

THE VALE OF GLAMORGAN COUNCIL

COUNCIL: 26TH JULY, 2021

REFERENCE FROM CABINET: 12TH MAY, 2021

**“C566 AUDIT WALES – SCRUTINY FIT FOR THE FUTURE ACTION PLAN
UPDATE (REF) –**

The reference from the Corporate Performance and Resources Scrutiny Committee of 21st April, 2021 was presented to Cabinet.

The recommendations of the Corporate Performance and Resources Scrutiny Committee were:

“(1) T H A T the progress made to date in delivering both the Audit Wales Action Plan (Appendix A to the report) and the Public Engagement Action Plan (Appendix B to the report) be endorsed and recommended to Cabinet for approval.

(2) T H A T the Revised Cabinet and Scrutiny Roles and Responsibilities Document (Appendix C to the report) be endorsed and referred to Cabinet for approval and uploading to the Council’s website.

(3) T H A T the Revised Scrutiny Public Participation Guide (Appendix G to the report) be endorsed and recommended to Cabinet for consideration and to Full Council for approval, and thereafter uploaded to the Council’s website and the Council’s Constitution amended accordingly.”

Cabinet, having considered the recommendations of the Corporate Performance and Resources Scrutiny Committee

RESOLVED –

(1) T H A T the progress made to date in delivering both the Audit Wales Action Plan (Appendix A to the report) and the Public Engagement Action Plan (Appendix B to the report) be approved.

(2) T H A T the Revised Cabinet and Scrutiny Roles and Responsibilities Document (Appendix C to the report) be approved and uploaded to the Council’s website.

(3) T H A T the Revised Scrutiny Public Participation Guide (Appendix G to the report) be approved and recommended by Cabinet to Full Council for approval, and if approved, thereafter uploaded to the Council’s website and the Council’s Constitution amended accordingly.

Reasons for decisions

(1-2) To approve the Audit Wales Action Plan, the Public Engagement Action Plan and the Revised Cabinet and Scrutiny Roles and Responsibilities Document.

(3) To approve the Revised Scrutiny Public Participation Guide and to refer to Full Council for consideration.

SCRUTINY PUBLIC PARTICIPATION GUIDE

PUBLIC SPEAKING AT A SCRUTINY COMMITTEE MEETING

The Vale of Glamorgan Council recognises that members of the public can make an important contribution and be a valuable source of information. The Council therefore encourages the active participation of all residents within the Scrutiny process in the Vale.

This Guide provides information on what members of the public can expect when participating in a Scrutiny Committee meeting.

Please note this Guide only covers general business items under consideration by the Scrutiny Committees, and therefore items included within the published agenda.

Where an issue of major public concern/interest arises, separate arrangements will apply. Speaking time will be determined by the relevant Chairman of the Scrutiny Committee, based on the level of public interest.

CONTENTS

- 1 What is Scrutiny?
- 2 Where and when do Scrutiny Committees meet.
- 3 Webcasting of Meetings.
- 4 How do I get my “voice” heard?
- 5 Who can speak?
- 6 How long do I have to speak?
- 7 What can I speak on at the meeting?
- 8 What can't I speak on at the meeting?
- 9 Attendance at the meeting.
- 10 Where do I sit?
- 11 When will I speak?
- 12 Can I hand out supporting documents or use visual aids?
- 13 Once I have spoken.
- 14 How do I register to speak?
- 15 Written representations.
- 16 Additional information.
- 17 Privacy Notice.

1 What is Scrutiny?

- 1.1 The Council's Scrutiny process provides an opportunity for Elected Members ("Councillors") to examine the services that the Council provides and to ask questions on how decisions have been made. Scrutiny Committees must also make arrangements to listen to the views of the public and the community. One of the roles of the Scrutiny Committee is to take account of those views when considering the relevant issue and, if considered appropriate, to pass those views on to the Council's Cabinet for their consideration.
- 1.2 It is important to be aware that the Scrutiny Committees do not deal with individual queries, concerns or complaints. You should also bear in mind that a Scrutiny Committee meeting is a meeting held in public but it is not a Public Meeting.
- 1.3 The Council has five Scrutiny Committees:

Corporate Performance and Resources

This Scrutiny Committee deals with the internal working of the Council and its finances.

Environment and Regeneration

This Scrutiny Committee deals with Waste Management, Leisure Facilities (such as parks and play areas), Highway Maintenance, Planning (but not matters such as planning applications), Transportation and Economic Development.

Homes and Safe Communities

This Scrutiny Committee deals with Council Housing and related maintenance, Private Sector Housing, Environmental Health and Community Safety and Crime and Disorder (including Youth Offending Services).

Learning and Culture

This Scrutiny Committee deals with all School matters, (which includes School Improvement, Post-16 Education, and Community Education) Youth Services and the Library Service, as well as matters relating to equalities.

Healthy Living and Social Care

This Scrutiny Committee deals with Adult Services (e.g., such as Care

Homes), Children and Young People Services (e.g. Adoption Service), and Healthy Living and Leisure to ensure that residents of the Vale of Glamorgan lead healthy lives and that vulnerable people are protected and supported.

2 Where and when do Scrutiny Committees meet?

- 2.1 Each of the Council's five Scrutiny Committees meet approximately 10-12 times a year. Meetings usually commence at 6:00pm and are normally held in the Council Chamber of the Civic Offices in Barry. However, on occasions, an alternative venue may be used (e.g. the Learning and Culture Scrutiny Committee may meet at a school). A schedule of all the Scrutiny Committee meetings for the current Municipal Year (May to April) is available on the Council website at the following link: [http://www.valeofglamorgan.gov.uk/meetings and agendas](http://www.valeofglamorgan.gov.uk/meetings-and-agendas).
- 2.2 The provisions within this document will also apply to any Scrutiny Committees that are determined by the Council / Chairman to take place on a virtual only or hybrid (i.e. remote attendance) basis.

3 Webcasting of Meetings.

- 3.1 Subject to legislation and / or Council procedures a Scrutiny Committee meeting may be broadcast live over the internet (webcast) allowing members of the public to watch the meeting remotely. Members of the public who have registered to speak will be notified of this prior to the meeting.

4 How do I get my "voice" heard?

- 4.1 Your "voice" at a Scrutiny Committee can be heard via two ways. If you choose, you can request to speak at a Scrutiny Committee or alternatively, you can send in written representations. The procedure for submitting written representations can be found in section 15 of this Guide.

5 Who can speak?

- 5.1 Anyone who lives or works in the Vale of Glamorgan and who has registered, is entitled to speak at a scheduled meeting of one of the Council's Scrutiny Committees.
- 5.2 The meeting is not a question and answer session and speakers will be asked to make statements relevant to the topic and to avoid repetition.
- 5.3 The number of public speakers will be limited, and this will be dependent on the number of registrations received.

- 5.4 In the event that a person aged under 16 years of age wishes to speak at a Scrutiny Committee meeting, they must be accompanied by an adult.
- 5.5 Expert Witnesses – Where appropriate, witnesses with a specific knowledge or experience can be asked to address the Scrutiny Committee on a particular matter. When a witness is requested to give evidence, then the amount of speaking time allocated will be determined by the Chairman. **This will not affect the amount of public speaking time.**

6 How long do I have to speak?

- 6.1 For each agenda item, there will be a maximum of 15 minutes speaking time in total for members of the public (provided they have registered to speak). In the event of multiple requests to speak, the Chairman will usually allow up to a maximum of 5 individual speakers per agenda item (i.e. 3 minutes per speaker). Individual speakers who have registered to speak will be limited to 3 minutes in respect of an agenda item.
- 6.2 Where multiple requests to speak have been received, which is greater than the usually permitted maximum of 5 individual speakers, then the speaking arrangements will be based on the level of public interest and the amount of speaking time determined by the Chairman.

This Guide does not apply to Vale of Glamorgan Elected Members, as they are subject to the procedures of the Council's Constitution, which entitles them to speak with the permission of the Committee.

7 What can I speak on at the meeting?

A member of the public, speaking on an agenda item must address their speech to the item they have registered to speak upon on the agenda and cannot address other agenda items or unrelated business. You should ensure that:

- Your comments are clear and concise and are directly related to the agenda item on which you have requested to speak;
- You avoid repeating points made previously by any earlier public speakers; Your views are limited to the advantages or disadvantages of the ~~report~~ item and that you highlight how the item could affect the delivery of services to specific user groups of citizens in the Vale; and
- Your comments are not defamatory, discriminatory or contain offensive language.

8 What can't I speak on at the meeting?

- 8.1 The right of the public to speak applies to all items on the agenda with the exception of the following:
- Apologies;
 - Declarations of Interest and Previous Meeting Minutes;
 - If an agenda item has been withdrawn;
 - Any agenda item that is not accompanied by a written report or any agenda item for which the Chairman has exercised her or his discretion to withdraw the right of public speaking, e.g. a presentation; and
 - When confidential items are under consideration by the Scrutiny Committee, the Chairman will ask all members of the public and the press to vacate the meeting room.
- 8.2 The right to speak does not include the right to ask any questions of any Elected Member, Officer of the Council, invited attendees or any other speaker.
- 8.3 The Chairman of the Committee will have the discretion to stop a speaker before their allotted time has concluded if, in the Chairman's view, the speaker is making any comments that are, or appear to be:
- defamatory;
 - dis-criminatory;
 - contain offensive language;
 - are contrary to the procedures laid out in the public speaking protocol;
 - are unrelated to the agenda item under consideration; and
 - or constitute behaviour otherwise not appropriate for a Scrutiny Committee meeting.

9 Attendance at the meeting.

- 9.1 Members of the public who have registered to speak, are asked to arrive 15 minutes before the scheduled start time of the meeting and should inform the Democratic and Scrutiny Services Officer of their arrival.

10 Where do I sit?

- 10.1 The Democratic and Scrutiny Services Officer will seat you accordingly and, at the appropriate time, the Chairman will ask you to move to a particular place within the Council Chamber where you can be clearly seen and heard.

11 When will I speak?

11.1 Normally, agenda items with public speaking will usually be considered first and will take the following format:

1. Responsible Officer from the Council to present the report;
2. If applicable, the Cabinet Member portfolio holder to address the Scrutiny Committee;
3. Expert Witness to provide evidence;
4. Members of the public who have registered to speak;
5. Other Elected Members (i.e. not members of the Scrutiny Committee);
and
6. Scrutiny Committee Members.

12 Can I hand out supporting documents or use visual aids?

12.1 You cannot hand out any supporting documents at the meeting or use any form of visual aid, such as photographs or diagrams. The deadline for registering to speak or to make written representations is designed to provide information to the Scrutiny Committee in advance of the meeting in order to allow Members to give full consideration to the points raised.

13 Once I have spoken.

13.1 After you have finished speaking, please be aware that you may be asked questions by the Committee Chairman and /or Committee Members to clarify some of your comments. You must not enter into a debate with the Committee Members, as this is not a public inquiry; but rather a meeting of the Council. You will then be asked to return to your original seat.

13.2 The Committee will then discuss the issue further before making any recommendation(s) to the Cabinet (or Senior Officer with delegated responsibility) they deem appropriate.

13.3 If the Chairman advises that there are no further queries and if you wish, you are free to leave the meeting.

N:B While a Scrutiny Committee will consider the comments made by Public Speakers and other Elected Members when considering matters and forming recommendations, it has a duty to form its own conclusion as it sees appropriate.

14 How do I register to speak?

- 14.1 The agendas for Scrutiny Committee meetings are published on the Council's website, 5 clear days before the date of the meeting. Hard copies are also available for public inspection at the Civic Offices, by contacting Democratic Services via the main reception desk.
- 14.2 The appropriate application form to register to speak will be available on the Council's website from 8:30am the day after the agenda is published via the following link: https://www.valeofglamorgan.gov.uk/en/our_council/Council-Structure/Public-Participation-at-Council-Meetings.aspx .
- 14.3 Members of the public who wish to register to speak at a meeting of one of the Council's Scrutiny Committees should apply by completing the appropriate application form by no later than 4.00pm on the working day preceding the meeting.
- (For example, if the meeting falls on a Tuesday, requests to speak should be received by 4.00pm on the preceding Monday. If the meeting falls on a Wednesday, requests to speak should be received by 4.00pm on the Tuesday.)
- 14.4 To register your interest you should complete the appropriate application form, which can be found at the following web link:
- https://www.valeofglamorgan.gov.uk/en/our_council/Council-Structure/scrutiny/scrutiny.aspx
- However, should you not have access to the internet, you can telephone Democratic and Scrutiny Services on 01446 709413 to register your interest or ask to inspect the papers.
- 14.5 Requests must include details of the agenda item and the relevant Scrutiny Committee at which you would like to speak. Members of the public must also indicate in the comments box, specific details of the issues they wish to raise.
- 14.6 Accepted applications will normally be dealt with in the order that they have been received.
- 14.7 All those registered to speak will be advised prior to the meeting, either by e-mail or through their contact telephone number, if their request to speak has been accepted, and be provided with a copy of this guide.

15 Written Representations.

- 15.1 We appreciate that you may find it difficult to address the Committee in person. If this is the case, we welcome written submissions of your views/opinions and these can be sent to:

Via Email: Democratic@valeofglamorgan.gov.uk

Or to the following postal address:

Democratic and Scrutiny Services,
The Vale of Glamorgan Council Civic Offices,
Holton Road,
BARRY,
CF63 4RU.

- 15.2 Alternatively, members of the public can use the following electronic form to submit comments or make a request for a matter to be considered by the relevant Scrutiny Committee(s). [INSERT LINK – Webpage currently under review.](#)

- 15.3 Written Representations should be received by Democratic and Scrutiny Services by no later than 4.00pm on the working day prior to the Scrutiny Committee meeting.

(For example, if the meeting falls on a Tuesday, representations should be received by 4.00pm on the preceding Monday. If the meeting falls on a Wednesday, representations should be received by 4.00pm on the Tuesday).

16 Additional information.

- 16.1 Filming and recording of meetings will only be allowed if prior permission is sought in writing from, and granted by, the Managing Director in advance of the meeting.
- 16.2 Speakers should advise Democratic and Scrutiny Services in advance if they have any special needs or requirements.
- 16.3 If you have any questions concerning public speaking at a meeting of one of the Council's Scrutiny Committees, or the submission of written representations, please do not hesitate to contact a member of the Democratic and Scrutiny Services Team on the telephone number or e-mail address below.

Democratic Services telephone: 01446-709413

Email: Democratic@valeofglamorgan.gov.uk

Or postal address: Democratic and Scrutiny Services

The Vale of Glamorgan Council Civic Offices,
Holton Road,
BARRY,
CF63 4RU.

17 Privacy Notice.

17.1 This Privacy Notice is supplemental to the Council's Corporate Privacy Notice linked below:

https://www.valeofglamorgan.gov.uk/en/our_council/Website-Privacy-Notice.aspx

17.2 This Privacy Notice is specifically for Democratic Services.

17.3 Democratic Services provides support and administration for the Council's Committee system in order for it to operate effectively. In particular it:

- Organises and schedules meetings,
- Decides whether the meeting will be public,
- Issues public notices in relation to the meeting,
- Invites individuals to attend,
- Deals with correspondence received in relation to the business of the meeting,
- Deals with queries in relation to business of the meeting,
- Takes minutes of the relevant meeting,
- Issues agenda and minutes,
- Deals with any other issue relevant to the business of the meeting,
- Arranges for the retention of documents and reports relating to the Committee.

17.4 In the context of this notice the word meeting includes:

- Council meeting
- Council Sub Committee meeting
- Scrutiny Committee
- Scrutiny Sub Committee meeting
- Education Appeals Committee
- Audit Committee; and
- Any other meeting supported by Democratic Services.

17.5 In order to promote open Government and Democracy most of the Council's meetings are held in public and accordingly anything discussed at those

meetings will be public and any minutes, recordings or webcasts will also be public. There are some circumstances however where it is not appropriate for matters to be discussed in public, for instance the personal business of individuals or information that is financially/ commercially sensitive. The agenda of the meeting will make it clear how information is to be treated.

17.6 Accordingly, if:

- you are submitting information to be discussed at a Committee, or
- you are attending a Committee to speak, or
- you are submitting documents to a Committee, or
- you are submitting petitions to a Committee
- you are submitting representations to a Committee
- you are submitting or providing documents / petitions on behalf of others.

17.7 This information will be dealt with openly and in public unless the meeting, or part of the meeting, discussing it is not held in public in accordance with the exempt information provisions in the Council's Constitution.

17.8 If you are obtaining information from third parties, you need to ensure that they understand the above and **consent** to their information to be put into the public domain. The Council may ask you to confirm this and information may not be further published unless we are satisfied that third parties have been made aware of this.

How do we collect information from you?

17.9 We collect information from you when you visit www.valeofglamorgan.gov.uk. Also, when you contact us in writing, speak to us on the phone, email or talk to us face to face.

What types of information do we collect from you?

17.10 In order to provide the service, the Council may need to process some or all of the following categories of personal information about members of the public or elected Members:

- Name and title
- Address
- Contact number
- Email address
- Comments in relation to Council business
- Special requirements to access meetings, including speaking in Welsh

How is your information used?

17.11 In accordance with our public tasks the following applies:

- To be used at the meeting as set out above,
- When registering to speak at Committees, members of the public's details will be entered into a Council computer database.
- Any registrations to speak at Committee meetings and any information submitted to Councillors and Democratic Services may be shared with Council Officers and affiliated partners (e.g. organisations the Council works with collaboratively to deliver services) for their professional observation and consideration.
- Any written correspondence received may be kept on file for future reference by the Council.
- Enable Members or Officers of the Council to investigate or assist with any issues which you may have raised. Also, so we can notify you of any updates.
- Refer your public representations across Committees in order to inform decision making.
- If your express permission is given, share with other members of the public who have registered to speak in order to nominate a spokesperson.

Who has access to your information?

17.12 We will generally only share personal data with Vale of Glamorgan Council staff or elected Members who need it to perform their functions. However, as outlined above, if discussed in a public meeting the information will be publicly available.

17.13 In addition, we may rely on a number of exemptions, which allow us to share information without needing to identify a lawful basis for the sharing and without needing to provide you with information about the sharing.

Lawful bases

17.14 Our **lawful bases** for processing your personal information are:

- Consent.
- The processing is necessary for the performance of a task carried out by us in the public interest or in the exercise of authority vested in us.
- The processing is necessary in order to protect your vital interests or those of another individual.
- The processing is necessary for compliance with a legal obligation to which we are subject.

What are your rights in relation to the personal data we process?

17.15 Rights include:

- **Access** – you can request copies of any of your personal information held by the Council.
- **Rectification** – you can ask us to correct any incorrect information.
- **Deletion** – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.
- **Portability** - you can ask us to transfer your personal data to different services or to you.
- **Right to object or restrict data processing** – you have the right to object to how your data is being used and how it is going to be used in the future.
- **Right to prevent automatic decisions** – you have the right to challenge a decision that affects you that has been made automatically without human intervention.

How long will we keep your information for?

17.16 We keep and dispose of all records in line with our record retention schedule. Please contact the Democratic Services Department on 01446 709 855 or Democratic@valeofglamorgan.gov.uk for further information.

What security precautions are in place to protect the loss, misuse, or alteration of your information?

17.17 We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration, or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend you take every precaution to protect your personal information.

Webcasting

17.18 Please note that certain meetings of the Vale of Glamorgan Council will be webcast, you will be informed verbally if the meeting you are at will be. If it is, then this means that you are being recorded both visually and in sound and that is made available on the internet. This is done for the purposes of

supporting and promoting democratic engagement and public interest. We will retain the data for 6 years and then offer it to the archivist at the Glamorgan Records Office for permanent retention. You have the right to apply to access, rectify, restrict, object, or erase this data.

Complaints

17.19 If you would like to make a complaint regarding the use of your personal data, you can contact our Data Protection Officer:

By post: Freedom of Information Unit

Civic Offices, Holton Road, Barry, CF63 4RU.

By phone: 01446 700111.

By email: DPO@valeofglamorgan.gov.uk

17.20 For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Officer (ICO) at www.ico.org.uk