

3.0 Research Support and Services for Councillors Statutory Guidance

Status of this Guidance

- 3.1 This is statutory guidance issued under section 8(1A) of the Local Government (Wales) Measure 2011. This section enables the Welsh Ministers to issue guidance to which a local authority must have regard when exercising its functions in respect of providing the Head of Democratic Services (HDS) with the staff, accommodation and other resources which are, in its opinion, sufficient for the HDS to discharge their functions.

Purpose of this Guidance

- 3.2 Councillors who are part of the executive or assistants to it have the benefit of working closely with officers of the council and have ready access to information and professional support. In order to undertake their roles effectively all elected members should be able to access a range of information and support. It is anticipated this will mainly focus on signposting individual members to existing sources of information or available training for example, brief prepared for scrutiny committee meetings or how to use research, statistical or legislative websites. It may also include targeted support for groups of members for example, leading a task and finish group investigation or support for individual members to research issues impacting on their communities where they are taking forward a councillor call for action under section 21A of the Local Government Act 2000, they have been delegated functions under section 56 of the 2011 Measure or with which they are involved through their role on the council, for example as chair of a committee.
- 3.3 The Democratic Services Committee should consider the provision of this kind of support to elected members as part of its considerations as to what constitutes sufficient resources for the HDS to discharge their functions. The case for resources for this support should form part of the DSC's budget considerations and discussions with the council. It is anticipated that the DSC will begin this process by identifying the baseline of support which is already available to members, then work with members to identify how this support and its parameters could be developed over time. The council should set out what steps it will take to improve research services to members where appropriate, with actions and timelines and communicate this to members.

Support for Research

- 3.4 It is for the DSC to advise on the nature and level of support for research by elected members that would be suitable for their council and the level of resources that the HDS might require to provide a sufficient set of services in this regard. This guidance sets out the sorts of services the DSC should consider when making its deliberations.
- 3.5 The proportionate use of research support by councillors is an important part of ensuring local democracy is functioning effectively. It is also important to ensure that members do not get frustrated by feeling they are not able to access or have available to them the support they need to make a difference to their local community or undertake a role they have been asked to do on behalf of the council effectively.

- 3.6 Councils should, through their Democratic Services Committee, put in place a protocol or other set of rules governing how councillors should expect to be able to access and use research services, to ensure that it is accessible to all councillors and that it is used equitably and proportionately. This should dovetail with the Democratic Services Committee's oversight of the overall resourcing available for democratic services in an authority.
- 3.7 The aim should be to provide support to assist backbench councillors and their staff to work with constituents, scrutinise legislation, develop policy, undertake any roles they may be asked to do on behalf of the council and undertake effective overview and scrutiny. Research may be related to a specific issue or issues that have a more general impact on the work of elected members across the council but would usually be connected to the delivery of the council's priorities or the scrutiny of their delivery. It should work in harmony with and not be expected to duplicate the support members might be provided by virtue of their membership of a political group, for example where political assistants have been appointed (section 9 of the Local Government and Housing Act 1989). Research provided to councillors through this part of the guidance should not be politically motivated or compromise officers' political neutrality.

Research Support and Services

- 3.8 Examples of research support and services include:
- Collating and distributing background papers to assist councillors to better understand forthcoming key decisions including analysis of complex data and information which may be provided as background papers for council meetings such as the budget discussion;
 - Preparing and sharing regularly management information, including performance management shared as a part of formal assessments either by performance panels or Audit Wales;
 - Preparing and sharing demographic information, and information on the use of services by local people;
 - Responding to councillors' requests for research on specific topics to be undertaken either by council officers or an external source. Councils should set out clear processes and procedures to ensure councillors have access to this kind of research but also that they understand the requirement for its judicious use within the budget and other resourcing parameters set by the council;
 - Signposting of members to useful sources of information they can access on the issue in which they have an interest;
 - Circulation of calendars of events held by local and national organisations which may be of interest to members and help inform their knowledge of particular issues.
- 3.9 The service should not be solely reactive, the proactive provision of timely briefings on new policies, changes in the law or other matters that could impact on the work of members should form part of the service. These briefings should be published and made available to the public as they will be of wider interest and can form part of the Council's strategy for meeting its duties under sections 39 to 41 of the Local Government and Elections (Wales) Act 2021 to encourage local people to participate in decision making and the publication of a participation strategy.

3.10 However, it is also important the DSC and HDS should consult and involve members to shape and regularly review the usefulness and effectiveness of the support provided.

Benefits

3.11 The benefits of pro-active research support for councillors are:

- It means that councillors are better able to engage with the business of the authority in an informed, proactive manner;
- Different officers do not have to deal with requests for information and duplication is reduced;
- There is less demand for the bringing of reports to committees (particularly scrutiny committees) for information, or to note, because there are systematic methods to share research with councillors through other means thus freeing up committee time and resources;
- The products and outcomes of research can be shared equitably, rather than through one-to-one councillor-officer conversations which privileges those more capable in “navigating” the authority and its officer structures.

Support in accessing information

3.12 Councils should adopt a proactive and permissive approach in how they engage with councillors’ information needs. Councillors cannot always know what information they need to know, and as such may not be in a position to frame requests in a way that captures these needs succinctly. In particular, councils should recognise that it is not optimal for councillors to be expected to make FOI requests of their own authority, and should put in place arrangements to ensure that they can access this – and other – information in an expedited manner.

3.13 As such councils should:

- Frame councillor access to information procedure rules expansively – with a presumption in favour of the release of information to councillors unless a clear public policy reason exists not to;
- Proactively provide councillors with management information and other data to ensure that they are kept informed about the business of the authority. Councils could produce an information bulletin or digest for councillors on a regular basis – subject to resources as suggested above;
- Engage with members to better understand how and where their roles will require that they access certain information sources, and support them to gain that access. This may include negotiation with partners, and others who may hold information relevant to councillors’ roles;
- Ensure mechanisms are in place to protect personal data in line with appropriate legislation.

3.14 As far as possible councils should specify publicly why a matter is exempt from publication or from discussion in a public forum – ideally providing more information than just the description given in Schedule 12A of the Local Government Act 1972.

3.15 Equally, councillors should be made aware that councils are frequently under legal obligations to others with regard to maintaining the confidentiality of certain information

– in particular, commercial information and personal information – and such releases could open up the council to challenge.