

COUNCIL:

30 November 2023

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

REVISION OF ELECTED MEMBER LEARNING AND DEVELOPMENT STRATEGY (MANDATORY TRAINING)

Reason for this Report

1. The purpose of this report is to seek approval for amendments to be made to the Elected Member Learning and Development Strategy relating to mandatory training to reflect the views of Council at its meeting on 29th June 2023 and recommendations made by the Democratic Services Committee at its meeting on 13th November 2023.
2. To note:
 - a. that a review of the Elected Member Learning and Development Strategy will be undertaken in 2024 and the revised strategy will be submitted to Council for approval.
 - b. The deadlines for the completion of the mandatory training following the Local Government Elections in 2022.

Background

3. The Local Government (Wales) Measure 2011, Part 1, Chapter 2, <https://www.legislation.gov.uk/mwa/2011/4/part/1/chapter/2> requires local authorities to appoint a Democratic Services Committee to oversee the Democratic Services functions of the Council, ensure that the work is adequately resourced and report to the full Council accordingly. The Democratic Services functions include Members' Services, Committee Services and Scrutiny Services, but not Cabinet Support Services.
4. Council approved the Elected Member Learning and Development Strategy 2019-2022 proposed by the Democratic Services Committee at its meeting on 28 March 2019. In preparation for the Local Government Elections in 2022, Council subsequently approved amendments to the strategy as recommended by the Democratic Services Committee on 25 November 2021.
5. At its meeting on 29 June 2023, Council considered a report which recommended an amendment to the Members' Code of Conduct to require councillors to undertake all training designated as mandatory to enable councillors to properly discharge their duties, within 6 months from the date on which the mandatory training is first made available unless:

- i. a Councillor can provide evidence of having attended equivalent and up to date training; or
- ii. that they have reasonable excuse for requiring an extension of time,

which, in either case, should be agreed in advance with the Head of Democratic Services). Council approved the amendments and necessary changes were made to the Members' Code of Conduct.

6. During the debate members expressed their concerns that any topics identified as mandatory training should be approved by full Council. The Monitoring Officer advised that a subsequent report would be submitted to Council to confirm the currently designated mandatory training and any future designation of training as mandatory would be subject to approval by Council.

Issues

Amendment and review of the Elected Member Learning and Development Strategy

7. At the Democratic Services Committee held on 13 November 2023 proposals to update the existing Elected Member Learning and Development Strategy to reflect the views of Council were considered. The Committee agreed that:

The existing Elected Member Learning and Development Strategy 2019-22 be amended as shown in red text in the revised Strategy at **Appendix A** with immediate effect, in particular,

- a. Roles and Responsibilities for Elected Member Learning and Development Full Council.

Approval of full Council will be sought for this Elected Member Learning and Development Strategy, including any substantive amendments or updates to it and the designation of member development topics recommended by the Democratic Services Committee as mandatory training.

- b. to confirm the mandatory training courses identified within the Member Induction Programme 2022, specifically:
 - What Councillors need to know including the Member's Code of Conduct
 - Information Governance and Data Protection
 - Safeguarding
 - Corporate Parenting
 - Supporting Equality in Cardiff's Diverse Communities,

8. In addition, the Democratic Services Committee agreed that a review of the Elected Member Learning and Development Strategy should be undertaken in 2024 and submitted to Council for approval.

Outstanding Mandatory Training

9. Following Council's approval of the revised Members' Code of Conduct on 29th June 2023, Elected Members have been advised of any outstanding mandatory training

which must be completed by 29th December 2023. Any Elected Members who have not complied with the Members' Code of Conduct duty to complete mandatory training by this date will be referred to the Standards and Ethics Committee.

Financial Implications

10. Any expenditure for the providing of Member Development activities will be met from the Member Development Budget.

Legal Implications

11. Under the Local Government (Wales) Measure 2011, Part 1, the Democratic Services Committee is responsible for overseeing the democratic services functions of the Council, ensuring this work is adequately resourced, and reporting to full Council accordingly.
12. The Local Government (Wales) Measure 2011, section 7, requires local authorities to secure the provision of reasonable training and development opportunities for its members. In determining how to exercise its functions, the Council must have regard to the statutory guidance issued by the Welsh Ministers. Updated statutory guidance has been issued by the Welsh Government within Part 2, section 2.0 of the Statutory and Non-Statutory Guidance for Principal Councils in Wales – supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021, 'the Democracy Handbook', June 2023, which includes the following:

2.14 It is recommended that the Democratic Services Committee (DSC) has overall responsibility for deciding what should be regarded as reasonable training and development opportunities as part of its function of providing support to members to carry out their functions. In addition to the list above the DSC may consider adding some policy areas for which training is considered essential, such as planning or licensing.

RECOMMENDATION

13. Council is recommended to:
 - a. Approve the recommendation of the Democratic Services Committee for the immediate revision of the Elected Member Learning and Development Strategy as shown at **Appendix A**, to include confirmation of the mandatory training courses as set out in paragraph 7b of this report.
 - b. To note:
 - 1) that a review of the Elected Member Learning and Development Strategy will be undertaken in 2024 and the revised strategy will be submitted to Council for approval.
 - 2) The deadline of 29th December 2023 for Members to complete all mandatory training following the Local Government Elections in 2022.

GARY JONES
HEAD of DEMOCRATIC SERVICES

24 November 2023

Appendix A - Elected Member Learning & Development Strategy 2019-22 (Revised)

Background Papers:

- [Elected Member Learning and Development Strategy](#) report to Council dated 28 March 2019.
- [Elected Member Learning and Development](#) report to Council dated 25 November 2021
- [Amendment of the Members' Code of Conduct - Attendance at Mandatory Training](#) report to Council dated 29 June 2023.
- [Member Development Programme Update](#) report to Democratic Services Committee dated 13 November 2023.