff Academy Module		All Members Co-opted Members Independent Members
Friday 8 April From 11.00am Room 286, County Hall	Member Drop –in Topic: Modern.Gov applications/ self-serve features	Committee & Member Support Team	Optional Member support sessions open to Members
Wednesday 20 April Time to be agreed Committee Room 4	Prevent and Contest Strategy in Cardiff and the Role of Councillors	Carl Davies, Prevent Coordinator	All Members
Friday 22 April From 11.00am Room 286, County Hall	Member Drop –in Topic:	Committee & Member Support Team	Optional Member support sessions open to Members
May Election Period			

Democratic Services - Supporting Elected Members

Gwasanaethau Democrataidd - Cefnogi Aelodau Etholedig

JUNE 2016	Event	Facilitator/Speaker	Invitee
Friday 17 June From 11.00am Room 286	Member Drop –in Topic:	Committee & Member Support Team	Optional Member support sessions open to Members
Wednesday 23 June 4.00pm	Urban Design Team and DCfW to include Design Review process; best practice; guidance and appropriate revised draft SPG's		Planning Committee Members All Members invited.
JULY 2016	Event	Facilitator/Speaker	Invitee
Friday 1 July From 11.00am Room 286	Member Drop –in Topic:	Committee & Member Support Team	Optional Member support sessions open to Members
Friday 15 July From 11.00am Room 286	Member Drop –in	Committee & Member Support Team	Optional Member support sessions open to Members
Date to be agreed	Equality Act 2010, the Wales Specific Equality Duties and the UN Convention on the Rights of Disabled People (UNCRDP) - Welsh Government Event		

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