

Participation Strategy 2023-27

Purpose of report

1. To offer Members an opportunity for pre-decision scrutiny of the draft Participation Strategy 2023-27 prior to consideration by Cabinet on 18 January 2024.

Structure of the Papers

2. To assist Members preparation for this scrutiny the following papers are attached to this cover report:

Appendix 1: Cabinet report titled: Participation Strategy 2023-27

To which the following appendices are attached:

Appendix A: Cardiff Council Participation Strategy 2023-27

Appendix B: Participation Strategy Consultation Report

Appendix C: Single Impact Assessment

Appendix D: Constitution Guide

Background

3. The review of the development, effectiveness and implementation of Council policy to address citizen engagement and consultation falls within the Terms of Reference of this Scrutiny Committee.
4. The Local Government and Elections (Wales) Act 2021 places a duty on principal councils in Wales to encourage local people to participate in their decision making to prepare and publish a public participation strategy specifying how it proposes to comply with the duty

5. The Corporate Plan 2023-26 therefore includes a priority to '*Ensure the Council represents and responds to the diversity of Cardiff's communities*' and commits to: ***Develop a draft of the Participation Strategy for public consultation by June 2023 with a focus on improving engagement with seldom heard voices and amplifying the voices of people who are currently less likely to get involved in the decision-making process.*** This Corporate Plan commitment is led by the Cabinet Member for Public Health and Equality, Cllr Julie Sangani.

6. There are two distinct parts to the Participation Strategy. In addition to increasing citizen participation in decision making processes, the legislation requires the new strategy to encompass ways of promoting participation in the democratic process including how to become a member of the council, and what membership entails. Therefore, in order to address the two parts of the Act, delivery of this draft strategy has been a collaborative policy development exercise by the Performance & Partnerships function together with the Council's Democratic Services function.

7. Councils across Wales are required to develop and publish a public participation strategy that must address:
 - ways of promoting awareness among local people of the council's functions;
 - ways of promoting awareness among local people of how to become a member of the council, and what membership entails;
 - ways of facilitating access for local people to information about decisions made, or to be made, by the council;
 - ways of promoting and facilitating processes by which local people may make representations to the council about a decision before, and after, it is made;
 - arrangements made, or to be made, for the purpose of the council's duty in section 62 of the 2011 Measure (bringing views of the public to attention of scrutiny committees);

- ways of promoting awareness among members of the principal council of the benefits of using social media to communicate with local people.
8. Importantly, the legislation places a duty on the council to consult local people who live, work or study in the council's area, and anyone else it thinks appropriate, when preparing its public participation strategy (*section 41*). The public participation strategy must set out how Council will establish a relationship with its communities built on trust and a commitment to listen. The strategy must also set out the frequency of subsequent reviews.
 9. Draft Welsh Government guidance on public participation states that it is essential to ensure the needs and aspirations of communities are at the heart of local decision making. The policy intent of the strategy is for the council to set out the arrangements it intends to put in place to embed and deliver a culture of partnership with the public.
 10. The draft guidance states that the participation strategy must be developed together with all diverse communities within the council area. Participation should be interpreted as an all-encompassing term for activities or methods which inform, engage, consult, involve or use co-development or co-production between council and the public. It should also be interpreted as participation of everyone no matter their age, protected characteristic or characteristics or socio-economic background.
 11. This Committee embraced the opportunity to shape the development of the proposals contained within the draft Participation Strategy 2023-27 in March 2023, following which Members made 8 formal recommendations to Cabinet. All recommendations made by the Committee were accepted.
 12. On 13 July 2023, the Cabinet approved a draft Participation Strategy 2023-27 for public consultation and agreed that it would be subject to a period of formal consultation. The Consultation report is attached at **Appendix B**.

Participation Strategy 2023-27

13. The Participation Strategy 2023-27 (**Appendix A**) is comprised of two distinct components, both of which include an action plan setting out a range of actions to support the implementation of the strategy.

Part 1 – focuses on the Council’s **Consultation and Engagement** arrangements,

Part 2 – focuses on **Democratic Engagement** and promoting and supporting participation in the democratic process, including council decision making.

14. An 11-week public consultation on the draft Participation Strategy 2023-27 ran from Monday 24 July 2023 to Sunday 8 October 2023. Over this period the Council engaged extensively with a wide range of stakeholders to understand barriers to engagement and develop proposals for improvement, with a focus on understanding how the Council can better reach out to groups who historically have not engaged in consultations. The engagement included two workshops involving all elected members and convened focus groups to engage directly with:

- Children and Young People
- Older People
- Black, Asian and Minority Ethnic Communities
- People who identify as Disabled

15. The Cabinet report at **Appendix 1** clearly sets out in a tabular format the consultation feedback and how the Council has addressed each issue raised. Members are specifically referred to **point 26** for issues raised relating to Part 1 - Consultation and Engagement; and to **point 42** for issues raised relating to Part 2 – Democratic Engagement.

16. In respect of part 2 the Council is required to make and publish a petition scheme, and to produce and publish a guide to its constitution. Of those who responded to the consultation on these democratic engagement matters, just over half (54.9%) knew who their local councillors are, with 69.6% confident they would know where to find information about their local councillor and the

work they do. In respect of the Council's Constitution the level of awareness was low amongst all stakeholder groups.

17. In addition to approving the Participation Strategy 2023-27 the Cabinet is recommended to approve the final version of the Constitution Guide, which is attached as **Appendix D** to this report.
18. It is proposed that this Strategy will be formally reviewed after each ordinary election (the first review year being 2027) and, as required by the legislation, a consultation exercise on any revisions to the Strategy will be undertaken as part of the review.

Scope of the Scrutiny

19. This report has been brought forward for pre-decision scrutiny following a public consultation. Members are invited to consider the approach taken to the consultation, and to ensuring that seldom heard and difficult to reach stakeholders have a voice; to test whether issues raised in response to the consultation have been fully addressed for both parts of the strategy; and whether the Participation Strategy fully addresses the requirements of the legislation, as listed in point 7 of this report.

Way Forward

20. Councillor Julie Sangani, Cabinet Member Public Health and Equality, Gary Jones, Head of Democratic Services, Gareth Newell, Head of Performance and Partnerships, and Dylan Owen, Operational Manager Policy and Performance have been invited to facilitate Member engagement in the final pre-decision draft of the Council's Participation Strategy, in line with the Corporate Plan commitment.

Legal Implications

21. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise if and when the matters under review are

implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

22. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

Recommendation

The Committee is recommended to:

- i. consider the draft Participation Strategy as presented,
- ii. reflect on discussion at Committee and
- iii. consider whether it wishes to offer its observations and recommendations to Cabinet to inform its consideration of the final Participation Strategy.

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4 January 2024