SECTION 3

3. GETTING INFORMATION AND GETTING INVOLVED

3.1 Getting Information

3.1.1 Information Available to Members of the Public

(a) *When Meetings of the Member Bodies Will Take Place*

A programme of meetings is available by contacting the Council direct or via the website.

(b) *Forward Work Programme*

From the Forward Work Programme, see subject matters regarding decisions intended to be taken by the Cabinet or Council and what issues the Scrutiny Committees will be considering and when these matters will be discussed.

(c) *Information Available Prior to a Meeting*

At least five clear days (which includes weekends) before a meeting, the agenda, any report likely to be discussed and background papers to that report shall be available for inspection at the offices of the Council and on the website (other than reports containing confidential or exempt information). If an item is added to the agenda later, the revised agenda will be open to inspection from the time when the item is added to the agenda and any report will be made available to the public as soon as it is available and sent to Members.

Information which is confidential or exempt (as defined in **Section 15**) will not be disclosed to members of the public at any time.

(d) *Information Available at a Meeting*

The Council will make available to the public physically present at a meeting a reasonable number of copies of the agenda and of the reports for the meeting (save during any part of the meeting to which the public are excluded).

(e) *Information Available After a Meeting*

For a period of six years the agenda, reports and the minutes of the meeting shall be available for inspection. The background papers shall remain open for inspection for a period of four years.

(f) *Council's Accounts*

The public may inspect the Council's accounts and make their views known to the external auditor (section 29 and 30 Public Audit (Wales) Act 2004). Under the Accounts and Audit (Wales) Regulations 2014,

documents will be available for public inspection for 20 working days after the date appointed by the auditor.

3.1.2 Information Available to Members of the Council

(a) Members can see any information, which is available to a member of the public.

(b) In addition, a Member may see any information which he or she needs to know in order to fulfil his or her role as a Member of the Council (otherwise known as "need to know"). A Member will not make public information which is confidential or exempt (as defined in **Section 15**) without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or person(s) or organisation(s) entitled to know it.

3.1.3 Members of a Scrutiny Committee

A Member of a Scrutiny Committee may also see any document containing material relating to:

(a) any business transacted at a meeting of the Cabinet;

(b) any decision taken by an individual Member of the Cabinet.

A Scrutiny Committee Member is not entitled to:

(c) any document in draft form;

(d) any part of a document which contains confidential or exempt information unless that information is relevant to an action or decision they are reviewing or scrutinising or intending to scrutinise and is included in the Committee's Forward Work Programme.

N.B. No Member is entitled to see any information relating to a matter in which he or she has a prejudicial interest.

3.1.4 Information Available to Officers

The Monitoring Officer, the Section 151 Officer and the Chief Executive may see any papers or records held by any part of the Council or its Officers. Other Officers may see any information held by the Council provided:

(a) they need to see the information to do their job; and

(b) that information is processed lawfully in accordance with the Data Protection Legislation.

3.2 Getting Involved – Members of the Public

3.2.1 The Council must encourage local people to participate in the making of decisions by the Council. See the Council's public participation strategy for more information.

3.2.2 Members of the public can get involved in the following ways:

(a) *Voting for Councillors*

If they are over 16 years and registered as a local elector with the Council.

(b) *Taking Part in Meetings*

(i) Members of the public can come to and speak at any meeting which the Council has resolved should include participation by members of the public. These are the Planning Committee and Scrutiny Committees. The rules on when you may speak and for how long are contained in **Section 20**.

(ii) You can also ask Formal Questions at meetings of Full Council (see **Section 4**).

(c) *Submitting Petitions*

A member of the public can seek to raise a matter with the Council by submitting a petition in accordance with the Council's Petition Scheme.

(d) *Views of the Public*

Section 62 of the Local Government (Wales) Measure 2011 requires Local Authorities to put arrangements in place to enable all persons who live or work in the Local Authority's area to bring to the attention of the relevant Scrutiny Committee their views on any matter under consideration by the Committee. A Scrutiny Committee must take into account any views brought to its attention by a member of the public. Details of these arrangements can be found on the Council's website.

(e) When are Meetings Open to the Public?

Meetings will be open to the public wherever possible. The public must be excluded from meetings whenever it is likely that confidential information will be disclosed. The public may be excluded from meetings where it is likely that exempt information will be disclosed. (See **Section 15** for definitions of exempt and confidential information and the definition of public interest).

(f) *Making Comments / Complaints*

(i) A member of the public may comment or complain about Council services by:

(A) contacting their local Councillor;

(B) contacting the Member of the Cabinet responsible for the service;

(C) contacting the Officer responsible for delivering the service or their manager;

(D) using the Council's complaints procedure;

(E) contacting the Public Services Ombudsman for Wales at 1 Ford Yr Hen Gae, Pencoed, CF35 5LJ. Telephone: 0300 790 0203 or via the website www.ombudsman.wales.

(ii) Comments or complaints can be made about an Officer or Member by:

(A) *Officer*

Contacting the Officer or the Officer's manager.

(B) *Member*

If the complaint is about a Member then the complaint should be referred to the Monitoring Officer or the Public Services Ombudsman for Wales at 1 Fford Yr Hen Gae, Pencoed, CF35 5LJ. Telephone: 0300 790 0203 or via the website www.ombudsman.wales.

3.3 **Getting Involved – Members**

Members can get involved by:

3.3.1 Agenda Items

As a Member of the Council, you have the same rights as members of the public. In addition to these rights you also have the following right:

to request that any decision of Cabinet be put on hold pending consideration by the relevant Scrutiny Committee by using the **"Call-In"** procedure, details of which can be found in **Section 7**.

3.3.2 Notices of Motion

Except for motions which can be moved without notice under **Section 4.20**, written Notices of Motion for Full Council meetings, signed by at least two Members, must be delivered to the Proper Officer not later than ten clear days (which includes weekends) before the date of the meeting. These will be entered in a book open to public inspection.

3.3.3 Council Questions

Members can also submit formal questions for meetings of Full Council (see **Section 4**).

3.3.4 Participating in Meetings

Members of the Council are entitled to attend any formal meeting of the Council, its Committees or sub-committees or the Cabinet.

A Member of the Council shall be entitled to attend any meeting of any Committee of the Council but shall not be entitled to take part in proceedings of a Committee of which they are not a member without the consent of that Committee, and shall not in any case be entitled to vote on the proceedings of such a Committee.

3.3.5 Task and Finish

Members of the Council are entitled to attend any formal meetings of the Council, its Committees or sub-committees (including Task and Finish work) or the Cabinet.

A Member of the Council shall be entitled to attend any meeting of any Task and Finish, and may be entitled to take part in proceedings of a Task and Finish of which they are not a member with the consent of that Committee, but shall not in any case be entitled to vote on the proceedings of such a Committee.

3.3.6 Delegated Executive Functions

Members of the Cabinet have a special role to play within the Council. They are entitled to exercise any Executive Function provided the Executive Function has been delegated to them by the Leader(s) of the Council.

3.3.7 Comments and Complaints

Members may comment, subject to restrictions in the Code of Conduct for Members **(Section 19)**, on any aspect of Council business by:

(a) talking to Officers;

(b) talking to the Leader(s) or relevant Member of the Cabinet;

(c) talking to the Chair of a Scrutiny Committee.

If a Member wishes to complain about:

An Officer

The procedure set out in the Protocol on Member / Officer Relations may be used (**Section 22**).

A Member

The procedure set out in **Section 19 (Appendix 3)** may be followed or, alternatively, the complaint should be referred to the Monitoring Officer or the Public Services Ombudsman for Wales.